

EDINBURGH TRAM (LINE ONE) BILL COMMITTEE

Tuesday 15 March 2005

Session 2

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EDINBURGH TRAM (LINE ONE) BILL COMMITTEE **5th Meeting 2005, Session 2**

CONVENER

*Jackie Baillie (Dumbarton) (Lab)

DEPUTY CONVENER

Phil Gallie (South of Scotland) (Con)

COMMITTEE MEMBERS

*Helen Eadie (Dunfermline East) (Lab)

*Rob Gibson (Highlands and Islands) (SNP)

Mr Jamie Stone (Caithness, Sutherland and Easter Ross) (LD)

*attended

CLERK TO THE COMMITTEE

Jane Sutherland

LOCATION

Committee Room 3

Scottish Parliament

Edinburgh Tram (Line One) Bill Committee

Tuesday 15 March 2005

[THE CONVENER *opened the meeting at 13:16*]

Edinburgh Tram (Line One) Bill: Consideration Stage

The Convener (Jackie Baillie): Good afternoon, everybody and welcome to the fifth meeting of the Edinburgh Tram (Line One) Bill Committee in 2005. I have received apologies from Jamie Stone. Phil Gallie expects to be able to join us but will arrive late.

This is our first meeting at consideration stage and members have received two papers. The first—ED1/S2/05/5/1—provides an overview of the approach that the committee will take during the first phase of the consideration stage. Unless members suggest otherwise, I do not propose to go into that approach in great detail. Suffice it to say that the approach will allow us, when taking evidence, to focus predominantly on the key contentious issues on which the objectors and the promoter disagree.

I reassure members and objectors that the committee intends to write to every remaining objector to inform them of the steps that are involved in the first phase of the consideration stage. We will invite them all to a meeting early in April, at which we will explain the process further.

Do members have any questions?

Members indicated disagreement.

The Convener: Wonderful.

I invite the committee to note paper ED1/S2/05/5/1. I seek your agreement that we should delegate to the clerk the preparation of a draft timetable for oral evidence. The timetable is probably best decided outwith a formal committee meeting.

Members indicated agreement.

The Convener: We turn now to our second paper—ED1/S2/05/5/2—which provides the substantial information on which the committee must decide today. As members may recall, there were something like 198 outstanding objections to the Edinburgh Tram (Line One) Bill; we are required to consider those objections during the first phase of the consideration stage. Some of the objections are either the same or similar and relate to the same parts of the bill. If the committee is so

inclined, we can group the objections. I am sure that members do not want to listen to 198 identical objections, so we have come up with 41 groups, which are set out in annex A of the paper.

I will give members an idea of how we arrived at the groups. Some objections to line 1 are exactly the same as objections to line 2. We therefore suggest that those objections be considered at a joint meeting of this committee and the Edinburgh Tram (Line Two) Bill Committee. Do members agree that we should hold a joint meeting to take oral evidence on the objections that are common to both lines?

Members indicated agreement.

The Convener: Those objections are in groups 37 to 39.

Our decisions today about groups of objections might have to be revisited later. After today's meeting, the clerks will write to all the objectors on behalf of the committee, to explain the groupings that we have agreed to. Objectors will have a right of reply—a right to demonstrate that they have a good reason for being in a group of their own, rather than being in a group with other objectors. The committee will have to consider each case on its merits. In their letter, the clerks will include information on the procedure for the right of reply. We propose to set a deadline of 1 April for written responses.

Our paper also indicates potential lead objectors in each group. That has been done simply to encourage debate among the objectors; we expect that each group will be asked to appoint its own lead objector at the meeting in April. Where a large number of objections have been grouped together, it may be that more than one lead objector is appointed. The number of lead objectors per group is indicated in annex A.

If any group is unable to appoint a lead objector or objectors, the committee will have to do so on the group's behalf. We have indicated a number of lead objectors but, as I say, that has been done more as an aid to discussion than anything else.

Do members have any views on what has been said so far?

Helen Eadie (Dunfermline East) (Lab): My one query relates to the timescale. Is there enough time between now and 1 April for people to do what is required?

The Convener: All that we have to do between now and 1 April is to decide whether people are content with the group in which they have been put and content with our reasons for putting them there. That is a very simple process and a fortnight should be adequate for people to say yes or no. If they are happy, they do not even have to write to us.

Rob Gibson (Highlands and Islands) (SNP):

The choosing of lead objectors is clearly a sensitive matter. However, having lead objectors will facilitate our work. We should make it clear to objectors that, because of the sheer volume of objections, it would not be in objectors' interests, or ours, for us to hear a litany of facts. We obviously want to hear all salient points, but we should not have repetition.

The Convener: Absolutely—the timescale could be infinite if everyone repeated the arguments. Grouping objections as we have done will help us to get to the nub of the objections. It will keep us focused.

Are members content with the grouping of objections in annex A, content that the clerks should write to all objectors to inform them of the groups and to offer them a right of reply by 1 April, and content that, if necessary, we will consider—after we have received any replies—possible changes to the groups?

Members indicated agreement.

The Convener: We are keen to start taking oral evidence as soon as is reasonably possible. We suggest that we start in June, before breaking for the summer recess in July. We should lose no opportunity to make a start.

Helen Eadie: Agreed.

The Convener: That is great—at least I have Helen with me.

Oral evidence will then start again in September, following the recess.

Helen Eadie: Agreed.

The Convener: Given the large number of householders who have objected to the line, our paper proposes that we should split the deadlines for submissions from lead objectors and from the promoter. Objectors from whom we want to hear oral evidence in June are in groups 1 to 19. They will be invited to submit witness lists and witness summaries by 22 April. The remaining groups will then be invited to submit their witness lists and witness summaries by 6 May.

Helen Eadie: Agreed.

The Convener: Great—I am going to ask you at the end to agree to all of these points, so please hold on one second.

By breaking up the deadlines, we are trying to avoid any unnecessary delay in taking oral evidence because of the summer recess. It will also allow lead objectors sufficient time to gather the written information that the committee has requested.

Are there any views—other than Helen's agreement—on the deadlines that we have proposed for the submission of witness lists and witness summaries?

Members indicated disagreement.

The Convener: I invite members to agree that witness lists and witness summaries should be requested from the lead objector in each group, from non-grouped objectors and from the promoter.

Members indicated agreement.

The Convener: Do members agree that the deadline for the provision of written information should be 22 April for groups 1 to 19 and groups 37 to 39, and 6 May for the remaining groups?

Members indicated agreement.

The Convener: Finally—the end approaches—members will perhaps remember that, on 22 September 2004, we gave preliminary consideration to all the objections. Those included some 100 objections to the whole bill as well as 201 objections to specific provisions of the bill.

There is provision for the committee to decide not to take evidence at consideration stage from objectors if it believes that their interests do not, on balance, appear to be adversely affected. We have looked again at objections 95 and 166 and it appears that we made a mistake way back in September 2004. Both objections were wrongly considered to demonstrate that the objectors' interests would be clearly adversely affected by specified provisions of the bill. Both objections related to whole-bill issues and we therefore should have considered and rejected them at the preliminary stage when we agreed to reject all the whole-bill objections. The clerks intend to write to the objectors to explain that.

Do members have any comments on objections 95 and 166?

Members indicated disagreement.

The Convener: Do members agree that the objections should have been rejected at the preliminary stage and that the clerks should write to the objectors accordingly?

Members indicated agreement.

The Convener: Before closing what has been a rapid meeting, I inform members that our next meeting is expected to take place on Tuesday 3 May 2005.

Meeting closed at 13:26.

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