

TRANSPORT AND THE ENVIRONMENT COMMITTEE

Wednesday 6 February 2002
(Morning)

Session 1

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TRANSPORT AND THE ENVIRONMENT COMMITTEE

5th Meeting 2002, Session 1

CONVENER

*Bristow Muldoon (Livingston) (Lab)

DEPUTY CONVENER

*Nora Radcliffe (Gordon) (LD)

COMMITTEE MEMBERS

Robin Harper (Lothians) (Green)

Mr Adam Ingram (South of Scotland) (SNP)

*Angus MacKay (Edinburgh South) (Lab)

*Fiona McLeod (West of Scotland) (SNP)

*Maureen Macmillan (Highlands and Islands) (Lab)

*Des McNulty (Clydebank and Milngavie) (Lab)

*John Scott (Ayr) (Con)

*attended

CLERK TO THE COMMITTEE

Callum Thomson

SENIOR ASSISTANT CLERK

Tracey Haw e

ASSISTANT CLERK

Alastair Macfie

LOCATION

Committee Room 4

Scottish Parliament

Transport and the Environment Committee

Wednesday 6 February 2002

(Morning)

[THE CONVENER opened the meeting at 10:03]

Item in Private

The Convener (Bristow Muldoon): Agenda item 1 is consideration of whether to take agenda item 3 in private. Item 3 is about appointing an adviser for the 2003-04 budget process. Are members comfortable with taking that item in private?

Members indicated agreement.

Subordinate Legislation

Scotland Act 1998 (Agency Arrangements) (Specification) Order 2001 (SI 2001/3917)

The Convener: The substantive—if that is the correct word to use—part of today's business is some items of subordinate legislation.

Last week, we considered the Scotland Act 1998 (Agency Arrangements) (Specification) Order 2001 (SI 2001/3917). Members will recall that questions were asked about the statutory instrument, which does not have any legal status because the legislation that requires to be passed by the UK Government has not yet been passed. Once that legislation has been passed, the Scottish Executive will have to revoke the initial order and introduce a new order.

Some members asked why the statutory instrument was prepared if it does not have any legal status, which is a fair question. The minister has explained that, when the order was laid, it was anticipated that the UK Government would have been able to lay the necessary instruments in Westminster. However, that did not happen.

My advice to the committee is that we note the position, and note that the instrument has no legal status and that an order will revoke it in due course. Are members agreed that we report on that basis?

Members indicated agreement.

Road Works (Inspection Fees) (Scotland) Amendment Regulations 2002 (SSI 2002/13)

The Convener: The Road Works (Inspection Fees) (Scotland) Amendment Regulations 2002 (SSI 2002/13) were laid on 22 January 2002 and come into force on 1 March 2002. The time limit for parliamentary action is 7 March, which requires the committee to report by 4 March. The Subordinate Legislation Committee considered the instrument on 29 January and determined that the attention of Parliament need not be drawn to the instrument. The committee is invited to agree on its report on the instrument.

Do members have any points to raise?

John Scott (Ayr) (Con): Is the increase in fees over a three-year period in line with inflation?

Nora Radcliffe (Gordon) (LD): It is in percentage terms, but from our figures, it is a pragmatic idea. It is cheap for ensuring that a hole in the road has been filled in properly.

The Convener: I suspect that it is below the rate of inflation over the three or four years since the fee was last increased. It is a bargain.

Nora Radcliffe: We should make it more.

The Convener: Are we agreed that there is nothing to report to Parliament?

Members indicated agreement.

Motor Vehicles (Competitions and Trials) (Scotland) Amendment Regulations 2002 (SSI 2002/14)

The Convener: The Motor Vehicles (Competitions and Trials) (Scotland) Amendment Regulations 2002 (SSI 2002/14) were laid on 22 January 2002 and come into force on 1 March 2002. The time limit for parliamentary action is 7 March, which requires the committee to report by 4 March. The Subordinate Legislation Committee has considered the instrument and determined that the attention of Parliament need not be drawn to the instrument. The committee is invited to consider its report on the instrument.

Are we agreed that there is no need to draw the attention of Parliament to the statutory instrument?

Members indicated agreement.

The Convener: That brings us to the point at which we go into private session. I apologise to the one member of the public who is here; I can assure you that all our meetings are not so short.

10:08

Meeting continued in private until 10:34.

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