



The Scottish Parliament
Pàrlamaid na h-Alba

**POW OF INCHAFFRAY DRAINAGE COMMISSION (SCOTLAND) BILL
COMMITTEE**

AGENDA

8th Meeting, 2018 (Session 5)

Wednesday 24 October 2018

The Committee will meet at 12 noon in the Sir Alexander Fleming Room (CR3).

1. **Pow of Inchaffray Drainage Commission (Scotland) Bill:** The Committee will consider the Bill at Consideration Stage.

Nick Hawthorne
Clerk to the Pow of Inchaffray Drainage Commission (Scotland) Bill Committee
Room T2.60
The Scottish Parliament
Edinburgh
Tel: 0131 348 5417
Email: private.bills@parliament.scot

The papers for this meeting are as follows—

Agenda item 1

Clerk's Cover Note

POI/S5/18/8/1

Pow of Inchaffray Drainage Commission (Scotland) Bill Committee

8th Meeting, 2018 (Session 5), 24 October 2018

Consideration Stage – phase two

Consideration of amendments

Background

1. Preliminary Stage was completed in November 2017 and the Bill proceeded to Consideration Stage.
2. The purpose of Consideration Stage is to consider the detail of the Bill. Consideration Stage consists of two distinct phases. The first phase involves the Committee meeting in a quasi-judicial capacity to consider and dispose of the objections to the Bill. The second phase involves the Committee meeting in a legislative capacity to consider and dispose of amendments to the Bill and to consider each section, schedule, and the long title of the Bill. In this instance, the second phase also involved consideration of two objections lodged to one of the amendments.

Phase two - amendments and detailed consideration of the Bill

3. Following the consideration and disposal of the three objections to the Bill¹, members of the Committee could lodge amendments to the Bill, by the deadline of 18 June 2018. Fifteen amendments² were lodged in total, all by the Convener on behalf of the promoters.
4. The Committee determined that one of those amendments, amendment 9, adversely affects private interests and has sufficient merit that there was a possibility of it being agreed to after further scrutiny. A notification and objection period was therefore allowed for and two admissible objections³ were lodged. The Committee met to take evidence on both objections⁴ and then to consider their merits.

¹ See details in the Pow of Inchaffray Drainage Commission (Scotland) Bill Committee's First Consideration Stage Report. Available at:

<https://digitalpublications.parliament.scot/Committees/Report/POI/2018/5/24/Pow-of-Inchaffray-Drainage-Commission--Scotland--Bill---Consideration-Stage-Report#Introduction>.

² Pow of Inchaffray Drainage Commission (Scotland) Bill. Amendments lodged at Consideration Stage. Available at:

[http://www.parliament.scot/Pow%20of%20Inchaffray%20Drainage%20Commission%20\(Scotland\)%20Bill/Daily_List_15_June.pdf](http://www.parliament.scot/Pow%20of%20Inchaffray%20Drainage%20Commission%20(Scotland)%20Bill/Daily_List_15_June.pdf).

³ For details of the criteria for the admissibility of objections to amendments see the Guidance on Private Bills (May 2017), available at:

<http://www.scottish.parliament.uk/parliamentarybusiness/Bills/79081.aspx>.

⁴ Pow of Inchaffray Drainage Commission (Scotland) Bill Committee. Official Report, 12 September 2018. Available at:

<http://www.parliament.scot/parliamentarybusiness/report.aspx?r=11664>.

5. The Committee upheld objection 1 (by Mr and Mrs K Watkins) in part, and rejected objection 2 (by Mr I and Mrs K Macgregor) in full. The Committee explained its decisions in detail in its Second Consideration Stage Report⁵.

6. The Committee will now formally debate the amendments lodged to the Bill, and agree the sections, schedules and Long Title of the Bill, at its meeting on 24 October 2018.

7. To facilitate proceedings at the meeting, a Marshalled List of Amendments for Consideration Stage⁶ (a document which shows the amendments in the order in which they will be considered by the Committee) has been published, along with the Groupings of Amendments for Consideration Stage⁷ (a document which shows how the amendments have been grouped for debating purposes).

Next steps

8. The meeting on Wednesday 24 October is expected to be the final meeting of the Committee. Once Consideration Stage has been completed the Bill will proceed to Final Stage, which consists of the Parliament considering any further amendments lodged and then deciding whether to pass the Bill.

Clerk

Pow of Inchaffray Drainage Commission (Scotland) Bill

⁵ The Pow of Inchaffray Drainage Commission (Scotland) Bill Committee's Second Consideration Stage Report. Available at:

<https://digitalpublications.parliament.scot/Committees/Report/POI/2018/9/28/Pow-of-Inchaffray-Drainage-Commission--Scotland--Bill---Second-Consideration-Stage-Report>.

⁶ Pow of Inchaffray Drainage Commission (Scotland) Bill. Consideration Stage, Marshalled List of Amendments for Consideration Stage. Available at:

[http://www.parliament.scot/Pow%20of%20Inchaffray%20Drainage%20Commission%20\(Scotland\)%20Bill/SPBill09MLS052018Rev.pdf](http://www.parliament.scot/Pow%20of%20Inchaffray%20Drainage%20Commission%20(Scotland)%20Bill/SPBill09MLS052018Rev.pdf).

⁷ Pow of Inchaffray Drainage Commission (Scotland) Bill. Consideration Stage, Groupings of Amendments for Consideration Stage. Available at:

[http://www.parliament.scot/Pow%20of%20Inchaffray%20Drainage%20Commission%20\(Scotland\)%20Bill/SPBill09GS052018Rev.pdf](http://www.parliament.scot/Pow%20of%20Inchaffray%20Drainage%20Commission%20(Scotland)%20Bill/SPBill09GS052018Rev.pdf).