

Deputy First Minister and Cabinet Secretary for  
Covid Recovery  
An Leas Phrìomh Mhinistear agus Ath-shlànachadh  
Cobhid  
John Swinney BPA/MSP



Scottish Government  
Riaghaltas na h-Alba  
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Craig McGuicken, Deborah Long, Karen Whitfield and Richard Benwell  
dan@scotlink.org

Our Reference: 202200316151  
Your Reference: -

29 August 2022

Dear Craig, Deborah, Karen and Richard,

I welcome copying Scottish Government, together with the other devolved administrations, to your joint letter issued to the Rt Hon Greg Clark MP, Secretary of State for Levelling Up, Housing and Communities on 17 August. Your letter raises serious concerns about the impact on environmental protection by provisions contained in the Levelling Up and Regeneration Bill introduced to the Westminster Parliament in May 2022.

As you may be aware, my colleague, the Cabinet Secretary for Finance and Economy, wrote to the UK Government in June to confirm that we do not support the Part 5 provisions seeking to replace the existing Environmental Impact Assessment processes that are well-established and understood and are designed to protect our environment. We also raised concerns that this may lead to significant divergence if England abandons the current environmental assessment processes that are applied across the UK and which follow a similar framework, share a common legislative heritage, and align with EU regulations. Further, we made clear that the powers contained in clause 116, giving the Secretary of State powers to set environmental outcomes for the whole of the UK in regulations, is unacceptable and cuts across Scottish legislation and the powers of Scottish Ministers. A link to the issue letter is enclosed: [Levelling-up and Regeneration Bill: letter from Cabinet Secretary for Finance and Economy - gov.scot \(www.gov.scot\)](https://www.gov.scot/levelling-up-and-regeneration-bill-letter-from-cabinet-secretary-for-finance-and-economy).

As such the Scottish Government has advised the Scottish Parliament that we do not support the legislative consent sought by UK Government in respect of the Levelling-Up and Regeneration Bill.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See [www.lobbying.scot](http://www.lobbying.scot)

Tha Ministearanna h-Alba, an luchd-comhairleachaidh sònraichte agus Rùnaire Maireannach fo chumhachan Achd Coiteachaidh (Alba) 2016. Faicibh [www.lobbying.scot](http://www.lobbying.scot)

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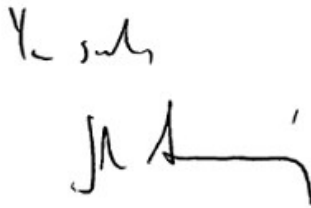


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We are keen to work with stakeholders as more details emerge on the Bill and my officials will be in contact to arrange a meeting to discuss further.

Handwritten signature of John Swinney in black ink.

**JOHN SWINNEY**

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