Parliamentary Bureau – Consideration of Bill at Stage 2

Housing (Scotland) Bill

Introduction

1. The Housing (Scotland) Bill was introduced by the Cabinet Secretary for Social Justice on 26 March 2024.

2. The Parliament agreed to the general principles of the Bill at Stage 1 on 28 November 2024 and as such the Bureau is invited to consider the referral of the Bill at Stage 2.

3. At Stage 1, on the recommendation of the Bureau, the Parliament agreed to refer the Bill to the Local Government, Housing and Planning Committee as lead committee, and the Social Justice and Social Security Committee as a secondary committee.

4. At Stage 1, the Local Government, Housing and Planning Committee scrutinised Parts 1-4 (Rent, Dealing with evictions, Keeping pets and making changes to let property, Other matters relating to tenants) and Part 6 (Other housing matters, with the exception of the cross heading on fuel poverty) as well as the overall general principles of the Bill. The Social Justice and Social Security Committee considered the provisions in Part 5 (Homelessness prevention) and part of Part 6 (Other housing matters – cross heading fuel poverty).

5. After Stage 1 consideration, both committees have maintained an interest in the Bill. As such, it is proposed that consideration of the Bill at Stage 2 be divided between the Local Government, Housing and Planning Committee and the Social Justice and Social Security Committee, following a similar division of responsibility as at Stage 1.

6. Rule 9.7.1(b) of Standing Orders provides for such a division to be agreed to by the Parliament, on a Parliamentary Bureau motion. There has been recent precedent for such an approach with the Coronavirus (Recovery and Reform) (Scotland) Bill in 2022.

Procedural issues

7. It is considered that the effect of a motion under Rule 9.7.1(b) being agreed to is that there are, for most practical purposes, two separate Stage 2 processes being followed for the same Bill. As a consequence—
    - each Convener will be responsible for determining disputes about the admissibility of amendments to those parts of the Bill being considered by that Convener's committee,
    - a motion under Rule 9.7.4 to set out a revised order of consideration is necessary due to practical considerations on dividing the Bill between committees,
    - separate Daily Lists and Marshalled Lists will be produced for each committee, containing only the amendments to be considered by that

committee (and, as a consequence, a different number sequence will be used in relation to each committee's amendments).

8. It is proposed that at Stage 2, scrutiny of the Bill is divided as follows—
    - the Local Government, Housing and Planning Committee would consider Parts 1, 2, 3, 4, 7, the schedule and Part 6 (with the exclusion of sections 48-50, being the cross heading on fuel poverty),
    - the Social Justice and Social Security committee would consider Part 5, and sections 48-50 of Part 6 (the cross heading on fuel poverty).

9. Similarly, it is proposed that amendments that insert new provision, such as a new Part or section, which relate to the subject matter being considered by the Local Government, Housing and Planning Committee would be debated and disposed of by that committee so far as it does not specifically relate to the Part 5 homelessness provisions or fuel poverty.

10. It is understood that both committees are content with the proposed approach.

Proposed timetable

11. Subject to the Parliament's agreement, the following timetable is proposed—
    - Stage 2 to be taken by the Social Justice and Social Security Committee commencing 20 March 2025,
    - Stage 2 to be taken by the Local Government, Housing and Planning Committee commencing 29 April 2025,
    - Stage 2 to be completed by 29 May 2025.

Recommendation

12. The Bureau is invited to:
    - consider recommending to the Parliament by motion that it agrees, under Rule 9.7.1(b) that Stage 2 consideration of the Housing (Scotland) Bill be divided between the Local Government, Housing and Planning Committee and the Social Justice and Social Security Committee, in line with the recommendations above, as implemented by the draft motion attached.
    - note the proposed timetable for consideration of this Bill.
    - recommend to the Parliament that consideration of the Bill at Stage 2 be completed by Thursday 29 May 2025. The Committees and Scottish Government are content with the requested date.

Parliamentary Business Team
February 2025

Draft motion

Stage 2 consideration of the Housing (Scotland) Bill:
That the Parliament agrees that Stage 2 of the Housing (Scotland) Bill be taken as follows—

(a) under Rule 9.7.1(b) and 9.7.4—

(i) the Social Justice and Social Security Committee to consider in the following order—

i. Part 5,
ii. sections 48 to 50 in Part 6,

(ii) the Local Government, Housing and Planning Committee to consider in the following order—

i. Parts 1 to 4,
ii. Part 6 (except sections 48 to 50),
iii. Part 7, with the schedule being considered immediately after the section that introduces it,
iv. the long title,

(b) any amendments specifically on matters relating to the Part 5 homelessness prevention provisions or the Part 6 fuel poverty provisions, except any such amendments to the schedule or the long title, are to be considered by the Social Justice and Social Security Committee,

(c) all amendments not covered by paragraphs (a) and (b) are to be considered by the Local Government, Housing and Planning Committee.