

Local Government, Housing and Planning Committee
Tuesday 3 February 2026
5th Meeting, 2026 (Session 6)

Subordinate Legislation

Negative instruments

1. At this meeting, the Committee will consider the following Scottish Statutory Instruments (SSIs), which are subject to the negative procedure. The Committee is invited to consider the instruments and decide what, if any, recommendations to make.
2. Further information about each instrument is provided in the Annexes to this paper:
 - [Local Governance \(Scotland\) Act 2004 \(Remuneration\) Amendment Regulations 2026 \(SSI 2026/1\)](#) - **Annexe A**
 - [Building \(Fees\) \(Scotland\) Amendment Regulations 2026 \(SSI 2026/7\)](#) - **Annexe B**

Procedure

3. Under the negative procedure, an instrument is laid after it is made, and is subject to annulment by resolution of the Parliament for a period of 40 days beginning on the day it is laid.
4. Once laid, the instrument is referred to:
 - the Delegated Powers and Law Reform (DPLR) Committee, for scrutiny on various technical grounds, and
 - a lead committee, whose remit includes the subject-matter of the instrument, for scrutiny on policy grounds.
5. Any MSP may propose, by motion, that the lead committee recommend annulment of the instrument. If such a motion is lodged, it must be debated at a meeting of the Committee, and the Committee must then report to the Parliament.
6. If there is no motion recommending annulment, the lead committee is not required to report on the instrument.

Committee consideration

7. So far, no motion recommending annulment of either of the instruments has been lodged.
8. Members are invited to consider each instrument and decide whether there are any points they wish to raise. If there are points to raise on an instrument, options include:

- seeking further information from the Scottish Government (and/or other stakeholders) through correspondence, and/or
 - inviting the Minister (and/or other stakeholders) to attend the next meeting to give evidence on the instrument.
9. It would then be for the Committee, at its next meeting, to consider any additional information gathered and decide whether to make recommendations in relation to the instrument.
10. If members have no points to raise, the Committee should note the instrument (that is, agree that it has no recommendations to make).
11. However, should a motion recommending annulment of one of the instruments be lodged later in the 40-day period, it may be necessary for the Committee to consider the instrument again.

Clerks to the Committee
January 2026

Annexe A: [Local Governance \(Scotland\) Act 2004 \(Remuneration\) Amendment Regulations 2026 \(SSI 2026/1\)](#)

Laid under: Sections 11(1) and 16(2)(b) of the [Local Governance \(Scotland\) Act 2004](#)

Laid on: 8 January 2026

Procedure: Negative

Deadline for committee consideration: 9 February 2026 (Advisory deadline for any committee report to be published)

Deadline for Chamber consideration: 16 February 2026 (Statutory 40-day deadline for any decision whether to annul the instrument)

Commencement: 1 April 2026

Delegated Powers and Law Reform Committee consideration

The DPLR Committee considered the instrument on 20 January 2026 and [reported on it in its 8th Report, 2026](#). The DPLR Committee made no recommendations in relation to the instrument.

Purpose of the instrument

These Regulations amend the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 (“the 2007 Regulations”). They substitute increased annual amounts for different categories of local authority remuneration to their members.

Provision is made for

- Council Leaders’ remuneration;
- New maximum levels for remuneration of Civic Heads;
- Maximum amounts for Senior Councillors in different bandings;
- New levels for Councillors’ remuneration;
- New levels of remuneration for councillors who perform the role of conveners or vice-conveners of joint boards.

The Policy Note accompanying the instrument is included below. It includes a summary of consultation undertaken on the instrument and the anticipated financial effects. The following impact assessment has been carried out:

- [Child Rights and Wellbeing Impact Assessment \(CRWIA\)](#)

Scottish Government Policy Note

Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2026 (SSI 2026/1)

The above instrument was made in exercise of the powers conferred by sections 11(1) and 16(2)(b) of the Local Governance (Scotland) Act. It is subject to the negative procedure.

These Regulations will implement the arrangement introduced in 2017, created in response to COSLA's request for an objective mechanism to determine councillors' remuneration, which took effect following the 2017 local government elections.

From 1 April 2026, these Regulations will increase the salary for all levels of councillors across all local authority bands by 3.3%, in line with the median annual earnings of public sector workers in Scotland.

Policy Objective

This instrument makes provision in relation to the remuneration of local authority councillors. It amends the Local Governance (Scotland) Act 2004 (Remuneration) Regulations 2007 to increase the level of remuneration payable to all local authority councillors by 3.3%.

UN Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 Compatibility

The Scottish Ministers have made the following statement regarding children's rights.

In accordance with section 23(2) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 (the Act), the Scottish Ministers certify that, in their view, the Local Governance (Scotland) Act 2004 (Remuneration) Amendment Regulations 2026 is compatible with the UNCRC requirements as defined by section 1(2) of the Act.

EU Alignment Consideration

This instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU.

Consultation

There is no statutory requirement for the Scottish Ministers to undertake a consultation before implementing an increase on councillors' salaries. Ministers are following the procedure established in 2017, to increase councillors' pay annually in line with the percentage increase in the median annual earnings of public sector workers in Scotland. This information is published by the Office of National Statistics in the Annual Survey of Hours and Earnings.

Impact Assessments

An equality impact assessment has not been undertaken as the increase in councillors' remuneration applies to all local authority members. The Scottish

Ministers have decided that a Business and Regulatory Impact Assessment is not required as there is no impact on business or the third sector and the impact on the public sector (council budgets) is not expected to cause a significant financial pressure.

Financial Effects

The salary increase would be met from existing council budgets: it is estimated that for 2026/27 the total cost would be around £1,322,145 across all 32 councils.

Local Government and Analytical Services Division
The Scottish Government
6 January 2026

Annexe B: [Building \(Fees\) \(Scotland\) Amendment Regulations 2026 \(SSI 2026/7\)](#)

Laid under: Section 38 of the [Building \(Scotland\) Act 2003](#)

Laid on: 15 January 2026

Procedure: Negative

Deadline for committee consideration: 16 February 2026 (Advisory deadline for any committee report to be published)

Deadline for Chamber consideration: 23 February 2026 (Statutory 40-day deadline for any decision whether to annul the instrument)

Commencement: 1 April 2026

Delegated Powers and Law Reform Committee consideration

The DPLR Committee considered the instrument on 27 January 2026 and [reported on it in its 12th Report, 2026](#). The DPLR Committee made no recommendations in relation to the instrument.

Purpose of the instrument

The purpose of the Regulations is to increase building warrant verification fees from the 1 April 2026. This is part of year 3 of a three-year model to increase fees annually, allowing for an inflation uplift and is dependent on monitoring and reporting.

The Policy Note accompanying the instrument is included below. It includes a summary of consultation undertaken on the instrument and the anticipated financial effects. The following impact assessments have been carried out:

- [Business and Regulatory Impact Assessment \(BRIA\)](#)
- [Child Rights and Wellbeing Impact Assessment \(CRWIA\)](#)
- [Fairer Scotland Duty Assessment](#)
- [Equalities Impact Assessment \(EQIA\)](#).

Scottish Government Policy Note

The Building (Fees) (Scotland) Amendment Regulations 2026 (SSI 2026/7)

The above instrument was made in exercise of the powers conferred by section 38 of the Building (Scotland) Act 2003. The instrument is subject to negative procedure.

Summary Box

The aim of this policy is to increase building warrant verification fees from the 1 April 2026, as part of year 3 of a three-year model to increase fees annually, allowing for an inflation uplift and dependent on monitoring and reporting. This will support changes being introduced to strengthen the building standards system through the work of the Building Standards Futures Board Programme.

Policy Objectives

The policy objective is to increase building warrant fees to facilitate the strengthening and improvement of service delivery within the building standards system in Scotland. The intended increase to building warrant fees will provide additional funding for local authorities to support the changes being introduced to the building standard system.

UN Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024 Compatibility

In accordance with section 23(2) of the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, the Scottish Ministers certify that, in their view, The Building (Fees) (Scotland) Amendment Regulations 2026 is compatible with the UNCRC requirements as defined by section 1(2) of the Act.

EU Alignment Consideration

This instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU.

Consultation

A public consultation on building warrant fees took place from 21 July 2023 to 24 October 2023.

As a result of that consultation, just under two thirds (65%) of all respondents agreed that building warrant fees should be increased to strengthen the building standards system in Scotland. Many suggested more funding through increased fees could ease current capacity and resourcing issues, and improve verification, compliance, and inspection services. As a result, the Scottish Government has undertaken work to increase building warrant fees over 3 years with the first increase from 1 April 2024.

A full list of those consulted and who agreed to the release of this information is published with consultation responses on the Scottish Government website. It includes Local Authority Building Standards Scotland (LABSS), Scottish Property Federation, 28 Local Authorities, SELECT, SNIPEF, RIAS, Homes for

Scotland, and various large developers. The development of proposals was undertaken through the Verification Delivery Model Working Group (WG), consisting of representatives from a variety of organisations such as COSLA, LABSS, CIOB, Homes for Scotland and SNIPEF. Proposed fee levels for year 3 (2026-27) were also reviewed and validated by an independent research contractor.

Proposed fee levels were discussed with the Futures Board whose remit it is to provide advice and oversee the activities being undertaken to improve the performance, expertise and sustainability of building standard services across Scotland.

Impact Assessments

A total of 4 impact assessments were completed for the Building (Fees) (Scotland) Amendment Regulations 2026. They are:

- [Business and Regulatory Impact Assessment](#)
- [Equality Impact Assessment](#)
- [Fairer Scotland Duty Assessment](#)
- [Child Rights and Wellbeing Impact Assessment](#)

Financial Effects

A Business and Regulatory Impact Assessment (BRIA) has been completed and laid with this SSI. The impact of this policy on business is an increased financial cost for the application of a building warrant.

Scottish Government
Directorate for Housing
January 2026