
8 Information Bulletin

- Purpose of Report

The purpose of this report is to provide information and updates for the Board on a number of matters not requiring decision.

- A90 Laurencekirk junctions

At the last Board Members meeting with the Minister for Transport, Stewart Stevenson promised to pass on a copy of the drawings showing the works currently being undertaken to address the accident problems at the Laurencekirk junctions. These drawings will be on display at the Board meeting.

We have also received a copy of the JMP study for the Scottish Government. Whilst this study confirms the Ministers point of view that the junctions don't, at this time, warrant intervention at the scale of grade separation the study does highlight that further growth on the scale envisaged by the current structure plan will mean that such intervention will be necessary.

Aberdeenshire Council are currently progressing towards consultation on a proposed local development plan over the summer. Information on the Local Development Plan can be found at <http://www.aberdeenshire.gov.uk/planning/localplan/ldpproposals.asp> Issues around the delivery of the infrastructure to facilitate development in Laurencekirk will proceed in that context.

The SDPA are currently preparing to write a new strategic Development Plan. Nestrans and the SDPA will use the JMP study and local development plan work to inform the transport assessment which will be prepared alongside the proposed strategic development plan main issues report.

Nestrans, the SDPA and Aberdeenshire Council will continue to engage with Transport Scotland on a flexible approach to the delivery of the necessary infrastructure to the benefit of existing and potential residents of Laurencekirk.

- Fresnel lens project

At the North East Scotland Freight Forum meeting hosted in March, one representative indicated that a possible project to supply refractive lenses to improve lorry drivers' vision was being considered. The Minister for Transport has now made funding available for such lenses, which can significantly improve visibility so reducing the likelihood of drivers not seeing cyclists, pedestrians and other road users.

Because of the work being undertaken in the north east with hauliers through the Freight Forum, the growth in cycling numbers in Aberdeen and an identified problem of cyclist/HGV collisions, it has been agreed to launch the Fresnel lens project in Aberdeen, probably in the autumn.

A launch and pilot will likely be timed to coincide with Freshers' Week, include educating new cyclists at Universities and Colleges as well as promotional materials for HGV drivers. Members will be provided with further information in advance and around the time of the launch.

- Inverurie Station & Laurencekirk Station passenger numbers

Inverurie station

Members will recall that the December 2008 rail timetable introduced a significant alteration to the Inverurie rail services particularly in the morning and evening peak hours.

In the period between April 2007 and December 2008 the average monthly usage at Inverurie Station was 15,569 passengers. After the timetable change the average monthly usage, between January 2009 and March 2010, is 22,141 an increase of 42.2%. The highest usage recorded in this time was 26,736 in the pre Christmas 2009 period compared to 17,322 in the pre Christmas 2008 period.

Laurencekirk Station

Transport Scotland have confirmed that Laurencekirk Station saw some 64,000 passengers in its first year of operation. This is compared to the predicted 36,000 passengers per year predicted prior to opening, an increase of near 80% over the prediction.

These figures for both Inverurie and Laurencekirk along with the continued significant growth at Dyce provide evidence that:

- The Government required rules for predicting passenger numbers are significantly underestimating actual passenger increases in the North East of Scotland
- There is a latent demand for rail services in our area

At the last Board Members meeting with the Minister for Transport he indicated that such evidence would be a boost in the case for further such rail improvements in the North East. Nestrans will be highlighting these successes as part of our campaign for Kintore Station and additional Sunday services on the Aberdeen to Inverness route. A copy of a letter sent to the Minister is attached as Appendix 1.

- North East Transport Consultative Forum

It is suggested that the next meeting of the North east Consultative Forum be held in the summer and that the substantive item for discussion should be the Rail Action Plan. Possible dates have been circulated to Chair and Depute Chairs and it has been suggested that a slightly different format be attempted, perhaps utilising a "café" style of informal circulation around a number of tables, each of which will encourage discussion on a particular topic.

Members will be provided with more information once a final date and agenda are agreed.

- Aberdeen Western Peripheral Route

The progress of the Aberdeen Western Peripheral Route has been delayed due to some objectors mounting a legal challenge to the approvals process. A Councillors briefing note has been attached as Appendix 3.

- Nestrans Press Releases

16/4/10

Nestrans Board agrees road maintenance is a priority

16/04/10

Nestrans to continue to look at long term Dee options

16/04/10

Bus punctuality partnership aimed at improving services

14/05/10

Inverurie station numbers booming

17/05/10

Laurencekirk passenger numbers exceed expectations on first anniversary

24/05/10

North of Scotland station investment plans (SCOTRAIL release)

0406/10

Nestrans state the case for strong London links

- Getabout Events

- Survey and action day at Grampian Police Woodhill house, report completed
- Press photography and endorsement with Round the world Cyclist Mark Beaumont
- Badentoy “the future in your hands” Business Breakfast at Portlethen Golf Club
- Launch of Aberdeenshire’s “No Excuse Zone in Westhill
- Launch of Aberdeenshire’s “No Excuse Zone in Peterhead
- iTrace working group training
- Canadian Natural Resources Event – St Magnus House Guild Street



- Transport as an economic enabler

As discussed in item 3a Liaison between Scottish Government and RTP's a report published by Scottish Enterprise is being discussed in relation to transport policy and budget considerations. The report can be found at:

http://www.scottish-enterprise.com/about-us/research-publications/~media/publications/About%20Us/economic%20research/transport_infrastructure_and_services_report_dec_2008.ashx

This report finds that transport infrastructure is not seen as a significant factor by businesses in Scotland. This is in direct contradiction to the messages received from North East businesses and indeed in contradiction to a report also published by Scottish Enterprise. A letter has been sent to the Minister for Transport to highlight the North East view. This is attached as Appendix 2.

- Recommendation

It is recommended that Members note the contents of this report.

RGM/17 May 2010

20 May 2010

Appendix 1
Our Ref RD/N1/11
Your Ref

Stewart Stevenson MSP
Minister for Transport, Infrastructure & Climate Change
The Scottish Government
Victoria Quay
Edinburgh
EH6 6QQ

Dear Minister

Rail Enhancements in the north east

At the recent meeting between yourself and the Nestrans Board on 12 March, you indicated that any evidence of the success of investment in rail would be beneficial in securing further funding.

I am delighted to be able to report on two very successful outcomes of investment in rail enhancements in the north east.

Firstly, at Laurencekirk where the station was reopened in May 2009 after 42 years, a total of 64,000 passengers used the station in its first full year of operation. This represents an 80% increase on the 36,000 projected patronage used in the STAG analysis which justified the £4 million investment, funded by Nestrans, Aberdeenshire Council and Transport Scotland.

Secondly, after ScotRail increased the number of trains running through to Inverurie in the December 2008 timetable, analysis has shown that patronage has increased by 42% (from an average of 15,569 passengers per four-week period before the change to over 22,000 per period thereafter).

I believe that these figures demonstrate that investment in rail in this area produces results and we are keen to work towards developing further rail schemes to build on the success and make rail a real alternative for travel in the area.

Modest increments in improved services can reap huge benefits for travelers and encourage more and more people to travel by train. This is further evidence that investment in rail in the north east provides excellent value for public money and provides the foundations on which to build. Further improvements, initially to supplement the frequency of Sunday services on this line, then towards a new station at Kintore and in the longer term towards major enhancements all the way between Aberdeen and Inverness should be considered favourably.

Work carried out on behalf of Nestrans and Hitrans has suggested that an enhanced Sunday service consisting of additional Aberdeen-Inverurie services and Inverness-Elgin services to augment the existing end-to-end journeys, can be delivered for an estimated £63,000 per annum and it is envisaged that additional revenue could more than cover this cost. The Regional Transport Partnerships have agreed to underwrite any cost deficit up to £50,000 in the first year, but we are awaiting confirmation from Transport Scotland to authorise this enhancement.

At Kintore, Network Rail are currently undertaking feasibility work as part of the Aberdeen-Inverness assessment. Nestrans and Aberdeenshire Council are progressing design and access issues in parallel.

Nestrans would therefore seek your endorsement in supporting further rail developments in the north east, building on the solid foundations of the successes being evidenced at Laurencekirk and Inverurie.

Thank you for your consideration of this issue.

Yours sincerely



Councillor Kevin Stewart
Chair

27 May 2010

Appendix 2
Our Ref RGM/SOD/N1/10/1
Your Ref

Stewart Stevenson MSP
Minister for Transport, Infrastructure & Climate Change
The Scottish Government
Victoria Quay
Edinburgh
EH6 6QQ

Dear Minister

Transport as an enabler for economic development

At Nestrans, as I'm sure in many other RTPs, Local Authorities and indeed Government, we have been considering the future in light of the impending cuts to come in public expenditure.

It is the Nestrans view, as recently stated to the Independent Budget Review and the Transport Infrastructure and Climate Change Committee, that in times of reducing budgets concentration should be on the available monies and prioritizing that on to the Government's main purpose of sustainable economic growth.

Further, having heard from Sir John Elvidge that the models for future spending budgets used in Dr Andrew Goudie's paper are very sensitive to economic growth, then the argument for prioritizing expenditure to achieve the highest growth returns is enhanced.

It is then a matter of agreeing what the monies allocated to achieve this growth should be earmarked for. As you are aware in the North East of Scotland we have been very focused on this issue in promoting and implementing the ACSEF Economic Manifesto. This of course has two significant priorities in Quality of Life and a Fully Integrated Transport Strategy.

We have of course been discussing this issue with colleagues at Government and CoSLA. In these discussions it has become evident that the report by Ipsos Mori and Steer Davies Gleave for Scottish Enterprise/ Scottish Government/ Transport Scotland and Highlands and Islands Enterprise titled "Transport Infrastructure and Services: Industry Views" has attracted attention with particular reference being given to the statement "The quality of transport infrastructure and services is mentioned less frequently (by 4%) suggesting that while it is a concern for some businesses it is not among their top priorities at this time."

The suspicion for us is that this is being taken as evidence that transport improvements are not a high priority when prioritizing expenditure for economic growth in Scotland. If this is being taken as the general understanding then it is at odds with the prevailing view in the North East. Within the same part of the Scottish Enterprise website where that report is held there is a report by Experian for Scottish Enterprise titled "Learning from small and medium sized city regions: Phase 1 report" published just before the Ipsos report above.

This report examines the Aberdeen City and Shire area. Within it there are some very clear statements regarding:

- 1) ACSEF Manifesto: "the Manifesto was almost always cited and always in a positive, supportive way." - The primary factors within the Manifesto are Quality of Life and A Fully Integrated Transport Infrastructure. ACSEF are content that the transport element is met by the Regional Transport Strategy.
- 2) "There was a broad consensus on the importance of addressing transport constraints to the economic development of the City and Shire."
- 3) "As mentioned above, transport was noted as a constraint..."
- 4) "... and transport between the city and downstream markets is also sub-optimal."
- 5) "Aberdeen is, in both Scottish and UK terms, a peripheral city."
- 6) ".... air connections are important to the City and Shire."
- 7) "Another aspect of external transport that was regarded as weak was rail"

In the Nestrans experience, from not only the Manifesto and ACSEF's work in that area, but also with our own contact with businesses, business representative organizations (AGCC, SCDI etc.) and our own elected Members, that transport in the North East is a major constraint to economic development. Dealing not only with the peripherality issue but also with the internal transport within the region is without a doubt a very high priority for our area.

This difference of view may well come from the current perceptions of the transport situation in the central belt region of Scotland. The Government has, is and is planning to make a huge investment in transport. To date, the very large projects have concentrated in the central belt region with many just completed, underway or about to start. Of the major investments the Government has achieved these include:

- Airdrie to Bathgate rail
- Alloa to Stirling rail
- Edinburgh trams
- Edinburgh to Glasgow Rail Improvements
- M74 extension
- M80 completion
- Forth Bridge replacement
- M8 missing link
- Raiths interchange

Taken together, and seeing the construction underway across the region, it is very clear that the Government has put transport as a high priority to achieving it's main purpose of sustainable economic growth. It is not therefore surprising that companies who mainly operate in this region feel that the issue is being addressed and as such it is not a high priority for them.

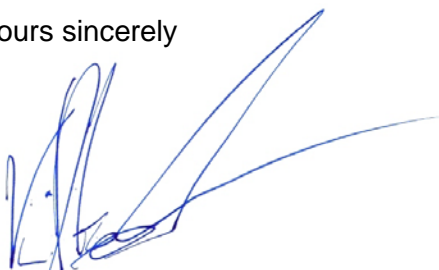
In the North East we are a bit out of step with this cycle as many of the projects we would see as being the North East's equivalent transport boost to economic development are still in the pre-construction phases. Whilst the Government commitment to many of our projects has been gratefully received it is in the next few years that this is likely to have the similar combined impact being seen in the central belt.

I'm sure that you will understand our concern that in a time of severely reducing budgets, our view of the importance placed on transport as an economic development enabler, in a similar way as it has clearly been seen in the central belt, should not be lost by a central belt view that this issue has been addressed. The improvements that have been made in the central belt are still required in our area and the argument that transport is an economic development enabler still hold good.

I hope that you will be able to bear this in mind over the next number of months as you and your Government colleagues try to take the difficult decisions that await.

Thank you for your consideration.

Yours sincerely



Councillor Kevin Stewart
Nestrans Chair

Copies to:

Bob Collier & Kate Yule, Aberdeen & Grampian Chamber of Commerce
Ian Armstrong & Gareth Williams, Scottish Council Development & Industry
Maggie Bochel, Aberdeen City Council
Joanna Murray, Aberdeen City Council
Iain Gabriel, Aberdeenshire Council
Ewan Wallace, Aberdeenshire Council
ACC + AC Councillors
Nestrans Board (Non Cllr Board members)
MPs + MSPs

**Councillor Bulletin: 3 June 2010
Submission of Legal Challenges**

Purpose

The Aberdeen Western Peripheral Route (AWPR) is a key project for the north east of Scotland with both Councils (as funding partners) contributing 9.5% each to the section of the new road which circumvents the City of Aberdeen, between Charleston and Blackdog. The Stonehaven Fastlink and maintenance of the complete route is funded 100% by the Scottish Government.

Subject to completing the necessary statutory procedures it had been hoped to seek suitably qualified Contractors in 2010/11.

However, as part of the statutory process for the project's delivery, three legal challenges have recently been submitted to the Court of Session in Edinburgh against the Scottish Ministers' decision on 21 December 2009 to proceed with the project under the terms of the Roads (Scotland) Act 1984.

The purpose of this briefing note is to inform both Councils' members of the current position and the implications that these challenges may have, such as delaying the project's delivery.

Background

On 21 December 2009, the Scottish Ministers announced that they had decided to proceed with the AWPR after considering the findings and recommendations of the Public Local Inquiry (PLI).

In accordance with previous commitments given, the Scottish Ministers issued a Direction under section 143 of the Roads (Scotland) Act 1984 confirming that the Special Road Schemes and Trunk Road Orders would be subject to affirmative resolution procedure in the Scottish Parliament. The relevant Schemes and Trunk Road Orders were made on 14 January 2010 and laid before Parliament on 15 January 2010 for final approval.

As part of the affirmative resolution procedure the relevant Instruments were considered by the Subordinate Legislation Committee (SLC) on Tuesday 26 January without comment. The Instruments were also scrutinised by the Transport, Infrastructure and Climate Change (TICC) Committee on 23 February during which the Minister for Transport, Infrastructure and Climate Change gave evidence. The TICC Committee voted to recommend that the Instruments be approved by Parliament.

All six Schemes and Trunk Road Orders were approved by resolution of the Scottish Parliament on Wednesday 3 March. The decision to proceed was strongly supported by all political parties with the exception of the Green Party (Voting was 100+ for, to 2 or 3 against for each of the Scheme and Trunk Road Orders).

Following parliamentary approval the remaining 12 Orders which were not subject to the affirmative resolution procedure in the Scottish Parliament were made on Thursday 11 March. Notices were published on Friday 26 March to inform the public that Parliament had approved the relevant Schemes and Trunk Road Orders and that the remaining Orders had also been made. The publication of this notice triggered the start of the 6 week period whereby any aggrieved person could challenge the making of the Schemes or Orders in the Court of Session. The 6 week challenge period expired on Friday 7 May 2010.

Legal Challenges

Under the terms of the Roads (Scotland) Act 1984 there is a legal entitlement for aggrieved parties to challenge the Scottish Ministers decision to proceed with the AWPR. This six week challenge period is part of the statutory process.

Three legal challenges have been lodged with the Court of Session. For each appellant the Court of Session has granted warrant to formally serve the appeal papers on the Scottish Ministers. So far the Scottish Ministers have only been formally served the papers from two of the appellants. It is expected that the papers from the remaining appellant will be served on the Scottish Ministers shortly.

Risk

These challenges will significantly delay the construction of the AWPR. However at this stage it is difficult to be precise about the impact on the project timetable.

We will not be in a position to estimate any delay to the AWPR until the challenges are heard in the Court of Session and resolved.

Initial Process

Once the challenge papers are formally served on the Scottish Ministers, the Scottish Government has 21 days to lodge answers to each case. There is then a period of 14 days within which the appellants have to apply by motion to the Inner House for an order for further procedure. Scottish Ministers are currently considering the terms of the two cases which have been formally served to date.

Following this, court time will need to be found to hear the case, which is likely to be a year away at the very earliest. Once the appeal has been heard the Court will consider all of the submissions before it. The Court will issue its judgment some time after that.

What does all of this mean?

Until the Scottish Ministers have considered the terms of each challenge it is too early to say if preparatory work can or cannot continue for the scheme's delivery. Whatever the terms of each challenge, construction of the road will not be able to be progressed until the appeal is concluded and the outcome known.

It had been confirmed by the Cabinet Secretary for Finance and Sustainable Growth in his statement to Parliament on 13 January 2010 that it was hoped construction would commence in 2011. However, now that legal challenges have been submitted to the Courts there will be significant delay to the construction of the AWPR.

A thorough review of the project timescale will be undertaken as soon as the legal position is resolved before issuing a timetable to construction.

In terms of the Haudagain Junction, the Scottish Government has committed to starting improvements once the Aberdeen Western Peripheral Route is completed.

Members should also be aware that this whole matter is now subject to legal proceedings and it would not be appropriate to comment further.