

Islands (Scotland) Bill – Update

1.0 INTRODUCTION

1.1 This report provides members with an update in regard to the Islands (Scotland) Bill. The Scottish Government Bill was introduced by the Cabinet Secretary for Rural Economy and Connectivity on 9 June 2017. The purpose of the Bill is to:

- make provision for a national islands plan
- to impose duties in relation to island communities on certain public authorities to have regard to island communities (the principle of island proofing)
- to make provision about the electoral representation of island communities
- to establish a licensing scheme in respect of marine development adjacent to islands.

1.2 The Bill completed Stage 1 on 8 February 2018. Stage 2 is scheduled for 21 March 2018.

2.0 RECOMMENDATIONS

2.1 That members consider this update.

3.0 DETAIL

3.1 The Scotland (Island) Bill was introduced to Parliament on 9 June 2017. The Bill was assigned to the Rural Economy and Connectivity (REC) Committee for Stage 1 consideration. Following the conclusion of the consideration of evidence, both written and in person, the REC committee published its report on 22 January 2018. <https://sp-bpr-en-prod-cdnep.azureedge.net/published/REC/2018/1/22/Stage-1-Report-on-the-Islands--Scotland--Bill-1/RECS052018R2.pdf>.

3.2 The report contained 68 recommendations including the desirability or otherwise of subsidiary island plans.

- 3.3 The Stage 1 plenary debate on the Bill was held on 8th of February and the Scottish Parliament unanimously voted in favour of the general principles of the historic Islands Bill.
- 3.4 Stage 2 is scheduled for 21 March 2018 with any Government amendments to the Bill lodged week beginning 12 March 2018.
- 3.5 It is at Stage 2 that the Bill is scrutinised and amendments to the Bill can be put forward. The Scottish Government (SG) will bring forward amendments from the Committee's report (dated 22 January 2018) that it supports as detailed in its formal response published on 2 February. Separately amendments can be put forward by MSP's which means that members of the REC Committee can also still present their own amendments even if the SG has declined to accept them. Crucially only Committee members can vote and have the greatest influence on the eventual scope of the legislation.
- 3.6 Where it is agreed that an amendment is to be included at Stage 2 and that amendment then has the potential to introduce an increased cost to a local authority it is important that the council ensures that the Bill's Financial Memorandum is amended to fully reflect the cost of any requirements on it arising from the legislation.

Next Steps

- 3.7 If the Bill moves successfully through Stage 2 the next and final stage is Stage 3. Where the Bill is amended at Stage 2, Stage 3 amendments must relate to the "as amended" version of the Bill. Between Stage 2 and 3 the Financial memorandum will be re-considered to take account of any amendments and any financial implication arising. Parliament will vote on the Bill at Stage 3.

4.0 IMPLICATIONS

- 4.1 Policy – The Bill will ensure island proofing.
- 4.2 Financial – The Financial memorandum will be critical to ensure that any additional resources required as a result of the Bill are in place.
- 4.3 Legal – Bill going forward to Stage 2.
- 4.4 HR – None at this time.
- 4.5 Equalities – The new Bill will ensure.
- 4.6 Risk – See finance section above.
- 4.7 Customer Service – None at this time.

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