REGULATORY REFORM (SCOTLAND) BILL

To help the committee in its scrutiny of the Regulatory Reform (Scotland) Bill I would like to take this early opportunity to alert you to potential Stage 2 amendments likely to be of particular interest to the Rural Affairs, Climate Change and Environment Committee:

- Contaminated land – in relation to the contaminated land provisions at section 34 there are some further technical amendments required to ensure that these amendments fully reflect the role of local authorities and SEPA in relation to special sites.

- The Environmental Crime Taskforce (established by the Cabinet Secretary for Rural Affairs and the Environment) is a group of experts tasked with supporting delivery of the Scottish Government’s commitment to tackling environmental crime. They are due to report in July and we are expecting them to come forward with proposals so that SEPA is better equipped to deal with environmental crime. These may include amendments to entry and search powers in section 108 of the Environment Act 1995.

- It is also possible that there may be amendments in connection with the National Litter Strategy which is currently being developed for consultation. For example, our stakeholders’ summit in March discussed the possibility of extending the powers of other public bodies to issue Fixed Penalty Notices.

These potential amendments have emerged from direct feedback from stakeholders, in response to proposals under active consideration by expert groups, arising from related Programme for Government proposals, and following further detailed scrutiny and consideration of the Bill text.

We anticipate these are likely to be the most substantial, although as will be expected not an exclusive, list of amendments likely to be brought forward.
They of course will be subject to further stakeholder input and engagement. As I mentioned in my letter of 2 May, we are committed to maintaining a high level of stakeholder engagement on this programme and listening and acting on the views received.

I trust the committee finds this information useful and I and my officials are very happy to answer any questions when we discuss the Bill with the committee in the coming weeks, or provide further written background as required.

I am copying this letter to the Convener of the Economy, Energy and Tourism Committee given their designated lead on the Regulatory Reform (Scotland) Bill.

Kind regards,

[Signature]

PAUL WHEELHOUSE