



LOCAL GOVERNMENT AND TRANSPORT COMMITTEE

AGENDA

22nd Meeting, 2006 (Session 2)

Tuesday 19 September 2006

The Committee will meet at 2 pm in Committee Room 2.

1. **Items in private:** The committee will consider whether to take item 7 in private.
2. **Subordinate legislation:** Tavish Scott (Minister for Transport) to move motion S2M-4732—

Tavish Scott: The Draft Transfer of Functions to the Shetland Transport Partnership Order 2006— That the Local Government and Transport Committee recommends that the draft Transfer of Functions to the Shetland Transport Partnership Order 2006 be approved.

3. **Subordinate legislation:** Tavish Scott (Minister for Transport) to move motion S2M-4733—

Tavish Scott: The Draft Transfer of Functions to the South-West of Scotland Transport Partnership Order 2006— That the Local Government and Transport Committee recommends that the draft Transfer of Functions to the South-West of Scotland Transport Partnership Order 2006 be approved.

4. **Subordinate legislation:** The Committee will consider the following negative Instruments—

the Council Tax (Exempt Dwellings) (Scotland) Amendment Order 2006 (SSI 2006/402); and

the Road Users Charging Schemes (Keeping of Accounts and Relevant Expenses) (Scotland) Regulation 2005 Revocation Regulations 2006, (SSI 2006/431).

5. **Transport and Works (Scotland) Bill:** The Committee will take evidence on the general principles of the Bill at Stage 1 from—

Richard Evans, Sites Policy Officer, RSPB Scotland, John Thomson, Director of Operations and Strategy (West Areas), SNH and Paul Lewis, Planning Advisory Officer, SNH

and then from—

Linda Knarston, Anderson and Goodlad on behalf of Lerwick Port Authority and British Ports Association.

6. **Subordinate Legislation Committee inquiry:** The Committee will finalise its response to the Subordinate Legislation Committee's Draft Report on its Inquiry into the Regulatory Framework in Scotland.
7. **Proposed Prostitution (Public Places) (Scotland) Bill:** The Committee will consider its approach to this proposed bill.

Martin Verity
Clerk to the Committee
T3.40, Scottish Parliament, Edinburgh, EH99 1SP
0131 348 5217
e mail: martin.verity@scottish.parliament.uk

Agenda Item 2

Covering note on the draft Transfer of Functions to the Shetland Transport Partnership Order 2006 [LGT/S2/06/22/1](#)

[Draft Transfer of Functions to the Shetland Transport Partnership Order 2006](#) [LGT/S2/06/22/2](#)

Agenda Item 3

Covering note on the draft Transfer of Functions to the South-West of Scotland Transport Partnership Order 2006 [LGT/S2/06/22/3](#)

[Draft Transfer of Functions to the South-West of Scotland Partnership Order 2006](#) [LGT/S2/06/22/4](#)

Agenda Item 4

Covering note on the Council Tax (Exempt Dwellings) (Scotland) Amendment Order 2006, (SSI 2006/402) [LGT/S2/06/22/5](#)

[Council Tax \(Exempt Dwellings\) \(Scotland\) Amendment Order 2006, \(SSI 2006/402\)](#) [LGT/S2/06/22/6](#)

Covering note on the Road Users Charging Schemes (Keeping of Accounts and Relevant Expenses) (Scotland) Regulation 2005 Revocation Regulations 2006, (SSI 2006/431) [LGT/S2/06/22/7](#)

[Road Users Charging Schemes \(Keeping of Accounts and Relevant Expenses\) \(Scotland\) Regulation 2005 Revocation Regulations 2006, \(SSI 2006/431\)](#) [LGT/S2/06/22/8](#)

Agenda Item 6

Paper from the Clerk [LGT/S2/06/22/9](#)

Agenda Item 7

Agenda item 2

**Local Government
and Transport
Committee**

19 September 2006

LGT/S2/06/22/1

SSI Cover Note For Committee Meeting

SSI title and number: The Transfer of Functions to the Shetland Transport Partnership Order 2006, (SSI 2006/draft)

Type of Instrument: Affirmative

Meeting: 19 September 2006

Date circulated to members: 14 August 2006

SSI drawn to Parliament's attention by Sub Leg Committee: No

Purpose: This Order provides for the transfer of certain statutory functions relating to transport of the Shetland Islands Council to the Shetland Transport Partnership.

Agenda item 3

LGT/S2/06/22/3

**Local Government
and Transport
Committee**

19 September 2006

SSI Cover Note For Committee Meeting

SSI title and number: The Transfer of Functions to the South-West of Scotland Transport Partnership Order 2006, (SSI 2006/draft)

Type of Instrument: Affirmative

Meeting: 19 September 2006

Date circulated to members: 14 August 2006

SSI drawn to Parliament's attention by Sub Leg Committee: No

Purpose: This Order provides for the transfer of certain statutory functions relating to transport of the Dumfries and Galloway Council to the South-West of Scotland Transport Partnership.

Agenda item 4

LGT/S2/06/22/5

**Local Government
and Transport
Committee**

19 September 2006

SSI Cover Note For Committee Meeting

SSI title and number: The Council Tax (Exempt Dwellings) (Scotland) Amendment Order 2006, (SSI 2006/402)

Type of Instrument: Negative

Meeting: 19 September 2006

Date circulated to members: 14 August 2006

SSI drawn to Parliament's attention by Sub Leg Committee: No

Purpose: The purpose of this instrument is to ensure that homes which are registered as providing a prescribed housing support service to individuals with separate tenancy or licence are exempt from being liable for council tax.



LOCAL GOVERNMENT AND TRANSPORT COMMITTEE

Subordinate Legislation Committee Inquiry into the Regulatory Framework

Introduction

1. The Subordinate Legislation Committee (SLC) has been undertaking an inquiry into the Regulatory Framework in Scotland.
2. The SLC has now completed its consideration of all of the evidence it received during Phase 2 of the inquiry and has come to conclusions which it has included in a draft report.¹

Consultation

3. The Convener of the SLC has written to all Committee Conveners to seek the views of Committees on the draft report.
4. The Local Government and Transport Committee discussed the SLC's draft report at a meeting on 5 September 2006. The Convener also invited members to provide any additional views which they had on the draft report to the Clerk.
5. A draft letter to the Convener of the SLC is attached as an Annex to this paper.

Recommendation

6. The Committee is invited to consider and agree a letter to the Convener of the Subordinate Legislation Committee in response to the recommendations made in its draft report on its Inquiry into the Regulatory Framework in Scotland.

**Bristow Muldoon
Convener**

¹ Report can be found here:

<http://www.scottish.parliament.uk/business/committees/subleg/inquiries/regfram/su04-001-regfram.htm>

ANNEX: DRAFT LETTER

Dr Sylvia Jackson MSP
Convener
Subordinate Legislation Committee
Room TG.01

Local Government and Transport Committee
The Scottish Parliament
Edinburgh
EH99 1SP

Tel: 0131-348-5219
Fax: 0131-348-5600
alastair.macfie@scottish.parliament.uk

September 2006

Dear Sylvia

SUBORDINATE LEGISLATION COMMITTEE INQUIRY INTO THE REGULATORY FRAMEWORK IN SCOTLAND

Thank you for your letter of 23 May 2006 seeking the Local Government and Transport Committee's views on the draft report published following your Committee's inquiry into the Regulatory Framework in Scotland. The Local Government and Transport Committee recently considered this draft report.

Overall, the Committee does not have many comments to make on the draft report. However, one issue which was highlighted during the Committee's discussion was the question of the proposed new power to amend instruments as they pass through the Parliament.

The Committee notes that under the proposed new procedure, during the period when a draft instrument is laid before the Parliament, the Executive may, with the approval of the Parliament, amend the draft. Under the proposed new arrangements, amendments could be made by the Executive to make technical changes but only with the agreement of the Parliament. The Subordinate Legislation Committee considered that Standing Orders should provide that the agreement of the Parliament to these technical changes would be given by the SLC.

During discussions at the Local Government and Transport Committee, one member of the Committee expressed the view that there should be a procedure under which any MSP would be able to amend an instrument when it is considered by the lead Committee. However, the majority of Committee

members were generally content with the proposed new arrangements outlined in your Committee's draft report.

I shall await with interest the publication of your Committee's final recommendations.

Bristow Muldoon
Convener - Local Government and Transport Committee