



The Scottish Parliament
Pàrlamaid na h-Alba

John Swinney MSP
Deputy First Minister and
Cabinet Secretary for
Covid Recovery

Net Zero, Energy and Transport Committee
The Scottish Parliament
Edinburgh
EH99 1SP

Via email only

Email: netzero.committee@parliament.scot

11 October 2022

Dear John,

UK Levelling-up and Regeneration Bill

I am writing on behalf of the Net Zero, Energy and Transport Committee in relation to [Legislative Consent Memorandum \(LCM\)](#) lodged by the Scottish Government on the UK Government's Levelling-up and Regeneration Bill.

As you will be aware, we have been designated as lead committee for consideration of the LCM and will focus our scrutiny on aspects of the Bill which engage devolved competence in relation to environmental law in Scotland, namely through the provisions in part 5 of the Bill which seek to establish a new regime of 'Environmental Outcome Reports' (EORs) across the UK.

At our meeting on 4 October 2022, the Committee took evidence on the LCM from stakeholders. I am writing to seek further clarity on aspects of the Scottish Government's interpretation of the provisions outlined in the Bill—

- The Committee is keen to establish how the Scottish Government envisages the outcome-based system outlined in the Bill might impact on the devolved settlement.
- In addition, we would be grateful for the Scottish Government's assessment of whether the Bill as drafted could affect responsibility for planning decisions on cross-border projects, for example on decision-making on compensation and mitigation for offshore wind or developments on river catchments that straddle England and Scotland.

Please note the Committee hopes to report our findings on the LCM to the Scottish Parliament by the end of November. As such, it would be helpful if a response to the points we highlighted above could be forthcoming by 4th November.

Thank you and I look forward to hearing from you

Yours sincerely,

A handwritten signature in blue ink that reads "Edward Mountain". The signature is written in a cursive style with a trailing flourish at the end.

Edward Mountain MSP
Convener, Net Zero, Energy and Transport Committee

This letter is copied to Michael Matheson MSP, Cabinet Secretary for Net Zero, Energy and Transport and Ariane Burgess MSP, Convener of the Local Government, Housing and Planning Committee.