Rural Affairs, Climate Change and Environment Committee

Remit and membership

Remit:

To consider and report on agriculture, fisheries, rural development, climate change, the environment and other matters falling within the responsibility of the Cabinet Secretary for Rural Affairs & the Environment.

Membership:

Claudia Beamish
Graeme Dey (Deputy Convener)
Alex Fergusson
Rob Gibson (Convener)
Cara Hilton
Jim Hume
Angus MacDonald
Michael Russell
Dave Thompson

Committee Clerking Team:

Clerk to the Committee
Lynn Tullis

Senior Assistant Clerk
Nick Hawthorne

Assistant Clerk
Alison Wilson

Committee Assistant
Ross Fairbairn
The Committee reports to the Parliament as follows—

**Background – Public Bodies Act Consent memoranda**

1. The UK Public Bodies Act 2011 gives UK Ministers the authority, via order making powers, to abolish, merge or transfer the functions of public bodies listed in its schedules. As some of these public bodies operate within both reserved and devolved policy areas, section 9 of the Act provides that those orders which affect public bodies that operate within devolved policy areas require the consent of the Scottish Parliament before they can be agreed by the UK Parliament.

2. This consent is secured via the Scottish Government laying a Public Bodies Act Consent Memorandum (PBACM) seeking the Scottish Parliament’s approval for the UK Order, in so far as it relates to devolved policy areas, to be agreed. A PBACM is considered by a lead committee, which must report to the Parliament. The PBACM will include a draft motion which the Scottish Government will lodge following the publication of the lead committee’s report.

3. Further information on the PBACM process is set out in chapter 9BA of Standing Orders.

**Abolition of the Home Grown Timber Advisory Committee**

4. On 2 December 2014, a PBACM on the Public Bodies (Abolition of the Home Grown Timber Advisory Committee) Order 2015 [draft] was laid by the Minister for Environment, Climate Change and Land Reform and referred by the Parliamentary Bureau on 16 December 2014 to the Rural Affairs, Climate Change and Environment Committee (as lead committee) for its consideration.

5. This Order abolishes the Home Grown Timber Advisory Committee and removes the requirement under section 37(1) of the Forestry Act 1967 (c.10) for the Forestry Commissioners to continue to maintain that Committee. It also
removes the requirement for the Forestry Commissioners to consult with that Committee before making regulations under section 32 of that Act.

6. A copy\(^2\) of the PBACM can be found on the Scottish Parliament’s website.

7. The PBACM contains the following draft motion—

“That the Parliament consents to the making of The Public Bodies (Abolition of the Home Grown Timber Advisory Committee) Order 2015, a draft of which was laid before the United Kingdom Parliament on 2 December 2014.”

8. A copy of the Scottish Government’s PBCAM, with full background and details of the UK Government’s proposal and draft order, is set out in Annexe A and B to this report.

**Delegated Powers and Law Reform Committee report**

9. The PBCAM was considered by the Delegated Powers and Law Reform Committee on 16 December 2014 and a copy of its report is available on its webpage\(^3\).

**Consideration by the Rural Affairs, Climate Change and Environment Committee**

10. At its meeting on 7 January 2015\(^4\), the Committee considered the PBACM. Members raised no issues in relation to the PBACM and agreed to recommend to Parliament that the consent motion be approved.

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\(^4\) Scottish Parliament, Rural Affairs, Climate Change and Environment Committee, Minutes for meeting on 7 January 2015. Available at: http://www.scottish.parliament.uk/S4_RuralAffairsClimateChangeandEnvironmentCommittee/Minutes/Minutes_01_07_2015.pdf
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