The Scottish Parliament
Pàrlamaid na h-Alba

Economy, Tourism and Energy Committee

Jane O'Donnell
Chief Executive
COSLA

05 November 2026

Dear Jane

Commercial Payments Bill LCM

The Economy, Tourism and Energy Committee met yesterday to consider the Legislative Consent Memorandums relating to the Commercial Payments Bill.

The Committee notes that COSLA has raised concerns with the Scottish Government regarding the practical, financial and operational implications of the Bill for local authorities, including the proposed removal of construction retention payments.

To assist the Committee's scrutiny of the LCMs, we would be grateful if you could provide further information on the nature of these concerns, including any engagement or discussions COSLA has had with the Scottish Government to address them.

We would welcome your views on whether you have concerns regarding the use of UK Parliament legislation in areas that fall within devolved competence. We would also be interested in your assessment of the proposed phasing out of construction retention payments, including any implications for local authorities in managing risks associated with defective, incomplete or delayed construction works.

We would be grateful if we could receive your response by **Wednesday 18 November 2026**.

Yours sincerely,

Duncan Massey MSP, Convener

Contact: Economy, Tourism and Energy Committee, The Scottish Parliament, Edinburgh, EH99 1SP . Email economy.committee@parliament.scot. We welcome calls through Relay UK and in BSL through Contact Scotland BSL.