

ITEMS CONSIDERED BY CORRESPONDENCE

Purpose

1. To provide the Council with a note of the outcomes from items considered by correspondence since the last Council meeting held on 17 October 2022.

Matters considered

2. In considering matters by correspondence, unless otherwise advised, a nil response will indicate consent. There were five matters considered by correspondence since the last meeting:

Rules Request – Brexit Civil Protection Orders

- **Paper 2022/25** was issued on 20 October 2022 and invited members to consider a draft SSI on Brexit Civil Protection Orders. Responses were invited by close of business 03 November 2022. No responses were received. Members therefore approved the draft rules and approved the issue of drafting instructions for court rules by the Secretariat to the Lord President's Private Office.

Administrative Matters

- **Paper 2022/27** was issued on 09 November 2022 and invited members to approve draft minutes of the Council meeting held on 17 October 2022. Responses were invited by close of business on 16 November 2022. No responses were received. Final minutes were therefore approved and published on the Council's website.

Fee Request – Law Society of Scotland

- **Paper 2022/28** was issued on 18 November 2022 inviting members to approve the Costs and Funding Committees recommendations for an increase to solicitor's fees. Responses were invited by close of business on 02 December 2022. No responses were received and drafting instructions were therefore issued by the Secretariat to the Lord President's Private Office.

Rules request – Telecommunications infrastructure (Leasehold Property) Act 2021 (TILPA)

- **Paper 2023/02** was issued on 12 January 2023 and invited the Council to consider provision of an inclusive fee for TILPA applications. Responses were invited by close of business on 19 January 2023. One response was received. The proposed fees were therefore submitted to the Court of Session with a view to being implemented by the end of February 2023.

Rules request – Modes of Attendance

- **Paper 2023/03** – was issued on 16 January 2023 inviting members to approve amended draft rules on the Modes of Attendance. An accompanying EQIA and BRIA were then issued on 26 January for consideration. Responses were invited by close of business on 30 January 2023. Four responses were received. The draft rules will be taken forward by the secretariat in consultation with the Lord Presidents Private Office.

Recommendation

3. Members are invited to note the contents of this update.

**Secretariat to the Scottish Civil Justice Council
February 2023**

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