



SESTRAN

The South-East of Scotland Transport Partnership

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Your Ref:

Our Ref: JF/TS/TP/25B

19 May 2006

Dear Sir,

**Consultation: Proposals for a New Approach to Delivering Public Transport
Infrastructure Developments**

I refer to the above consultation document which was issued on the 24 February 2006 requesting comments by the 19 May 2006.

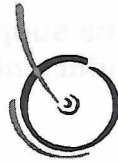
The attached response is on behalf of SESTRAN Regional Transport Partnership.

Yours faithfully

Councillor Russell Imrie
Chair SESTRAN

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SESTRAN is a Statutory Partnership of the Councils of
Clackmannanshire, East Lothian, City of Edinburgh, Falkirk, Fife, Midlothian, Scottish Borders and West Lothian



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SCOTLAND'S TRANSPORT: CONSULTATION
PROPOSALS FOR A NEW APPROACH TO DELIVERING PUBLIC
TRANSPORT INFRASTRUCTURE DEVELOPMENTS

- Q1. Are there any other transport works beyond rail, tram, guided busways and inland waterway developments that should be within scope and if so why?**

Not at present but with technology developing all the time future investment may be sought in ferry terminals/infrastructure, unmanned transport, multi-modal infrastructure, Park & Ride/Choose sites, Priority Lanes (if out with the highway boundary), pipelines to accommodate freight movements (as part of freight strategy).

- Q2. What reasons exist for lengthening or indeed shortening the 6 months minimum designated statutory pre-application period between the promoter publicising initial proposals and presenting an application for an Order to the Scottish Ministers?**

A minimum of six months seems a reasonable period from publicising a proposal to presenting an application for an Order to the Scottish Ministers. In most cases, depending on the size of the scheme/project, this period of time would generally take longer as you would need to take on board the views of all interested parties and try and adopt them in to the final application. This may involve addition publicity/consultation prior to application.

- Q3. What process should apply to enable a promoter, without a statutory right, to enter land to conduct preliminary investigations?**

In the first instance the land owner must be contacted and negotiations gone into to arrange access otherwise this would be an abuse of the rights of the land owner.

If negotiations failed then a certificate of fitness could be called for which should be issued by the Scottish Ministers. This would have to be covered by liability insurance as well as funding to cover reinstatement as well as any loss of earnings to the land owner. The Local Authorities through planning legislation could assist with access to sites for preliminary investigations at a time suitable for both parties.

Q4. What documentation should be supplied by the promoter in support of the application? Is there sufficient information contained within the proposals?

The list of supporting information as suggested within the consultation would seem a good base (see page 9, para 4.22 of the consultation document). In most cases the promoter would general supply considerably more than the bare minimum information.

There also needs to be information on who would be responsible for the running and maintenance of the infrastructure and where the funding for this would come from. Also the likelihood of any subsidy towards running costs if likely even if only in the first few years of use.

Q5. What are the implications of reducing the time period for objections from 60 to 42 days?

60 days seems more acceptable as any large public transport infrastructure will affect a lot of people regionally as well as locally and this would give them time to comment on the proposals.

This would also allow larger bodies/groups of interested parties to hold meetings to allow them to form an agreed formal response.

Q6. Are there any reasons why, once the Scottish Ministers have determined that the application meets the procedural conditions and the specific criteria conditions, that the application should be considered by the Scottish Parliament prior to a public examination of the objections?

No.

Q7. Are there any reasons for extending Parliamentary consideration and approval of projects beyond those contained within the NPF? Do you agree that it should also be possible for the Scottish Ministers to designate other transport related projects not in the NPF for Parliamentary consideration should they see fit?

There needs to be flexibility to address issues and opportunities which arise outwith the timescale of the National Planning Framework. Therefore a mechanism is needed to enable non- National Planning Framework projects to be dealt with through the new process. However, this should not be over-used so that a large number of relatively minor and/or local projects end up being required to progress through the new process.

Councillor Russell Imrie
Chair SESTRAN