

Environment and Infrastructure

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Your Ref: -

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If phoning or calling please ask for: Mr Graeme Dodds



For the attention of Tony Cruickshank
TWA Consultation
Transport Strategy and Legislation Division
2D-Dockside
Scottish Executive
Victoria Quay
EDINBURGH
EH6 6QQ

Dear Sirs

CONSULTATION – TRANSPORT LEGISLATION – REVIEW OF SPECIAL PARLIAMENTARY PROCEDURE PROVISIONS

Thank you for your letter of 6th March 2006, inviting us to take part in the consultation on the above proposals.

We would only wish to comment on Questions document. In addition, the process should be responsive to need and not be subject to restrictions based on another process.

Harbours Act 1964

Question 1 – What concerns, if any, do you have about replacing the special parliamentary procedure with a determination by the Scottish Ministers?

Our only concern in regard to the proposals is that following a detailed examination at an inquiry, Scottish Ministers would be empowered to make an alternative determination to that recommended by the inquiry without reference to the parliament. We regard that where the Scottish Ministers disagree with the recommendations of the inquiry, the matter should be resolved by parliament through the Special Parliamentary Procedure.

Question 2 – Are there any consequential implications arising from the proposed changes?
We have not identified any consequential implications.

Roads (Scotland) Act 1984

Question 3 – What concerns, if any, do you have about replacing the special parliamentary procedure with a determination by the Scottish Ministers?

Our only concern in regard to the proposals is that following a detailed examination at an inquiry, Scottish Ministers would be empowered to make an alternative determination to that recommended by the inquiry without reference to the parliament. We regard that where the

Scottish Ministers disagree with the recommendations of the inquiry, the matter should be resolved by parliament through the Special Parliamentary Procedure.

Question 4 – Are there any consequential implications arising from the proposed changes?
We have not identified any consequential implications.

Pilotage Act 1987

Question 5 – What concerns, if any, do you have about replacing the special parliamentary procedure with a determination by the Scottish Ministers?

Our only concern in regard to the proposals is that following a detailed examination at an inquiry, Scottish Ministers would be empowered to make an alternative determination to that recommended by the inquiry without reference to the parliament. We regard that where the Scottish Ministers disagree with the recommendations of the inquiry, the matter should be resolved by parliament through the Special Parliamentary Procedure.

Question 6 – What concerns arise from defining the manner of the notification and the time period for raising objections?

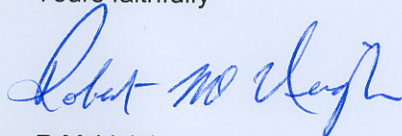
We have no concerns over the notification and time period proposals. We consider that the proposals provide a clearer position for all parties.

Question 7 – Are there any consequential implications arising from the proposed changes?
We have not identified any consequential implications.

Question 8 – Are there other instances of special parliamentary procedures within transport related legislation which we should consider for possible replacement by a revised progress?
We have not identified any other instances.

Question 9 – What other matters, if any, should we address as part of our considerations?
We do not consider that there are any other matters requiring consideration.

Yours faithfully



R McVeigh
TRANSPORTATION MANAGER