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Local Government, Housing and Planning Committee

Local Government, Housing and Planning Committee Annual Report 2023-24



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Local Government, Housing and Planning Committee

To consider and report on matters relating to local government and planning falling within the responsibility of the Cabinet Secretary for Finance and matters relating to housing and tenants' rights within the responsibility of the Cabinet Secretary for Social Justice and matters relating to the Local Government Boundary Commission and local governance review and democratic renewal within the responsibility of the Deputy First Minister.



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Committee Membership



Convener
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Scottish Green Party



Deputy Convener
Willie Coffey
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Miles Briggs
Scottish Conservative
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Stephanie Callaghan
Scottish National Party



Pam Gosal
Scottish Conservative
and Unionist Party



Mark Griffin
Scottish Labour



Gordon MacDonald
Scottish National Party

Introduction

1. This report covers the work of the Local Government, Housing and Planning Committee during the parliamentary year from 13 May 2023 to 12 May 2024.
2. This is the Committee's third annual report since its establishment in June 2021.
3. The Committee focuses on:
 - local government (including councils)
 - the planning system in Scotland
 - housing and housing strategy
 - building standards

Membership Changes

4. There were various membership changes during the reporting year as follows—
- Pam Gosal MSP replaced Annie Wells MSP on 29 June 2023.
 - Stephanie Callaghan MSP replaced Ivan McKee MSP on 31 October 2023.
 - Gordon MacDonald MSP replaced Marie McNair MSP on 6 March 2024.

Meetings

Committee Meetings



32

Committee meetings

Source:

5. The Committee held 32 meetings over this period, all of which took place partly in private. No meetings were held entirely in private. Items taken in private generally involved consideration of evidence heard earlier in the meeting, consideration of draft reports and approaches to inquiries and other work programme issues.

Legislation

Bills

Visitor Levy (Scotland) Bill

6. The [Visitor Levy \(Scotland\) Bill](#) was introduced in May 2023 and formed a significant part of the Committee's workload during the reporting year. The Committee launched its call for written views during a visit to Orkney in June where it heard the views of the council and local representatives of the tourism industry. Over 370 written responses were received with similar numbers providing feedback on the Bill's proposals via the less formal Your Priorities engagement platform. The responses were extremely helpful in serving to inform the Committee's scrutiny at Stage 1.
7. Colleagues from Participation and Communities Team organised online and in person workshops with representatives of the tourism sector in Scotland's more rural and island communities and fed comments back to the Committee. The Committee then visited Aviemore in October to further engage with local stakeholders and hear about how the Bill might impact on them.
8. During Stage 1 scrutiny the Committee took evidence at five different meetings hearing from local authorities, accommodation providers, representatives of the tourism sector and the Minister for Community Wealth and Public Finance. The Committee then published its Stage 1 report in December and the Stage 1 debate took place in January 2024.
9. Stage 2 proceedings took place in February and the Committee considered 75 amendments to the Bill of which twelve were agreed to. The Scottish Government undertook to discuss a number of remaining issues with those members who had raised them in advance of Stage 3 proceedings which are expected to take place early in the next reporting year.

Committee members in Orkney



Source: Scottish Parliament

Housing (Cladding Remediation) (Scotland) Bill

10. The [Housing \(Cladding Remediation\) \(Scotland\) Bill](#) was introduced to the Parliament in November 2023. The Bill was introduced in order to increase the speed at which unsafe cladding is being removed from people's homes. Parliament agreed to refer the Bill to this Committee and in doing so, agreed an expedited timescale for Stage 1 consideration of the Bill reflecting the Scottish Government's desire to speed up the pace of remediation. Although the timescale for the Bill's scrutiny was curtailed, the Committee was keen to ensure that all voices were heard, in particular the voices of those living in buildings affected by unsafe cladding. To that end, the Committee undertook a visit to meet people living in an affected building and held a roundtable session owners and tenants living in affected buildings too. The Committee's report was well received and the Scottish Government has brought forward amendments at Stages 2 and 3 to give effect to some of its recommendations.

Housing (Scotland) Bill

11. The [Housing \(Scotland\) Bill](#) was introduced in March 2024. The Bill is a broad bill making provision about matters including rent controls and the prevention of

homelessness. This Committee is the lead committee for scrutiny of the Bill, but the Social Justice and Social Security Committee will also be looking at aspects of the Bill with a particular focus on homelessness prevention. The Committee has launched a call for views and will be taking oral evidence in June. The Committee has, however, been working with lived experience panels of tenants and landlords since the beginning of the year. This work is explored later in this report.

Legislative Consent Memorandum (LCM)

12. In May 2024 the Scottish Government lodged an LCM seeking the Scottish Parliament's consent to [provisions in the Renters \(Reform\) Bill](#) which would prohibit discrimination and restrictions against people with children or in receipt of benefits seeking to let private rented sector properties. The Committee's consideration of the LCM will fall within the reporting period of the next Annual Report.

Subordinate Legislation

13. The Committee considered 25 Scottish Statutory Instruments during the reporting year, of which five were affirmative instruments, eighteen were negative instruments and two were laid only/no procedure. Particularly significant instruments included those relating to—
 - The Cost of Living (Tenant Protection) (Scotland) Act 2022
 - Town and country Planning
 - Building safety and cladding
 - Non-Domestic Rates

Inquiries

Pre-Budget Scrutiny 2024/25

14. The Committee focussed its pre-budget scrutiny this year on the local government budget, which has been a key feature of the Committee's ongoing work on the New Deal for local government. Scotland's local authorities employ more than 260,000 people, and the largest element of local government expenditure is on pay and other workforce costs. Therefore, the committee agreed to place a particular focus on workforce planning. The Committee held sessions with local authorities and unions and subsequently [wrote to the Minister for Local Government Empowerment and Planning](#) and [COSLA](#). The Committee has continued to pursue issues around the local government budget throughout the year, particularly in the context of the impact of the council tax freeze.

Community Wealth Building

15. The Scottish Government has committed to bringing forward Community Wealth Building (CWB) legislation during this Parliamentary session, and the Committee anticipates having a role in scrutinising a Bill. It has been undertaking pre-legislative scrutiny of CWB, firstly with a visit to Cumbrae island in North Ayrshire to see examples of local businesses and community action, and subsequently holding a round-table evidence session [on 26 March](#) with a range of stakeholders engaged in CWB. It has [written to the Scottish Government](#) seeking its views on some of the issues raised during those discussions, with a view to supporting its work in developing legislation.

Community wealth building visit to Millport



Source: Scottish Parliament

New Deal for Local Government

16. Since the beginning of the session the Committee has closely tracked progress on the Scottish Government's [Local Governance Review and New Deal with Local Government](#). The Review includes several different strands of work and contributed to the publication of the [Verity House Agreement](#) (VHA) between the Scottish Government and COSLA in June 2023. The VHA constitutes a Partnership Agreement setting out a vision for a more collaborative approach to delivering shared priorities for the people of Scotland. The VHA also committed both parties to agreeing a fiscal framework for local government along with a monitoring and accountability framework, drawing on proportionate reporting and data collection, to provide evidence and visibility over progress towards agreed outcomes.
17. During the reporting year the Committee held several evidence sessions including hearing from COSLA, the Minister for Local Government Empowerment and Planning, the Accounts Commission, academics and the former Chief Executive Officer of Wigan Council.
18. Progress towards agreeing the fiscal and monitoring and accountability frameworks has been slower than hoped, but the Committee expects to return to these topics in

due course.

Building Safety and Maintenance

19. In May 2022, the Committee agreed to hold an annual session on [building safety and maintenance](#). At that point, the Committee's primary focus was on issues relating to potentially unsafe cladding on high rise buildings, but this focus later broadened to cover other issues including damp and mould in social and private housing and reinforced autoclaved aerated concrete (RAAC). The Committee has also had an ongoing interest in the lack of an easily accessible source of information on the construction, maintenance, and condition of Scotland's building stock and the lack of regular building or fire safety audits (in effect, what has previously been referred to as "building MOTs").
20. The Committee explored these issues in evidence with stakeholders and ministers at several meetings during the reporting year and then wrote to stakeholders inviting them to provide progress updates along with notes of any further issues and more general reflections they suggest the Committee may wish to consider. The written responses then served to inform an evidence session with the Minister for Housing in April. The Committee will continue to monitor progress on all of these issues during the next reporting year.

Housing to 2040

21. Over the course of this session, the Committee has undertaken scrutiny of a number of different pieces of primary and secondary legislation in relation to housing. The Committee agreed this year to undertake an [overarching look at the Scottish Government's housing policy](#) as expressed in its Housing to 2040 strategy. The strategy has been in place since 2021 and the Committee considered whether it was still fit for purpose in the context of an ever more challenging housing situation in Scotland and cuts to the housing budget. The Committee held two roundtable sessions with key stakeholders and then put the issues raised in these sessions to the Minister for Housing. The Committee continued its work on this issue with a discreet session on Rural Housing. The Committee will shortly consider its next steps on this work.

National Planning Framework annual review

22. [National Planning Framework 4](#) (NPF4) was adopted by Scottish Ministers on 13 February 2023, following its unanimous approval by the Scottish Parliament in January 2023. The Committee agreed that it would review on an annual basis whether NPF4 was achieving its intended ambitions. To this end, the Committee invited stakeholders to provide written evidence before it took evidence from stakeholders including planners, representatives of the building industry, local authorities and environmental organisations. It expects to take evidence from the Minister for Public Finance on the issues raised by witnesses early in the next

reporting year.

Interparliamentary Relations

23. The Committee has been keen to work collaboratively with its equivalent committees in other UK legislatures to learn from each other's experience of working on matters of shared interest. Members of the Welsh Parliament's Local Government and Housing Committee visited the Scottish Parliament in June 2023 to hold a joint, informal meeting with Committee members in which issues relating to housing and local government sustainability were discussed.

Visit from Welsh Counterparts



Source: Scottish Parliament

Equal Opportunities

24. As noted earlier in this report, the Committee established two lived experience panels to inform its scrutiny of the Housing Bill. One panel consisted of tenants and the other of landlords. Both were established with a view to shaping the Committee's scrutiny of the Housing Bill by better understanding the issues affecting these groups. Participants were appointed to the panels in such a way as to ensure that they represented the interests of people across Scotland, enabling the Committee to better understand the complexities of the rental sector across Scotland and in turn apply better scrutiny to the Housing Bill. The Committee will apply what it has learned from these groups as it now comes to scrutinise the Bill formally.

Committee Reports

25. The Committee published nine reports during the reporting year all of which can be accessed on the [Committee's website](#).

Public Petitions

26. The Committee continued its predecessor Committee's consideration of two petitions this year: Public Petitions PE1743 and PE1778.
27. PE1743 sought an amendment to the law to protect the rights of pre-1989 Scottish Secure Tenants, and PE1778 proposed a review of the Scottish Landlords Register scheme. The Committee continues to be in correspondence with the Scottish Government about progress made in relevant areas of work and expects to reach its conclusions later in 2024.

Evidence from public bodies

28. During the reporting year the Committee took evidence from the Scottish Housing Regulator and the Scottish Public Services Ombudsman on their respective annual reports. Both evidence sessions took place on [5 December 2023](#).
29. It also held evidence sessions with the Ethical Standards Commissioner and the Standards Commission on their annual reports on [12 December 2023](#).

