

EDINBURGH TRAM (LINE TWO) BILL COMMITTEE

Wednesday 16 March 2005

Session 2

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CONTENTS

Wednesday 16 March 2005

Col.

EDINBURGH TRAM (LINE TWO) BILL: CONSIDERATION STAGE	243
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EDINBURGH TRAM (LINE TWO) BILL COMMITTEE 4th Meeting 2005, 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)

*Alasdair Morgan (South of Scotland) (SNP)

*attended

CLERK TO THE COMMITTEE

Terry Shevlin

LOCATION

Committee Room 3

Scottish Parliament

Edinburgh Tram (Line Two) Bill Committee

Wednesday 16 March 2005

[THE CONVENER *opened the meeting at 10:16*]

Edinburgh Tram (Line Two) Bill: Consideration Stage

The Convener (Bill Aitken): Good morning, ladies and gentlemen. I welcome everyone to this meeting of the Edinburgh Tram (Line Two) Bill Committee and remind members to switch off their mobile phones and pagers, if they have not already done so. We have received an apology from Marilyn Livingstone, who unfortunately has flu.

We move to agenda item 1. This is our first meeting at the consideration stage and there are two papers before us, the first of which provides an overview of the approach that the committee will take at phase 1 of the consideration stage. I will not go into the paper in great detail; suffice it to say that the approach that is outlined should enable the committee to focus oral evidence taking on key contentious issues on which objectors and the promoter disagree.

I reassure members and objectors that the committee will write to every remaining objector to inform them of the steps that will be involved in phase 1 of the consideration stage, and to invite them to meet the clerks early in April for further explanation of the process. A similar letter will be sent to the promoter.

Unless members have any comments, I ask members whether they agree to delegate to the clerk the preparation of a draft timetable for oral evidence taking. Do members agree to the timetable?

Members indicated agreement.

The Convener: The second item on the agenda, which relates to suggested groupings of objections, will take up the bulk of this morning's meeting.

As members are acutely aware, the committee must consider 77 outstanding objections to the bill at phase 1 of the consideration stage. As some of the objections raise either the same or similar issues about the same parts of the bill, the committee is able to group them if it so wishes. After a review of all the objections, 14 groupings have been proposed in annex 1 of the second paper that is before us.

As some objections to tramline 1 and to tramline 2 relate to land that is common to both lines, they raise identical issues, so there is clearly merit in this committee and the Edinburgh Tram (Line One) Bill Committee considering them at a joint meeting. I understand that the Edinburgh Tram (Line One) Bill Committee agreed yesterday to that proposal. I therefore ask the committee to agree in principle to holding a joint oral evidence taking session with the Edinburgh Tram (Line One) Bill Committee in respect of identical objections to both lines, subject to the receipt of certain information from the relevant objectors. Do members agree?

Members indicated agreement.

The Convener: Before we discuss the other proposed groupings, I must point out that we might need to revisit decisions on them that we make today. However, it is hoped that there will not be too many radical changes.

It is proposed that, following today's meeting, the clerks will write to each objector on behalf of the committee to explain the groupings that it has agreed. However, objectors will be given the right of reply if they can demonstrate that they have good reason for not being grouped with other objectors. Each case will be considered by the committee on its merits, and the clerks will include information on the right-of-reply procedure in the letters to objectors. It is proposed that a deadline of 1 April be set for receipt by the clerk of all right-of-reply responses.

In addition, the paper identifies potential lead objectors for each group. However, that is not binding and it is expected that each group will be invited to suggest its own lead objectors at the informal meetings with clerks to which I referred. Those suggestions need to be agreed by the committee. If any group is unable to appoint a lead objector or objectors, the committee will do so.

Members have had an opportunity to examine the groupings, which appear to be fairly logical. If members have no comments, I invite them to agree to work with the groupings that are outlined in annex A of the second paper; that all objectors be sent a letter outlining the proposed groupings and suggested lead objectors, inviting a right of reply by 1 April; and that, if necessary, the committee will consider proposed changes to the final groupings and lead objectors and agree them at a later meeting. Do members agree?

Members indicated agreement.

The Convener: The committee can thereafter invite certain written evidence, witness lists and witness summaries from objectors and the promoter. I ask members whether they agree with the dates that are set out in the paper for the receipt of the evidence from the objectors.

I also recommend that the clerks flag up other key dates to the objectors when they are invited to the informal meetings. I stress that, at the moment, the dates are indicative and do not apply to all objectors. That said, we expect some objectors to participate in timetabled meetings on 9 or 30 May and that some will be invited to provide witness statements by 18 May or 14 June. I also indicate to the promoter that we would like witness lists and witness summaries to be provided by 22 April. After all that, the committee will be better placed to decide from whom it wishes to take oral evidence. We cannot be certain about when we expect to hear oral evidence, but we certainly hope to begin in June.

Finally, members will recall that, on 22 September 2004, the committee gave preliminary consideration to objections that it had received and agreed that certain objections relating to the whole bill, including objection 17, should be rejected. However, due to an error, objection 17 was allowed to progress because it was incorrectly classified as having also demonstrated a clear adverse effect of specified provisions of the bill. As the objection should have been rejected at the preliminary stage, I recommend that the committee take no further evidence on it and that the clerks write to the objector explaining the matter. Do members agree?

Members *indicated agreement.*

The Convener: Before closing the meeting, I should tell members that the next meeting is likely to take place on Wednesday 4 May.

Meeting closed at 10:23.

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