

EDINBURGH TRAM (LINE TWO) BILL COMMITTEE

Wednesday 29 September 2004

Session 2

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THE EDINBURGH TRAM (LINE TWO) BILL COMMITTEE 5th Meeting 2004, Session 2

CONVENER

*Bill Aitken (Glasgow) (Con)

DEPUTY CONVENER

*Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD)

COMMITTEE MEMBERS

*Marilyn Livingstone (Kirkcaldy) (Lab)

*Kate Maclean (Dundee West) (Lab)

*Stewart Stevenson (Banff and Buchan) (SNP)

*attended

THE FOLLOWING GAVE EVIDENCE:

John Houghton (Bond Pearce Ltd)

Dr Richard Maggs (Casella Stanger)

CLERK TO THE COMMITTEE

Graeme Elliot

LOCATION

Committee Room 3

Scottish Parliament

Edinburgh Tram (Line Two) Bill Committee

Wednesday 29 September 2004

[THE CONVENER *opened the meeting at 09:48*]

Edinburgh Tram (Line Two) Bill: Preliminary Stage

The Convener (Bill Aitken): Good morning, ladies and gentlemen, and welcome to this meeting of the Edinburgh Tram (Line Two) Bill Committee. There is full attendance; we have received no apologies.

Agenda item 1 is on the committee's approach to consideration of the general principles of the Edinburgh Tram (Line Two) Bill. I refer members to paper ED2/S2/04/5/1, which states that one of the committee's three main functions at the preliminary stage is to seek and consider written evidence on the general principles of the bill.

Broadly, we seek to ensure that consideration of the general principles of the bill will involve the committee reaching a view on whether a tram line that would run from the city centre to the airport, with a shuttle service from Ingliston park-and-ride facility to Newbridge, is a sensible policy to pursue. More detailed information on the objections to, and general principles of, the bill can be found in chapter 3 of the updated preliminary financial case. We will consider our approach to that document under agenda item 3.

Annex A of paper ED2/S2/04/5/1 lists general questions about the general principles of the bill to send to the promoter. The intention is to send the list to the promoter and then to add to the list relevant questions for witnesses. I hope that members have had the opportunity to read the questions, so I invite comments.

Stewart Stevenson (Banff and Buchan) (SNP): Question 4, which is on alternatives, begins:

"Explain how the tram system will be integrated into Edinburgh's current bus network".

It might be useful to mention both the current bus network and the expected bus network. In other words, cognisance should be taken—where it can be—of other developments that can be anticipated.

The Convener: That would be eminently sensible. Does any other member have questions or comments on the questions?

Jeremy Purvis (Tweeddale, Ettrick and Lauderdale) (LD): I think that I know what we are looking for with question 8, but I am not sure whether the question makes it clear. Certainly, my impression from the National Audit Office report was not necessarily that there was a "lack of enthusiasm" as a result of

"concerns about escalating cost and the burden of such increases on profitability";

rather, the issue was risk. If the risk was increases in costs, that is fine, but the issue was to do with the risk balance. Perhaps we should be clear about that question.

Another relevant issue came out of the NAO report. There are questions about how the system will operate with regard to, for example, priorities at junctions and about how it will operate in practice, rather than as part of the overall transport policy or transport strategies. Certainly, the NAO report is clear that such things will have a major impact on the tram's attractiveness for people. I do not know what the technical term is for whether there will be priority and so on.

The Convener: I know exactly where you are coming from. It would not be beyond the clerk to devise a change to the question that would incorporate what you are saying.

Stewart Stevenson: Jeremy Purvis's remarks have drawn my attention to the wording of question 8. I think that the costs that the NAO focused on involved failure to meet revenue targets. In other words, it did not focus on construction, although there are probably issues in that respect. Perhaps we should tidy things up to make it clear that revenue was what concerned the NAO.

The Convener: We can deal with the capital costs in another direction, of course.

Stewart Stevenson: Indeed.

The Convener: So there are three amendments to the list of questions.

Jeremy Purvis: Forgive me if this matter is included in the questions—I did not see it. Anticipated costs of ticketing and how ticketing would be structured could be asked about. Again, that matter was an important part of the NAO report. So it would be interesting at least to hear views on such matters.

The Convener: Such questions might be implicit in other questions, but highlighting the matter would be worth while, in any event.

Stewart Stevenson: Would ticketing be covered in question 11c?

The Convener: Yes, but we will ensure that the wording of the question fully allows for that.

Do members agree to the list of questions, with those changes?

Members indicated agreement.

The Convener: Annex B lists a number of witnesses from whom the committee may seek written evidence on the general principles of the bill. The deadline for receipt of written evidence would be 22 October. The witnesses have been identified as being relevant to the bill's key objectives. The intention is to seek written evidence from them and to agree the witnesses from whom the committee will seek to take oral evidence at a later stage.

As members have no questions or comments to make on annex B, is annex B agreed to?

Members indicated agreement.

The Convener: We will proceed along the lines that I suggested.

Agenda item 2 is on accompanying documents to the bill—I refer to paper ED2/S2/04/5/2. Members have received a copy of the written evidence that has been gathered on the adequacy of the accompanying documents and on the scope of the bill. That evidence relates to the second function of the committee at preliminary stage, which is to consider whether the bill should proceed as a private bill.

I welcome John Houghton from Bond Pearce Ltd, and Dr Richard Maggs from Casella Stanger. Members will be aware that Bond Pearce has been acting as general adviser to the committee and has provided comments on the adequacy of the environmental statement. The committee appointed Casella Stanger to undertake a peer review on the noise, vibration and air quality chapters of the environmental statement. Members have seen the reports that have been provided by the advisers, which are in sections C and D of the evidence folder.

To be frank, the purpose of this agenda item is pretty narrow. We will not make decisions on the evidence that is before us; that will be a great relief to members who have not yet had time to wade through the welter of evidence that has been provided.

I remind members that we still await comments on the adequacy of the accompanying documents from the three late objectors whom we agreed to add to the list of objectors. Our intention is to feed the comments into our timetable for evidence taking.

If members have no technical questions for John Houghton or Dr Maggs in relation to the reports from Bond Pearce and Casella Stanger, I invite Mr Houghton to give us a brief summary of events to date.

John Houghton (Bond Pearce Ltd): In its letter of 6 July, the committee addressed to the promoter a number of questions on the environmental statement, to which responses were received at the beginning of August. The questions related to a range of issues: wireless trams; the proposal to divert the heavy rail route towards Edinburgh airport; details of the scheme, such as the positioning of tram stops; the approach to significant defects; flood risk assessment; and mitigation measures in relation to badgers.

The responses are extremely full and helpful, but it would be helpful if certain issues of relatively limited scope could be clarified. First, the promoter was asked whether the proposed heavy rail link might, depending on how it is put in place, affect the business case for the airport tram. The response was that the potential impact on the business case could be large. It would be helpful to have the promoter's views on whether the business case might be affected.

Secondly, given that if central Edinburgh transport management goes ahead it could affect the transport modelling, the committee should seek the promoter's views on why it is not possible to factor into the transport modelling the possible impact of CETM at this stage, rather than wait for road traffic regulation orders.

Thirdly, it would be helpful to know whether the promoter will undertake a flood-risk assessment on field F6, near the airport. That was not entirely clear from the responses.

Fourthly, the committee could ask whether there is agreement—in principle, at least—with Scottish National Heritage that suitable mitigation measures can be put in place that will keep badgers off the lines while allowing them to forage as they currently do.

We suggest that—rather than seek further evidence to supplement the environmental statement—the committee raise those four questions with the promoter purely as matters for clarification. Subject to that qualification, the information that the promoter has provided is helpful and allows the committee to move forward with the documents on environmental assessment.

10:00

The Convener: The committee will certainly want answers on those four outstanding matters, so they should be pursued.

I ask Dr Maggs to give us a brief update on his aspect of the inquiry.

Dr Richard Maggs (Casella Stanger): Just so that the committee knows, my discipline is air quality rather than noise and vibration. However,

having spoken yesterday to my colleague Paul Freeborn, I am aware of one or two issues and may be able to offer a bit of commentary on them. Like John Houghton, I will start with the situation as it is.

We have received the promoter's response to our preliminary peer review of the noise and vibration and air quality chapters. That response has provided comprehensive clarification of some of the technical issues that were raised through the peer review. Overall, we are satisfied that the environmental statement and the methodologies that were used are in line with the level of design detail that is currently available.

One or two issues are still outstanding, which are similar to those that John Houghton mentioned. With regard to noise, I highlight the fact that the design of the acoustic barriers has yet to be finalised. The committee may seek the promoter's views on additional design details of acoustic barriers along certain elements of the proposed route alignment. With respect to air quality, most of the issues that have been raised through the peer review have involved clarification of technical issues. The promoter's response has been completely in keeping with what we would expect at this design stage.

The Convener: Acoustic barriers will be of considerable importance, especially where the line passes close to private dwelling houses. Do members have any questions for Dr Maggs?

Members: No.

The Convener: I thank both gentlemen for their succinct but comprehensive reports.

Before we discuss the committee's approach to taking oral evidence on the accompanying documents, I thank all the objectors who responded to our request for their comments on the adequacy of the accompanying documents. Members will agree that the evidence that we have received has been well presented and will be invaluable in the committee's consideration of the accompanying documents.

As members will be aware, one of the decisions that we will have to make specifically at next week's meeting concerns from whom we should take oral evidence. I would like to include, where appropriate, witnesses who are formally objectors to the whole bill, as well as other witnesses who may have technical expertise or particular views on specific issues. It is my intention that, at next week's meeting, we will discuss not only the timetable and themes for evidence-taking in relation to the adequacy of the accompanying documents, but who would be the most appropriate witnesses. I propose that we discuss that in private so that we can have a full discussion of the merits of inviting a range of witnesses.

It is my intention that we publish the agreed timetable, themes and witnesses for oral evidence-taking on the accompanying documents as part of the minute of that meeting. I appreciate that we should meet in public as often as possible; however, as we will be discussing individuals, organisations and Government bodies, it would be more appropriate for us to conduct those discussions in private, with the caveat that the committee's final decisions will be published in the minute of the meeting. Is that agreed?

Members indicated agreement.

The Convener: That item will be discussed in private at the meeting on 7 October at 12.45. As agreed at the previous meeting of the committee on 22 September, we now move into private session to discuss the tenders that we have received for analysis of the updated preliminary financial case. The item will be discussed in private because of the commercial sensitivity of the tenders and possible discussion of individuals and/or organisations. I thank the members of the public for their attendance this morning. There will be a slight delay while members of the public and others leave the room.

10:04

Meeting continued in private until 10:14.

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