

## **General -**

### **6b Publications and Consultations**

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#### **o Purpose of Report**

The purpose of this report is to inform members of a number of recent publications and consultation papers.

#### **o Consultation on the new Aberdeen Exhibition and Conference Centre and redevelopment of the AECC site at Bridge of Don**

A second round of consultation exhibitions in relation to the development of the new exhibition and conference centre at the Rowett, Bucksburn and the redevelopment of the AECC site of Bridge of Don were held on 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> September. On display were plans for:

- The updated masterplan and proposed application for Planning Permission in Principle (PPP) for the new AECC development at Bucksburn which includes a new exhibition and conference centre, a 200 bed 4 star hotel, two further hotels, offices, leisure use; an energy centre and associated access, parking and landscaping.
- The updated designs and proposed application for Planning Permission (PP) for the new AECC building and associated development; and
- The updated masterplan and proposed application for Planning Permission in Principle for the redevelopment of the existing AECC site at Bridge of Don.

Rab Dickson and Kirsty Chalmers attended the exhibition on Friday 12<sup>th</sup> September at The Beacon Centre in Bucksburn and have submitted comments on the plans via the online questionnaire provided. In summary, the following points were raised in response to the plans:

- The proximity of the new site at The Rowett to Dyce railway station should be maximised with good connections between the two, particularly with the imminent development of a new bus turning circle at the station which will significantly enhance bus and rail interchange opportunities.
- We supported the proposed priority for buses into and out of the new AECC site through the use of a bus gate onto Wellheads Road. This will help to ensure good public transport connections with the railway station. It was however commented that proposals that this bus gate could be opened to general vehicular traffic at times of high demand should consider the increased requirements to also maintain public transport priority during such times to ensure it remains an attractive option and encourages people to access the site by non-car modes.
- The plans for the new AECC site include a flexible subterranean space which it is highlighted can be used as parking but also converted into additional exhibition space for larger events. It was commented that during such larger exhibitions the demand for parking will also be increased and consideration needs to be given to how a reduction in parking provision would be managed, preferably by enhanced provision of alternative modes.
- In relation to the re-development of the existing AECC site at Bridge of Don, we supported the retention and extension of park and ride facilities as part of the development plans. It was requested that consideration be given to improving the

access arrangements for buses serving the park and ride site to reduce the diversion from the main road that they are currently required to take. It was also suggested that a high quality pedestrian link from the park and ride site to the bus stops on Ellon Road should be included to enable the use of passing bus services as well as those directly serving the site.

The consultation was open until Saturday 27<sup>th</sup> September.

### o **Consultation on changes to Bus Registration in Scotland**

Transport Scotland has invited responses to a consultation on bus service registration with a closing date for comments of 24 October 2014. The purpose of the consultation is to discuss potential improvements to the bus service registration process in Scotland, which Transport Scotland consider are designed to offer Public Transport Authorities the opportunity to better manage the effects of planned bus service changes, new services and withdrawal of services, while maintaining the overall competition-based approach to bus service provision. This, it is suggested, will be to the benefit of local Transport Authorities, bus operators and bus users.

Currently if a bus operator wishes to operate a new bus service, amend or withdraw an existing service, they are required to notify the relevant Transport Authority(ies) 14 days prior to submitting the registration with the Scottish Traffic Commissioner. Ordinarily the proposal can be implemented 56 days after the registration is accepted by the Scottish Traffic Commissioner.

The proposed changes are intended to encourage and facilitate greater collaboration between bus operators and the relevant Authorities in planning and implementing bus service changes at a local level, anticipating that this could help reduce or mitigate problems before they arise and contribute towards greater stability in the bus network. The main changes on which responses are sought include:

- (i) extending the period for notifying relevant Authorities in advance of registration from 14 to 28 days;
- (ii) strengthening the requirement on bus operators to consult rather than simply notify the relevant authorities;
- (iii) encouraging the relevant authorities where appropriate to draw concerns arising out of registrations to the attention of the Scottish Traffic Commissioner and/or Transport Scotland and,
- (iv) reducing the registration period from 56 to 42 days (either for all registrations or for those submitted electronically) in order to maintain the overall time taken for the whole process, from initial notification to the start of the service, at 70 days.

The Public Transport Units at both Aberdeenshire and Aberdeen City Councils have been consulted in formulating a Nestrans response as it is the local authorities who deal directly with bus registrations. A draft response is provided in Appendix A.

## o A96 dualling project

As members will be aware, the Scottish Government has committed to dualling the A96 by 2030. Transport Scotland is currently progressing preliminary engineering and strategic environmental assessment work along the corridor between Aberdeen and Inverness. As part of this early work consultants have been progressing work on the A96 Dualling Strategic Business Case and also Strategic Environmental Assessment.

The work on the Strategic Business Case (SBC) has now been completed. A copy of the SBC is available from:

<http://www.transportscotland.gov.uk/system/files/documents/projects/A96%20Dualling/A96%20Strategic%20Business%20Case%20-%20Inverness%20to%20Aberdeen%20SBC%20Final%202017%20September.pdf>.

The Strategic Environmental Assessment (SEA) work is being undertaken to assess the route-wide constraints, issues and opportunities associated with A96 corridor transport intervention and improvement options, in accordance with the requirements of the Environmental Assessment (Scotland) Act 2005. A two-tier SEA approach is being delivered:

- Tier 1 SEA considers six strategic intervention options for the A96 transport corridor, covering both road and rail, to assess the potential for significant environmental effects at the 'plan/ policy' level; and
- Tier 2 SEA will go on to consider a range of road improvement strategy options at the more detailed A96 Dualling 'programme' level.

The first SEA Environmental Report detailing the outcome of the Tier 1 assessment was published on 25 September for consultation which will run for six weeks. A copy of the report is available from the A96 Dualling pages of Transport Scotland's website at <http://www.transportscotland.gov.uk/road/a96/environmental-challenges>.

Further details on the outcome of both these pieces of work will be provided at the joint A9/A96 local authorities/ Regional Transport Partnerships workshop in Perth on 22 October, at which Nestrans will be represented. In the meantime however, there are a few comments which the Board may wish to consider for inclusion in a possible response to the consultation:

The Strategic Business Case document contains some comments which require clarification and which are not sourced. Firstly, on page 10 there is a statement that "employment along the corridor fell by almost one per cent between 2008 and 2011, but this masks a larger reduction in Aberdeen..." Whereas the Office for National Statistics database ([http://www.nomisweb.co.uk/reports/lmp/la/1946157405/subreports/ea\\_time\\_series/report.aspx](http://www.nomisweb.co.uk/reports/lmp/la/1946157405/subreports/ea_time_series/report.aspx)) indicates that employment in Aberdeen grew from an average level of 113,500 between July 2007/June 2008 to 116,700 between June 2010/July 2011 – a growth of nearly 3%. This growth has continued to an average of 120,000 for the period April 2013/March 2014.

Secondly, Table 2-1 demonstrates the significant divergence between regional and national population forecasts. Aberdeen and Aberdeenshire are forecast to grow by 25% and 22% respectively from 2010 to 2035, but the national Transport, Economic and Land Use Model

of Scotland (TELMOS) projections are just 2% and 3%. Since this is the national model which determines priorities across Scotland, it is inevitable that such low forecasts are holding back the north east's ambitions to grow and the Scottish Government's decision-making process in determining appropriate levels of investment for infrastructure.

It is suggested that a letter be sent to Transport Scotland outlining concerns regarding these statements.

## o **Community Empowerment Bill**

The RTP's had agreed to develop a joint response to the Community Empowerment Bill. Due to the timescales involved in getting a response prepared within the timescale for submission this has been submitted as an agreed response. Members are requested to homologate the response:

### Community Empowerment (Scotland) Bill : Submission by the Chairs of Scotland's 7 Regional Transport Partnerships

*This submission is by the Chairs of Scotland's 7 statutory Regional Transport Partnerships (RTPs). The RTPs have a statutory duty to engage in community planning. All RTPs currently seek to proactively support community planning in Scotland's 32 community planning areas generally through the implementation of their statutory Regional Transport Strategies (RTSs), and specifically by contributing to the achievement of national and local SOA outcomes relating to sustainable economic growth, improving personal and community health and wellbeing, and improved environmental sustainability, including carbon reduction. As indicated in the Policy Memorandum accompanying the Bill, transport is a key cross-cutting community planning issue, which helps ensure that communities have efficient, effective and accessible services; that local economies are vibrant and well connected to markets; and that local communities are better and healthier places to live, work, visit and enjoy.*

*The RTPs are working proactively on a wide range of initiatives, including improving local and regional strategic connectivity; reducing peripherality and combatting social exclusion through a range of transport connectivity measures, including issues related to transport and health; and reducing the environmental impacts of transport, which are aimed at supporting achievement of local and national outcomes in partnership with our constituent Councils, Health Boards, Police, Fire & Rescue, Universities and Colleges, the Voluntary sector and other statutory community planning agencies.*

*The RTPs support proposals which will improve efficient and effective partnership working and will strengthen the role of community planning. Part 2 and Schedules 1, 2 and 3 of the Bill propose designation of various public sector bodies in relation to community planning. The RTPs welcome the inclusion of RTPs as :-*

- *Public Service Authorities, as introduced by section 4 (1) of the Bill;*
- *Relevant Bodies, as introduced under section 16 (1) of the Bill; and*
- *Relevant Authorities, as introduced under section 51 (1) of the Bill*

*The reinforcement of the current statutory role of RTPs within community planning implied by these designations is strongly supported.*

*However, the RTPs have concerns relating to Part 2 of the Bill which, in Section 8, defines those partners having a statutory Governance role in community planning as Councils,*

*Health Boards, Scottish Enterprise/HIE, Police Scotland and Fire and Rescue Scotland only, omitting RTPs and other defined bodies in Schedules 1, 2 and 3. In addition Part 2, Section 9 on community planning partners' duties states that they :-*

- *must cooperate with other community planning partners in carrying out community planning;*
- *must, in relation to a community planning partnership, contribute such funds, staff and other resources as the community planning partnership considers appropriate to ... improving, contributing to achievement of local outcomes ... and for the purpose of securing participation of community bodies in community planning;*
- *must provide such information to the community planning partnership about local outcomes as the partnership may request; and*
- *must, in carrying out its functions, take account of community planning local outcome improvement plans.*

*Whilst the generality of the above duties to cooperate in the achievement of community planning outcomes is also supported, it is of serious concern that RTPs are not included within the list of specified Governance bodies for community planning in Part 2, Section 8 (2) of the Bill and, therefore, have the potential to be excluded from core governance and resource decision-making in relation to determining and agreeing community planning resource requirements in accordance with Part 2, Section 9 of the Bill. This appears to be a potentially serious and hopefully unintentional governance dis-connect within the Bill, as currently drafted.*

*Part 2, Section 8 (3) of the Bill indicates that Scottish Ministers may, by regulations, add to the community planning partners listed under Part 2, Section 8 (2). However, in order to ensure that RTPs can continue to play a fully supportive role in community planning , the RTP Chairs formally request that the Bill is amended to specifically include Regional Transport Partnerships, along with the other statutory community planning Governance bodies, listed within Part 2, Section 8 (2).*

*If you require any further information or clarification of the content of this submission please contact Eric Guthrie, Partnership Director, Tactran at ..*

## **o Recommendation**

It is recommended that the Board:

- a) note the content of this report and the documents referred to above; and
- b) write to the Chief Executive of Transport Scotland, expressing concerns as indicated above including the the assessment of employment levels and the projections for population used in TELMOS.

**Consultation on changes to Bus Registration in Scotland****DRAFT RESPONSE FOR APPROVAL - CONSULTATION QUESTIONS**

**Question 1: do you agree with the proposal to extend the pre-registration notice period from 14 days to 28 days ?**

Yes ✓ No

Support the opportunity for greater dialogue between operators and transport authorities where this doesn't already occur. The current 14 day notification period can already be very tight for transport authorities when there is an extensive network or corridor review. An extension of the notification period would allow a more rigorous consideration of registration documents, particularly when received 'in bulk'.

**Question 2: Do you agree with the proposal to replace the duty to inform the relevant authorities before making an application for registration with a duty to consult with the relevant authorities?**

Yes ✓ No

Agree that greater dialogue and consultation with transport authorities will be beneficial and allow for feedback to be considered before finalisation. A high degree of consultation between operators and transport authorities will already exist in some places, for example Aberdeenshire Council and Stagecoach Bluebird already have a good working relationship and a high level of consultation on any proposed changes already takes place. This proposal should simply formalise good practice where it is already taking place rather than placing additional requirements on those that are already carrying out high levels of consultation. It should allow local solutions to consultation to be developed rather than specifying a prescriptive approach.

**Question 3: Do you agree that relevant authorities should be encouraged through guidance to draw potential concerns about new registrations to the attention of the traffic Commissioner for Scotland and/or Transport Scotland?**

Yes  No ✓

There is already the opportunity for transport authorities to raise concerns with the Scottish Traffic Commissioner if it is considered that a registration is in breach of the legislation / regulations. To provide other comments on registrations to the Scottish Traffic Commissioner and / or Transport Scotland, such as concerns over levels of service provision or timing of services, would be of little benefit if neither recipient have the legislative power to address the concerns raised. Such actions could prove counter-productive and potentially undermine partnership working arrangements.

**Question 4a: Do you agree with the proposal to reduce the period of registration from 56 days to 42 days? What difficulties (if any) do you consider such a change might present and how might these be addressed?**

Yes  No

After consultation with our respective local authorities, it is felt that the current registration period of 56 days is already tight, particularly when large numbers of registration documents are received at the same time and given that timetables and / or routes can be significantly amended during the notification period. A reduction in the period of registration from 56 to 42 days would reduce the time period available for processing the relevant data from 35 to 21 days and create significant challenges for transport authorities to be able to meet these timescales.

**Question 4b: An alternative option would be to reduce the registration period from 56 days to 42 days only where Electronic Bus Service Registration (EBSR) is used. Do you agree with this?**

Yes  No

Whilst we agree with measures that will incentivise the use of electronic bus service registration to make the process more efficient, the majority of service registrations received in the north east are already electronic. We do not therefore feel that there would be any significant time savings to be achieved through this proposal and, in line with our response to question 4a above, feel that reducing the overall registration period would not be beneficial.

**Question 5: Do you agree that we should require operators to detail within registered hourly frequency bands any services that are registered as frequent services?**

Yes  No

As recommended by the Competition Commission, legislation should be amended to preclude the opportunity for operators to increase frequencies immediately and with no recourse to the Scottish Traffic Commissioner, in response to a new competitive service.

**Question 6: Do you agree that if the proposed changes set out above are adopted, they will improve the bus registration process in Scotland ?**

Yes  No

In those areas where there is already a good working relationship between operators and transport authorities we feel that the proposals will provide minimal benefit to the registration process. To reduce the period between lodging a registration and the date of implementation will in fact have a potentially detrimental impact on transport authorities and their ability to respond to service changes, procure replacement services / journeys and inform the public either directly or through Traveline Scotland.

**Question 7: It is possible that much of what is proposed above could be achieved through Guidance and/or a Code of Conduct to facilitate engagement between operators and relevant authorities rather than changes to the legislation. Do you have any views on this?**

Yes  No

Where possible it would be our preference that the proposals, if implemented, be progressed through non-mandatory guidance rather than regulation / legislation. This approach would provide transport authorities and operators with more flexibility to adapt registration processes and procedures to the benefit of local situations. Notwithstanding this point, if alternative registration timescales are to be made available, it must be clear and unequivocal to which timescale/period any operator must adhere.