



Scottish Association for Public Transport

Response to Consultation on A New Approach to Delivering Public Transport Infrastructure Improvements

(references are to paragraph numbers in the consultation document)

May 2006

Summary

SAPT supports proposals allowing infrastructure improvements agreed after effective and well-informed strategic consultation to be delivered more quickly. The first part of this response deals with the importance, during current work on the Planning Bill, RTPs and the proposed Public Transport Users Committee, of transparent evaluation and consultation related to Scottish Transport Appraisal Guidance (STAG) and Strategic Environmental Assessment (SEA). Such consultation must precede strategic programme and project decisions at national and regional level in Scotland. The second part contains comments on the proposed new procedures following on from strategic consultation.

PART 1 Pre-project Strategic Consultation

In former procedures, delays and other extra costs have arisen from the lack of strategic pre-project consultation within the principles of STAG. Before finalising the **National Transport Strategy and Planning/Budgetary Frameworks**, it is essential that these be published in draft form to allow comments in a period of perhaps four months from key bodies including the **Public Transport Users Committee**, the **Freight Transport Association** and the **Local Government and Transport Committee**. Similar procedures should apply during the preparation of **Regional and Local Transport Strategies**. Credible procedures for pre-project and budget consultations are vital to avoid allegations of either rubberstamping schemes with a long history or bringing in 'political' schemes with neither shown to offer a good fit with overall budgets and strategic objectives for Scotland and in each RTP area.

These issues were covered in SAPT's previous response (March, 2006) to the consultation on the proposed *Public Transport Users' Committee for Scotland* (PTUC). Proposals within the Planning Bill and the high level of generality in the current consultation on the National Transport Strategy for Scotland continue to evade this issue. A faster approach to delivering public transport infrastructure improvements (and appropriate road/rail/bus corridor balances) will lack wide public support unless in-depth attention is given to effective strategic consultation prior to setting national priorities and moving on to faster procedures for the expected completion of agreed, larger projects. Fuller reviews of strategy could take place every four years. It is recognised that smaller projects are less likely to involve complex legal procedures. These should have separate budgetary provision and separate arrangements for accelerated delivery.

PART 2 Procedures for Delivery of Agreed and Fundable Projects

While Para 4.5 assumes that scheme promoters would not be the Scottish Executive, Para 4.53 notes that the Scottish Executive (as for trunk road schemes) could be the direct promoter of schemes. In other cases, though the promoter may not be the Executive, substantial scheme funding is likely from Executive sources. Para 4.53 states that this may require a lesser role for Scottish Ministers in the new procedures with the Scottish Parliament given a larger role in final approval. SAPT would urge that final procedures make this a mandatory requirement. The acknowledgement in Para 4.8 that certain major trunk roads are of such national significance that Parliament should provide final approval is welcomed and SAPT would seek details of how this proposed change in procedure will apply.

Question 1 *What transport works should be covered by the planned Transport and Works Bill?* SAPT agrees that the Bill should cover rail, tram and inland waterway schemes but suggests that the term guided busway be replaced by ‘mainly segregated busway’ (as in the current Clyde Fastlink scheme for the Glasgow riverfront) and that the Bill also cover harbours, ports, airfields and airports. There should be a common procedure for all major schemes and the opportunity should be taken to bring major roads within the scope of the Bill (replacing the Roads(Scotland) Act 1984) as an aid to multi-modal corridor appraisal and delivery. It is also suggested that the procedure embrace consideration of road pricing proposals crossing local authority boundaries and including trunk roads and motorways.

4.11 to 4.16 should be re-written to take account of the points made in PART 1 above.

Question 2 *Should minimum statutory period for consultation (prior to a formal project application) be lengthened or shortened from the proposed 6 months?* SAPT considers that 12 months should be allowed from the date when a short-list of options for further STAG evaluation was agreed (leading, in most cases, to adoption of a preferred option within 6 months)

Question 3 *What process should apply to allow a promoter to enter land for preliminary investigation without statutory authority?* Statute should be amended to allow right of entry in relation to a STAG short-list of options.

Question 4 *What documentation should be supplied by a promoter?* SAPT agrees with the suggested minimum list except that environmental statement should be altered to local environmental assessment (recognising that strategic environmental assessment had already been completed - in some cases, SEA could of course lead to an early-stage rejection of certain projects)

4.23 Clarification is required of what design details will require planning permission in addition to approval of the Order authorising work

Question 5 *What are the implications of reducing the time period for objections from 60 days (as in present Rail Bills) to 42 days (as for road schemes)?* The same period should apply to both road and public transport projects. A standard of 56 days (8 weeks) appears reasonable given the need for parties to consult on possible objections.

Question 6 *Is there a need for any reference of a proposed Order to the Scottish Parliament prior to a reference after public examination of the proposals?* SAPT considers that there is no such need but, because of the points raised at 4.53, it is desirable that strengthened staff on the Procedures Committee of the Parliament should report on whether an Order meets criteria for admissibility.

5.2 This is too vague. It refers to the possibility that non-strategic transport projects could be approved, rejected or modified through Orders made by Ministers without reference to Parliament. 5.3 suggests that the Planning Bill now in Parliament enables the National Planning Framework to designate 'national developments' with provision for Parliamentary consideration. However, it is not clear how such designation could be made without reference to STAG and SEA requirements to evaluate broad strategic programmes. It is likely that national priorities could be met in a variety of ways which will require further study and consultation before the submission of 'preferred scheme' applications. Certain RTP schemes, though not ranking as national priorities, may also be important enough to merit a reference of Orders to Parliament for final approval. SAPT suggests that projects requiring specific Parliamentary approval of Orders could be defined on the basis of a specified level of cost (which could vary between RTPs), reviewed every four years. Lesser projects could be approved, varied or rejected after public examination (if required) by independent reporters (with limited rights of appeal to Scottish Ministers).

Question 7 *Are there any reasons for extending Parliamentary consideration and approval of projects beyond those contained within the National Planning Framework? Should Ministers to be able to designate other transport related projects not in the NPF for Parliamentary consideration should they see fit?* The National Transport Strategy, with explicit budget guidance finalised after consultation should provide a base for identifying major projects requiring fuller Parliamentary scrutiny at the stage of Order approval, variation or rejection. Revision of the NTS every four years would permit agreed changes in priorities for programmes requiring Parliamentary approval under the proposed simplified procedures – see also comment on 5.2 above.

Alastair Reid, Secretary
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