DELEGATED POWERS AND LAW REFORM COMMITTEE

MINUTES

5th Meeting, 2018 (Session 5)

Tuesday 20 February 2018

Present:

Neil Findlay
Alison Harris
Stuart McMillan (Deputy Convener) Graham Simpson (Convener)
David Torrance

The meeting opened at 10.00 am.

1. Decision on taking business in private: The Committee agreed to take items 7 and 8 in private.

2. Planning (Scotland) Bill: The Committee took evidence on the delegated powers in the Bill at Stage 1 from—

   Kevin Stewart, Minister for Local Government and Housing; Jean Waddie, Bill Co-ordinator; Norman MacLeod, Senior Principal Legal Officer, Scottish Government Legal Directorate; John McNairney, Chief Planner, Scottish Government.

3. Instruments subject to affirmative procedure: The Committee agreed to draw the attention of the Parliament to the following—

   Equality Act 2010 (Authorities subject to the Socio-economic Inequality Duty) (Scotland) Regulations 2018 [draft];

   and that no points arose on the following—

   Budget (Scotland) Act 2017 Amendment Regulations 2018 [draft];
   Carers (Scotland) Act 2016 (Adult Carers and Young Carers: Identification of Outcomes and Needs for Support) Regulations 2018 [draft].
4. **Instruments subject to negative procedure:** The Committee agreed to draw the attention of the Parliament to the following—

- Carers (Scotland) Act 2016 (Review of Adult Carer Support Plan and Young Carer Statement) Regulations 2018 (SSI 2018/33);

and that no points arose on the following—

- Protection of Vulnerable Groups (Scotland) Act 2007 (Prescribed Services) (Protected Adults) Amendment Regulations 2018 (SSI 2018/28);
- Self-directed Support (Direct Payments) (Scotland) Amendment Regulations 2018 (SSI 2018/29);
- Carers (Waiving of Charges for Support) (Scotland) Amendment Regulations 2018 (SSI 2018/31);
- Carers (Scotland) Act 2016 (Short Breaks Services Statements) Regulations 2018 (SSI 2018/32);
- Conservation of Salmon (Scotland) Amendment Regulations 2018 (SSI 2018/37);
- Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2018 (SSI 2018/38);
- Council Tax (Discounts) (Scotland) Amendment Regulations 2018 (SSI 2018/39);
- Carbon Accounting Scheme (Scotland) Amendment Regulations 2018 (SSI 2018/40);
- National Assistance (Sums for Personal Requirements) (Scotland) Regulations 2018 (SSI 2018/41);
- Community Care (Provision of Residential Accommodation Outwith Scotland) (Scotland) Amendment (No. 2) Regulations 2018 (SSI 2018/42);
- National Assistance (Assessment of Resources) Amendment (Scotland) Regulations 2018 (SSI 2018/43);
- Disabled Persons (Badges for Motor Vehicles) (Scotland) Amendment Regulations 2018 (SSI 2018/44);
- Council Tax (Exempt Dwellings) (Scotland) Amendment Order 2018 (SSI 2018/45);
- Non-Domestic Rate (Scotland) Order 2018 (SSI 2018/46);
- Personal Injuries (NHSS Charges) (Amounts) (Scotland) Amendment Regulations 2018 (SSI 2018/47);
- Premises Licence (Scotland) Amendment Regulations 2018 (SSI 2018/49);
- Scottish Road Works Register (Prescribed Fees) Amendment Regulations 2018 (SSI 2018/50);

5. **Instruments not subject to any parliamentary procedure:** The Committee agreed that no points arose on the following—

- Education (Scotland) Act 2016 (Commencement No. 5 and Savings Provision) Regulations 2018 (SSI 2018/36 (C.5));
6. **Islands (Scotland) Bill:** The Committee agreed to welcome the Scottish Government's response to its Stage 1 report.

7. **Scottish Crown Estate Bill (in private):** The Committee considered its approach to the delegated powers provisions in this Bill at Stage 1 and agreed to ask questions of the Scottish Government in writing on certain powers within the Bill.

8. **Planning (Scotland) Bill (in private):** The Committee considered the evidence it heard earlier in the meeting.

The meeting closed at 11.38 am.

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