

PARLIAMENTARY BUREAU

REFERRAL OF DRAFT PROPOSAL FOR THE FLY-TIPPING (SCOTLAND) BILL

1. A draft proposal for a Fly-tipping (Scotland) Bill was lodged on 28 February 2022 by Murdo Fraser MSP.
2. The proposal is for a bill to reduce the incidence of fly-tipping by introducing new measures and strengthening existing measures to prevent it, including by improving data collection, improving enforcement procedures, increasing penalties for offenders, and by making changes regarding liability for the removal of fly-tipped waste.
3. The member lodged a consultation document on 28 February 2022. The consultation opened on 1 March 2022 and will close on 23 May 2022. The Bureau is therefore invited to consider which committee to refer the draft proposal and consultation document to.
4. The proposal falls within the remits of the following committees

Committee	Remit and relevance
Net Zero, Energy and Transport Committee	<p>The Committee's remit is to consider and report on the following (and any additional matter added under Rule 6.1.5A)—</p> <ul style="list-style-type: none"> • matters falling within the responsibility of the Cabinet Secretary for Net Zero, Energy and Transport. <p>The Cabinet Secretary for Net Zero, Energy and Transport has responsibility for, among other things, environmental protection, sustainable development, circular economy, the Scottish Environment Protection Agency (SEPA) and Zero Waste Scotland.</p> <p>The draft proposal relates to environmental protection and sustainable development, and work presently carried out by, among others, SEPA and Zero Waste Scotland.</p> <p>For those reasons, this committee's remit is engaged.</p>

<p>Local Government, Housing and Planning Committee</p>	<p>The Committee's remit is to consider and report on the following (and any additional matter added under Rule 6.1.5A):</p> <ul style="list-style-type: none"> • matters relating to local government, housing and planning falling within the responsibility of the Cabinet Secretary for Social Justice, Housing and Local Government and the Cabinet Secretary for Finance and the Economy, and matters relating to the Local Government Boundary Commission and local governance review and democratic renewal within the responsibility of the Deputy First Minister. <p>The Bill proposal includes provision that would impact on local government, including the collection and processing of data by local authorities and the level of fines they impose for fly-tipping. Therefore, this committee's remit is engaged.</p>
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5. The proposal engages the remits of two committees mentioned above. It is considered that the Net Zero, Energy and Transport Committee has the greater interest in this Member's Bill proposal. As such it is recommended that the Bureau refer the proposal to the Net Zero, Energy and Transport Committee, for information only.

Recommendation

6. The Bureau is invited to refer the draft proposal on the Fly-tipping (Scotland) Bill to the Net Zero, Energy and Transport Committee.

**Non-Government Bills Unit
March 2022**