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Subject: RE: IMMEDIATE Fireworks and Pyrotechnics Bill - Stage 1 deadline and debate

Hi [redacted – section 38(1)(b)],

Given Ministers' clear steer that this should be through by summer recess we're very limited in the time available to us so it would be helpful to know what type of options you are looking for. I'm happy to work with MinfPB to try to schedule S3 in the final week but I don't think we could choose a specific date in that week and flexibility would need to be built into planning (but I can say we cannot plan on it being the final day and S3 of the Covid Recovery Bill is planned for 29 June).

With the limited time available, and given all the public holidays etc., so much of this depends on whether one or two S2 sessions will be required – have you had any intel from clerks on their thinking? Without that info, the main possible options I see are as follows:

Option 1 – Stick to S1 deadline as planned

- S1 report published Fri 29 April
- S1 debate Tue 3 May (SOs to be suspended as no sitting days between the two)
- S2 session 1 Wed 25 May (meeting SOs)
- S2 session 2 Wed 1 June, if necessary
- S3 w/c 20 June (meeting SOs but not convention if second S2 session is required, meeting both if second session isn't needed)
- Alternatively, if necessary and if MinfPB agrees, S3 Tue 28 June (meeting both SOs and convention if two sessions required but on the understanding this may be moved to accommodate other business)

Option 2 – Move S1 debate

- S1 report published Fri 29 April
- S1 debate Thu 12 May (no suspension of SOs required)
- S2 session 1 Wed 25 May (SOs to be suspended given only 8 sitting days between session – not for me to say but there's always the option of the Minister asking MSPs not to press amendments and for her to offer to work with them to agree a way forward for S3)
- S2 session 2 Wed 1 June, if necessary (Wed 8th June CJC taking S2 of Covid Recovery Bill, Wed 15th June would only allow for S3 on last day of session if SOs but not conventions to be met and would be very risky if there's much to do at S3 and a second session is required)
- S3 w/c 20 June (meeting SOs but not convention if second S2 session is required on 1 June, meeting both if second session isn't needed)
- Alternatively, if necessary and if MinfPB agrees, S3 Tue 28 June (meeting both SOs and convention if two sessions required but on the understanding this may be moved to accommodate other business)

Option 3 – Agree with clerks that, if necessary, a long S2 can be agreed to remove the need for a second session

- S1 report published Fri 29 April
- S1 debate Thu 12 May (no suspension of SOs required)
- S2 Wed 1 June as single session (no suspension of SOs required as allows exactly 12 sitting days between S1 and S2)

- S3 w/c 20 June (meeting SOs but not convention)
- Alternatively, if necessary and if MinfPB agrees, S3 Tue 28 June (meeting both SOs and convention but on the understanding this may be moved to accommodate other business)

Thanks,

[redacted – section 38(1)(b)]

[redacted – section 38(1)(b)] | Parliament and Legislation Unit | Cabinet, Parliament and Governance Division | Directorate for Constitution and Cabinet | Scottish Government | Tel: [redacted – section 38(1)(b)] | Mobile: [redacted – section 38(1)(b)]

I am currently working from home and can be contacted by email, phone (numbers above) or Teams

[redacted – s36]

From: [redacted – section 38(1)(b)] <[redacted – section 38(1)(b)]@gov.scot>

Sent: 04 April 2022 16:06

To: [redacted – section 38(1)(b)] <[redacted – section 38(1)(b)]@gov.scot>; Brown JG (Jonathan) (Parliamentary Counsel) <Jonathan.Brown3@gov.scot>; [redacted – section 38(1)(b)] <[redacted – section 38(1)(b)]@gov.scot>

Cc: [redacted – section 38(1)(b)] <[redacted – section 38(1)(b)]@gov.scot>; [redacted – section 38(1)(b)] <[redacted – section 38(1)(b)]@gov.scot>; [redacted – section 38(1)(b)] <[redacted – section 38(1)(b)]@gov.scot>; [redacted – section 38(1)(b)] <[redacted – section 38(1)(b)]@gov.scot>; [redacted – section 38(1)(b)] <[redacted – section 38(1)(b)]@gov.scot>; [redacted – section 38(1)(b)] <[redacted – section 38(1)(b)]@gov.scot>; [redacted – section 38(1)(b)] <[redacted – section 38(1)(b)]@gov.scot>; [redacted – section 38(1)(b)] <[redacted – section 38(1)(b)]@gov.scot>; [redacted – section 38(1)(b)] <[redacted – section 38(1)(b)]@gov.scot>; [redacted – section 38(1)(b)] <[redacted – section 38(1)(b)]@gov.scot>

Subject: RE: IMMEDIATE Fireworks and Pyrotechnics Bill - Stage 1 deadline and debate

Hi [redacted – section 38(1)(b)],

Starting with the Stage 1 debate date, I'd say that your suggestion of 10th May allows only 10 clear sitting days between S1 and S2, whereas the alternative of 12th May allows only 8 clear days between them. As you note, both require the suspension of SOs in order to meet the first Stage 2 session on 25 May. The closer we get to the end of the session the more difficult it is to secure parliamentary time as so much business needs to be accommodated.

You'd need to consider what a S1 debate on 12th and S2 on 25th would mean for your lodging of amendments and allowing the Minister to engage with MSPs to build consensus with others, where possible. PCO can keep me right here but by my counting those dates would mean the SG's lodging date for S2 amendments would be 17th May and non-Gov amendment deadline would be 19th May. This is clearly tight but if you have an amendment and concession strategy already in place then that would be a huge help in allowing instructing/drafting to take place ahead of time.

Your concern around putting the Minister in a position of not allowing Parliament time to consider the S1 report and response would obviously have to be balanced against any concerns you have over timing of S2 but I don't see that less time between Stages 1 and 2 lessens your concerns around the potential criticism the Minister might face at a S1 debate on 3 May. I'm sure SGLD and PCO colleagues will have views on the feasibility of both.

In terms of Stage 3 dates, the Minister for Parly Business' office had this tentatively scheduled for w/c 20th June – I'm not sure if that's a hangover from the original timetable before the delay to introduction. I can discuss this with the Minister's office but if there's only one S2 session then this would certainly allow S3 to be during w/c 20th June. If there is a second session on 1st June then we could still have S3 during w/c 20th June without breaching SOs, although we wouldn't meet the convention of allowing 14 clear days between the two stages. That is something we can agree once we're through S2 but I appreciate PO's concerns as I understand the last week of the session is notorious for needing to move business around to accommodate all final necessary business so from your Bill's perspective it could give you more certainty around timing.

Thanks,

[redacted – section 38(1)(b)]

[redacted – section 38(1)(b)] | Parliament and Legislation Unit | Cabinet, Parliament and Governance Division | Directorate for Constitution and Cabinet | Scottish Government | Tel: [redacted – section 38(1)(b)] | Mobile: [redacted – section 38(1)(b)]

I am currently working from home and can be contacted by email, phone (numbers above) or Teams

From: [redacted – section 38(1)(b)] <[redacted – section 38(1)(b)]@gov.scot>

Sent: 04 April 2022 15:02

To: Brown JG (Jonathan) (Parliamentary Counsel) <Jonathan.Brown3@gov.scot>; [redacted – section 38(1)(b)] <[redacted – section 38(1)(b)]@gov.scot>; [redacted – section 38(1)(b)] <[redacted – section 38(1)(b)]@gov.scot>

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Subject: FW: IMMEDIATE Fireworks and Pyrotechnics Bill - Stage 1 deadline and debate

[redacted s30(c)] / PLU colleagues – there are a couple of things here I'd welcome advice on:

First, the Bill timetable as agreed has always had the Stage 3 falling within w/c 27 June (tentatively 30 June) – this has not changed, and will be required if we want the Bill to pass before summer recess. **PLU** – I appreciate the firm dates for stage 2 and stage 3 are not fully confirmed with committee/Bureau but presumably the MfPB office is aware? And, to confirm, we have 25 May and 1 June pencilled for stage 2.

Second, what [redacted – section 38(1)(b)] is suggesting below re a potential date for the debate (of 10 May) would further condense the time between stages 1 and 2. However, instead of suspending standing orders for just one or two days, we'd now be looking at a reduction from the required 12 sitting days to 7. **PLU** – grateful if you could advise whether my counting re sitting days is correct here? [redacted s30(c)] **and PLU** – I'd welcome advice as whether this is better than the alternative of no sitting days between the stage 1 report and debate. It feels instinctively better to me, but would welcome views of those more experienced re Bills.

Thanks

- Less time between stage 1 and 2, particularly if the Minister for Community Safety wishes to engage in discussions with committee members regarding potential amendments.
- Standing orders would need to be suspended between stages 1 and 2 (albeit only for a few days).
- Potential handling issues with the Committee as we have previously indicated there is no flexibility on the original deadline for Stage 1 of 6 May. (The original timetable was devised on the basis of not having to suspend any standing orders; and committee clerks have also flagged the issue regarding the lack of time between the committee report and debate as potentially problematic.)

The advantages of this approach would be to allow more time for Parliament to digest the committee's report and Government's response in advance of the debate. Standing orders would still need to be suspended, but the impact of losing those days may be more palatable than having no sitting days between the stage 1 report and debate. While this would be a change in the government position, it could be framed as responding to the committee's concerns.

If the preference is to retain the original timetable for the debate, we will work with the Minister's private office to put arrangements in place to get briefing over during the course of the holiday weekend (30 April and 1st/2nd May).

We have discussed with SpAds who are content. **You are both invited to indicate if you are content for officials to seek a change to the deadline and debate for Stage 1 on this basis.**

We are happy to discuss if that would be helpful.

[redacted – section 38(1)(b)]

Please note that I am now working from home. I am available via email, phone or skype.

[redacted – section 38(1)(b)]

Building Safer Communities | Safer Communities Division | Scottish Government

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