RESPONSE FROM THE PROMOTER ON THE COMMITTEE’S QUESTIONS

Question 1: Can the Promoter explain how it has satisfied itself that the approach taken to private land interest is consistent with the requirements of article 1 of protocol 1 and article 8 of the ECHR?

1. The Promoter appreciates that it is necessary for the Scottish Parliament to consider the Human Rights implications of this Bill in light of the requirement under the Scotland Act 1998 for the Parliament to legislate in a manner consistent with the European Convention on Human Rights (ECHR) and given that the Parliament is also bound by the Human Rights Act 1998. The Promoter\(^1\) as a public authority must act in a manner consistent with the ECHR.\(^2\) The Promoter’s awareness of the Human Rights Act should provide an additional safeguard to ensure that this Scheme does not breach the rights enshrined in the ECHR.

2. The Promoter has carried out an assessment of the Scheme in terms of its potential impact on the human rights of those whose property and other interests may be effected. The Promoter has noted the issues raised by a number of objectors. The Promoter has obtained expert legal advice and has satisfied itself that the Scheme is consistent with the ECHR, in particular with the rights protected by Article 1 of Protocol 1 and Article 8.

3. The rights contained in Article 1 of Protocol 1 and Article 8 are qualified rights, rather than absolute rights. Qualified rights are Convention Rights whose application can be qualified in line with particular criteria. For qualifications to be acceptable, the qualification to be applied must:

   a) have a basis in law;
   b) be “necessary” in a democratic society; and
   c) must be proportionate to the aim which it seeks to achieve.

4. This means that, in circumstances where a ECHR right is interfered with, the interference does not constitute a breach of the Convention Right provided that the interference meets with the qualification criteria under the ECHR.

5. The Promoter sought to ensure that ECHR issues concerning Article 1 of Protocol 1 and Article 8 were taken account of at an early stage and in advance of Bill preparation.

Article 1 Protocol 1 of the ECHR

6. Article 1 of Protocol 1 states that:

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\(^1\) Strathclyde Partnership for Transport, the regional transport partnership (RTP) for the West of Scotland who has taken over the role and function of the Strathclyde Passenger Transport Executive with effect from 1 April 2006. See s10 and para 10 of Schedule 1 to the Transport (Scotland) Act 2005

\(^2\) Human Rights Act 1998, section 6
“Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure payment of taxes or other contributions or penalties.”

7. In undertaking its assessment of the impact of the Scheme on human rights, the Promoter recognised that Article 1 of Protocol 1 starts from the premise that everyone is entitled to the peaceful enjoyment of his possessions (rule 1), that a person should not be deprived of their possessions except in the public interest (rule 2) and that the State maintains the right to control the use of property in line with the general interest (rule 3). The right to the peaceful enjoyment of possessions is significantly qualified under ECHR jurisprudence. The term “possessions” covers a variety of property rights, including, in the context of the Scheme, the property rights of those who may be adversely affected by the Scheme. It should be noted that Article 1 of Protocol 1 cannot be interpreted as providing a guarantee of any particular quality of environment surrounding a particular property.

8. In deciding whether there has been an interference with the rights protected by Article 1 of Protocol 1, a State is afforded a wide “margin of appreciation” (latitude) in determining what constitutes the general interest. Application of Article 1 of Protocol 1 is therefore concerned with issues of lawfulness and legitimacy of the State actions and issues of proportionality. Whilst compulsory purchase inevitably has an impact on property rights, the Promoter is seeking to introduce the Scheme in line with the wider general interest as set out in the documents which accompany this Bill. The Bill implements existing legislation and compensation on the same basis of any other compulsory purchase in Scotland. In addition, the Promoter has taken steps to ensure that provisions relating to blighted land have been included in the Bill, contained in Section 37 of this Bill. This means that the Bill is subject to all the same procedural rules, safeguards and requirements regarding compensation as apply generally. The Promoter has placed a restriction on the compulsory purchase of operational airport land or temporary possession of land so as to ensure that Glasgow Airport Limited may make requirements for the safe operation of its airport undertaking.

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3 Sporrong & Lonnroth v Sweden (1982) 5 EHRR 35
4 See Promoter’s Memorandum, Explanatory Notes, and Environmental Statement, and relative documents referred to
5 See Explanatory Notes paragraphs 55-144
6 see Bill, Clause 29 and the Explanatory Notes paras 142-144
9. In respect of proportionality, the Bill involves the construction of a railway from a point east of Paisley St James Station to Glasgow Airport and to make improvements in the existing railway between Paisley St James Station and Glasgow Central Station. The construction of a new station at Glasgow Airport is required together with provision of 1.9 kilometres of new track\(^7\) to join the existing railway just to the east of Paisley St James station. In addition, approximately 9 kilometres of existing track from Paisley to Glasgow will be upgraded.\(^8\) The fact that a significant proportion of existing track from Paisley to Glasgow will be used, and a significant proportion of the work required will not extend beyond the limits of existing Network Rail land means that the Promoter has tried so far as possible to limit the potential impact on land use.\(^9\) A number of alternative Schemes have been considered by the Promoter and its predecessors but have been discounted as not being able to meet all of the objectives of the Scheme.\(^10\) There are a number of private land interests affected by the Bill which relate to scheduled and ancillary works, safeguarding works, power to acquire land permanently or temporarily, acquisition of rights, temporary use of land for construction works, extinction or suspension of rights of way, power of entry on land, powers to fell trees/shrubs etc.\(^11\) Where the use of a particular plot of land is no longer thought to be required then appropriate adjustments will be made and agreed with the land owners affected.

10. The Promoter has sought to strike a balance between the rights of individuals and the need to construct the railway when considering design issues and their subsequent impact on land take and private land interests generally, to ensure proportionality. Only land which is necessary for the construction or operation of the Scheme is to be taken either permanently or temporarily. The limits which have been drawn for the Bill have been drawn as the minimum required to proceed with the Scheme. Land will only be taken if it is required for the purposes of the works permitted by the Bill.

11. As part of the general process in considering whether this Bill is in the public or general interest, the Promoter has gone through a number of consultative exercises which are specified in the Promoter’s Memorandum to the Bill.\(^12\) One example of this is that the Promoter accepted the majority view in relation to whether there ought to be a viaduct or embankment in the area of St James’ Park and, on the basis of the consultation exercise, incorporated the majority view that a viaduct was preferable.\(^13\) The Promoter has also taken account of concern at

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\(^7\) creating a spur running across the M8, the St James’ Park playing fields and Murray Business Area

\(^8\) Environmental Statement, Non-Technical Summary paragraph 3.1

\(^9\) see Environmental Statement Non-Technical Summary para 3.2 and Environmental Statement, Section 5, para 5.2.3 and Table 5.2 which shows that percentage of land to be permanently acquired that is currently railway land is 87%.

\(^10\) see Promoter’s Memorandum paragraphs 71-117

\(^11\) refer to the Bill, clauses 12-16, 21-29, 30, 35 and schedules 1, 2, 4, 5, 6 and 8

\(^12\) see the Promoter’s Memorandum paragraph 118-188

\(^13\) see the Explanatory Notes paragraphs 152 and 154
the potential loss of a number of football pitches at St James Playing Fields. This has now been avoided with appropriate arrangements being made for use of football pitches during the construction phase and the reinstatement of 20 out of 22 pitches at St James Playing Fields following construction with 2 other pitches being provided at Ferguslie Park.\textsuperscript{14}

12. Those affected by the Scheme have the opportunity to object and have their views taken into account during the parliamentary process. This ensures that the interests of those affected by the Bill are subject to scrutiny. The consultation exercise generally ensures that the process is transparent and that individuals are given the opportunity to assess the proposals. The Promoter has undertaken an appraisal of the Scheme both in terms of meeting the policy objectives of the Scheme and has assessed the transport economic and wider economic benefits of the Scheme.\textsuperscript{15}

13. The issues raised by those who have objected to the Bill which might fall within the category of Article 1 of Protocol 1 can broadly be stated as follows:-

1) devaluation of property  
2) extent of land take required  
3) impact on value  
4) economic impact on businesses

14. The Bill adopts the same formula for authorisation, compulsory purchase and compensation as is the accepted norm for infrastructure projects throughout Great Britain. Where land is required temporarily, the Promoter intends to provide alternative means of access where possible and reinstatement after works are complete. Where land take is required permanently, the Promoter has sought to keep this to the minimum possible.\textsuperscript{16} In light of this the Promoter considers that the public/private interest balance is achieved as required by the ECHR. The Promoter considers that its approach of minimising land take together with the provision of compensation in compliance with the existing legal framework ensures that the Scheme is consistent with Article 1 of Protocol 1 in terms of lawfulness, legitimacy and proportionality.

**Article 8 of the ECHR**

15. Article 8 states that:-

1) “Everyone has the right to respect for his private and family life, his home and his correspondence.”

\textsuperscript{14} Promoter’s Memorandum, para 112 –113.  
\textsuperscript{15} Promoter’s Memorandum paragraphs 4-9 and 115-117  
\textsuperscript{16} Environmental Statement, Section 5 and paragraphs 5.4, 5.5 and 5.6
2) *There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.*

16. The Promoter understands that this Article starts from the premise that everyone has the right to respect for his or her private and family life, home and correspondence. The Promoter as a responsible public body is aware that the State has a duty to protect this right in a positive way. Respect for the home can involve environmental issues which have a substantial impact on enjoyment of property, but does not cover issues such as compulsory purchase which are dealt with under Article 1 of Protocol 1. “Private life” includes the quality of life as affected by the amenities of the home.\(^\text{17}\)

17. The Promoter is aware that the rights under Article 8(1) are qualified by certain allowable interferences under Article 8(2) and that decisions about what constitutes an interference turn on the facts of each case. The Promoter has assessed whether the environmental impact of the Scheme will be so substantial as to amount to an interference with Article 8(1) rights. That has included undertaking an environmental impact assessment of the Scheme in accordance with The Environmental Impact Assessment (Scotland) Regulations 1999 as amended. The approach to this assessment is explained in the Environmental Statement.

18. The Promoter has considered whether the proposals contained in this Bill will have a direct effect upon the amenity of someone’s property. The Promoter has considered potential impacts which include impacts in terms of Landscape and Visual, Ecology and Nature Conservation, Surface Water, Geology Soils and Contamination, Traffic and Transport, Noise and Vibration, Environmental Effects and Air Quality. Where an impact is identified, appropriate mitigation measures are proposed.\(^\text{18}\)

19. Where environmental issues are raised as a complaint that Article 8 rights are being interfered with, then a complainant must show that there is serious environmental pollution which has a direct and harmful impact on the individual or his family.

20. A number of cases have dealt with this issue. The cases referred to below (as outlined in footnote 19) were successful in establishing a breach of Article 8 as there was proved to be a very serious risk to health. It is the Promoter’s position that the environmental impact of this project cannot be said to have such a “serious” or “harmful impact” on

\(^\text{17}\) Rayner v. UK (1986) DR 475; 13728-88; Marcic v. Thames Water Utilities Ltd. [2004] 1 ALL ER 135

\(^\text{18}\) See the Environmental Statement
any individual in the sense understood by ECHR and, accordingly, cannot be compared to these cases.\textsuperscript{19}

21. The issues so far identified by the Promoter and raised by some objectors are noise pollution, vibration, landscape and visual impact and construction impact.

22. The Promoters have undertaken assessment of the likely minimum and maximum levels of noise and vibration, landscape and visual impact assessment and other issues which are contained within the Environmental Statement produced by the Promoter. As a responsible public body, the Promoter will ensure that necessary mitigation measures will be undertaken and maintained.

23. Operational issues are outwith the scope of the Bill. Operational issues such as the timings of service are subject to regulation in accordance with the regulation and requirements imposed on all railway operators. In respect of safety the line will be constructed to modern standards. The construction team will require to comply with all current Health & Safety Executive (HSE) requirements\textsuperscript{20} and guidelines and the Code of Construction Practice.\textsuperscript{21}

24. Once operational, the operators will have to comply with current safety standards.

25. The European Court of Human Rights has had to deal with “environmental cases” concerning the issue of proportionality. One such case is noted below.\textsuperscript{22} Details of that case can be provided if required. In assessing proportionality, the European Court of Human Rights considered that Article 8 rights were permitted to be restricted in the interests of the economic wellbeing of the country and for the protection of the rights and freedoms of others. It was legitimate for the Government to have taken into consideration the economic interests of (in this case) the airline operators and other enterprises, as well as the economic interests of the country as a whole. A factor in assessing proportionality was the availability of measures to mitigate the effects of noise generally (in this case aircraft noise). The Court determined that the Government had struck the correct balance between the effected individuals and the wider community. It is important to bear in mind that the European Court of Human Rights determined that it is inappropriate to adopt a special approach to environmental protection by referring to a special status for “environmental" human rights.\textsuperscript{23}

\textsuperscript{20} The Office of Rail Regulation will take over responsibility for safety on UK Railways in 2006 with operational safety being the responsibility of the HMRI under the ORR.
\textsuperscript{21} Environmental statement non-technical summary, para 3.4
\textsuperscript{22} Hatton and Ors. v. UK (2003) 37 EHRR 20.
\textsuperscript{23} Regina (Lough and Ors.) v. First Secretary of State, Court of Appeal 29 July 2004
26. Each complaint of an interference with an Article 8 right will turn on its own facts. Evidence would require to be led in support of the interference complained of. On the basis of current information and on the basis of current case law, it is unlikely that the Scheme could be said to directly and seriously affect individuals, in the manner understood by ECHR law. That said, the Promoter obviously appreciates that the Scheme will affect the lives of individuals and others who live proximate to the railway. In the event that an interference was found, the mitigation measures proposed, together with the justification which the Promoter seeks to argue for the Scheme in the general and public interest, means that it is unlikely that a breach of Article 8 would be upheld. The Promoter is satisfied that if such an inference was found, then such interference would be allowable, and therefore consistent with the ECHR as it would be lawful, necessary, in line with and related to the legitimate aim set out in Article 8(2) and proportionate.

27. In terms of lawfulness and legitimacy, the work will be authorised by an Act of the Scottish Parliament. The preliminary design of the project carried out to date has been developed in accordance with Network Rail company standards taking cognisance of all relevant Health & Safety Standards, HMRI guidelines, statutory requirements, best practice guidelines, codes of practice and such like. The detailed design of the Scheme will similarly be developed and will be subject to scrutiny. The Bill is in accordance with the national, local planning and transport policies, as detailed in the Promoter’s Memorandum, Explanatory Notes and Environmental Statement.

Question 2: Can the promoter explain how it has satisfied itself that the provisions in the Bill which give rise to a determination of “civil rights and obligations” are compatible with article 6 of the ECHR?

28. As stated previously, the Parliament must legislate in a manner consistent with the ECHR and the Promoter must also act in manner consistent with the ECHR. The Promoter appreciates that the Committee wishes to be satisfied that the Human Rights implications which arise from Article 6 of the ECHR have been considered and that those provisions of the Bill which give rise to a determination of “civil rights and obligations” are compatible with Article 6.

29. The principal purpose of this Bill is to give statutory authority to the Promoter and its successors (“the authorised undertaker”) for the construction of works to provide a new railway service between Glasgow Airport and Glasgow Central Station. In particular, the Bill grants compulsory purchase powers to enable the authorised undertaker to acquire the land or rights in land that are required for the works to be constructed and operated. The development authorised by the Bill will be permitted development so that the Act will effectively grant planning
permission. That permission is restricted to works where construction has started within 10 years of the Act receiving Royal Assent.  

30. Clearly, this Bill is within the legislative competence of the Parliament and requires to proceed and be considered under the Private Bills procedure which is detailed in the Parliament’s Guidance on Private Bills and in Standing Orders. It is not necessary to detail the requirements of the Standing Orders but clearly the Committee tasked with considering the Bill must be satisfied that it meets all of the necessary requirements. The Committee has power to take evidence from a wide variety of interested parties, including objectors to the Bill who have an opportunity to have their views taken into account during the parliamentary process. This ensures that the interests of those affected by the Bill are subject to scrutiny.

31. In terms of the Bill process itself, the Promoter is satisfied that the interests of those who might be affected by the Scheme are sufficiently protected in the ECHR sense. If an individual considers that his interest has not been adequately taken account of then there is the possibility of Judicial Review.

32. Article 6 of the ECHR provides:

33. “1. In the determination of his civil rights and obligations...everyone is entitled to a fair and public hearing within a reasonable time by an independent tribunal established by law…”

34. The individual components of this Article involve complex and lengthy consideration of legal principles and precedents. The exercise of compulsory purchase powers involves civil rights so the process relating to them must comply with Article 6. The use of compulsory purchase has to be justified in terms of the public interest justification under Article 1 of Protocol 1. Those issues have been addressed in the response to Question 1, outlined above.

35. In terms of the Compulsory Purchase powers sought, the Bill implements existing legislation and compensation on the same basis as any other compulsory purchase in Scotland. In addition, the Promoter has taken steps to ensure that the provisions relating to blighted land have been included in the Bill. This means that the Bill is subject to all the same procedural rules, safeguards and requirements regarding compensation as apply generally. The Promoter will endeavour to reach agreement with all parties on all legitimate and reasonable claims for compensation. If the level of compensation cannot be agreed, the case may be referred to the Lands Tribunal for Scotland.

24 Explanatory Notes, paras 5, 6 and 10
25 Explanatory Notes paras 55-144
26 Land Compensation (Scotland) Act 1963, s8
36. In light of all of the above, the Promoter is satisfied that the provisions relating to compulsory purchase in particular are compatible with Article 6 of the ECHR.

**Question 3:** The Bill grants compulsory purchase powers. The Bill does not detail the procedures required to implement those powers. That is done by incorporating the general body of law on compulsory purchase. Can the promoter provide the Committee with the guide it has provided to assist those persons whose property would be affected by the Bill on how the compulsory purchase powers/compensation will operate in practice (as mentioned in paragraph 140 of the promoter's memorandum)?

37. The promoter provided this information which will be circulated at a later date.

**Compulsory Purchase and Compensation**

**Question 4:** Can the Promoter clarify whether the compulsory purchase provisions in the Bill simply apply the general law on that subject or whether and if so how they differ from or seek to modify the general law?

38. In general the Bill applies the general body of law on compulsory purchase, through the incorporation of the Land Clauses Acts by section 40 and the application by section 38 of the general vesting declaration process (see paragraph 60 of the Explanatory Notes). The powers under the Land Clauses Acts have been modified in a number of respects following standard precedents in legislation authorising railway or tramway projects and reflecting also modifications of the Land Clauses Acts which apply under modern legislation relating to compulsory purchase orders.

39. The principal modifications are as follows:

- There is provision allowing the acquisition of rights over property (or the subsoil or airspace over property) without being required to acquire the whole land, and to occupy land temporarily where it is not necessary to acquire it outright (see sections 13, 14 and 16 of the Bill).

- There is provision dealing with the case where only a part of a person’s property is being acquired. Instead of having an absolute right to require the acquisition of the rest of his property the landowner may only require the purchase of the rest of his property if he can show there is material detriment to it (see section 21 and paragraph 97 of the Explanatory Notes).

- The Promoter is given a right to take possession of the land required before the amount of compulsory compensation has been assessed and paid (see section 124 and paragraph 126 of the Explanatory Notes).
Section 29 contains restrictions on compulsory purchase in relation to operational land at Glasgow Airport (see paragraph 142 of the Explanatory Notes).

40. In addition the Bill makes specific provision for the time limit of 10 years for the exercise of compulsory powers. The Lands Clauses Acts leave it to the particular enactment authorising a scheme to specify a time period, but provide a limit, if no period is specified of 3 years.

**Question 5:** Can the Promoter clarify whether the compensation provisions in the Bill simply apply the general law on that subject or whether and if so how they differ from or seek to modify the general law.

41. Again the Bill applies the general body of law governing compensation in relation to the exercise of compulsory purchase powers of the Bill (i.e. the Lands Clauses Acts, section 6 of the Railways Clauses Consolidation (Scotland) Act 1845, Part I of the Land Compensation Act 1963 and, in relation to the use of the works, the Land Compensation (Scotland) Act 1973): see paragraphs 65 and 66 of the Explanatory Notes. Sections 17 and 18 of the Bill, which make specific provision concerning compensation are intended not to alter but to confirm and clarify the general law in relation to compensation. In particular section 18 of the Bill seeks to set out in simpler form the very complicated provisions in section 14 of the Land Compensation (Scotland) Act 1963.

42. In addition to incorporating the general provisions dealing with compensation the Bill provides, for the avoidance of doubt, a specific right to compensation in relation to specific powers of the Bill, i.e. in relation to the exercise of the powers to carry out safeguarding works under Schedule 4, to occupy land temporarily under section 16, to extinguish or suspend rights of way under section 22, to survey land under section 23 and to fell or lop trees under section 30. In all these cases the Bill provides for compensation to be assessed under the Land Compensation (Scotland) Act 1963 by the Lands Tribunal for Scotland, i.e. the normal compensation regime will apply.

**Advanced Purchase Scheme**

**Question 6:** Will an Advanced Purchase Scheme (common in infrastructure proposals in the UK) be available in respect of the GARL scheme? If so, can the Promoter provide details of how the scheme will operate and the criteria for such a scheme? Have any likely costs been factored into the Estimate of Expense and Funding Statement?

43. As is common with the majority of infrastructure projects within the UK, consideration is actively being given to the benefits for the GARL project of the introduction of an Advance Purchase Scheme. Discussions have
commenced with the Scottish Executive on the benefits of such a scheme and the key areas (including the criteria) that require to be addressed in such a scheme. One of the key elements of any Advance Purchase Scheme will be to ensure that the scheme is fair and to that end any purchase price in any advanced purchase scheme will be on a Compulsory Purchase basis i.e. market value as if no scheme or project were in contemplation.

44. The Estimate of Expense and Funding Statement makes provision for the acquisition costs of the relevant properties on this basis together with an estimated percentage in respect of disturbance. It would be inappropriate to give effect to such a scheme in advance of this stage of the Parliamentary process, as the Parliament has not yet approved the principle of the Bill.

Voluntary Purchase Scheme

Question 7: Will a Voluntary Purchase Scheme be available in respect of the GARL scheme? If so, can the Promoter provide details of how the scheme will operate and the criteria for such a scheme? Have any likely costs been factored into the Estimate of Expense and Funding Statement?

45. It is not yet known whether a Voluntary Purchase Scheme will be available in respect of the GARL Project. Transport Scotland is currently carrying out a general review of Voluntary Purchase Schemes that is due to be concluded in May 2006. Following the outcome of this review it will be clear whether a Voluntary Purchase Scheme will be produced. Until the criteria for any scheme are established and agreed, the number of properties that may qualify cannot be determined and unfortunately the costs cannot be estimated. Therefore, the costs have not been factored into the Estimate of Expense and Funding Statement.

Question 8: Section 26(1) of the Bill provides that the compulsory purchase powers under the Bill require to be exercised within 10 years from the date the Act comes into force. Can the Promoter explain why 10 years was considered appropriate for this project given the potential state of uncertainty in which affected proprietors will be living for a considerable time? Further, does the promoter consider that such a long period of time has any ECHR implications?

46. Whilst the Promoter is confident that the CPO powers will be exercised as soon as possible after the Act comes into force, evidence from other major rail infrastructure projects which suggested that a period of 5 years left the detailed and satisfactory planning, funding and development of such projects open to threat, the principal funders stipulated as a requirement that a minimum of 10 years should be sought within the Bill. This coincides with the duration of planning permission sought and compares favourably to the time periods in the recent Edinburgh Tram Bills. It should be noted that, unlike some of the following examples,
there is no provision within the bill to apply for an extension of the powers, thereby removing a significant degree of uncertainty.

47. In any case, the Scottish Executive, as principal funders of the GARL project, insisted upon a minimum of 10 years for the enforcement of compulsory purchase powers.

48. Private legislation authorising infrastructure of this sort invariably prescribes a period for the exercise of the compulsory purchase powers. The Bill provides for a fixed period of 10 years. This period was chosen as being justifiable in terms of ensuring that detailed and satisfactory planning of the Scheme was achieved, funding was ensured and was reasonably proportionate in relation to landowners’ property rights. In judging proportionality, the promoter has had regard to precedent and to the procedures available to landowners to secure early purchase of their property at their option.\(^27\)

49. In terms of precedents, the Scottish Parliament precedents are the Stirling-Alloa-Kincardine Railway and Linked Improvements Act 2004 ("the 2004 Act") and the Edinburgh Tram (Line One) Bill and the Edinburgh Tram (Line Two) Bill both of which reached final stage in March 2006. In the 2004 Act, section 26 provides for compulsory purchase powers to cease on a specified date that is 5 years, 4 months and 21 days after Royal Assent (the fixed period was included in the Bill as introduced, this period was not a precisely calculated one and reflects the promoter of the Stirling-Alloa-Kincardine Bill’s uncertainties as to the timing of the Parliamentary process). The Stirling-Alloa-Kincardine scheme was unusual in the degree of design work that was done in advance of powers being granted and the certainty of funding. A longer period would not have been justifiable. The Edinburgh Tram Bills both provide for the power of acquisition to be exercised within 5 years of the coming into force of the Act but both Bills have express provision for an extension of time being sought if required from Scottish Ministers.\(^28\) The total duration of powers, including any extension, is limited to 15 years.

50. The many other Scottish precedents are in Scottish Provisional Orders. There, the norm is an initial 5 years but in the majority of cases this is not a fixed and certain period. Out of the 9 Provisional Orders authorising works that were passed in the years 1985-1994 inclusive, 7 contain provision allowing for the compulsory purchase period to be extended by Order made by the Secretary of State.

51. In these powers to extend, the extension period if not prescribed and there is not limit on the number of times the power to extend may be exercised provided the extension takes place before the expiry of the then current time limit. Potentially therefore these Orders could result in compulsory purchase powers lasting for an extended period limited only

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\(^{27}\) See Clause 37 of the Bill and Explanatory Notes paras 182-183 relating to blighted land

\(^{28}\) see Clauses 38 and 39 of both Bills
by what is justifiable for the promoter and in terms of the public benefit in keeping the powers alive, and is also reasonably proportionate, taking into account the availability of compensation. ECHR law indicates that provided this balance is struck extended periods, may be acceptable as not infringing human rights.

52. The Promoter took the view that landowners should know from the outset for how long the compulsory purchase powers will operate. The Promoter accordingly provided in the Bill for what it considers to be the right period, bearing in mind the criteria outlined above, on the basis that the period is fixed and so is the longest period that will be available for the Promoter.

53. There is relief available to landowners in the event that the existence of compulsory purchase powers in relation to any land makes the land unsaleable except at a substantially lower price than might be expected if the land were not subject to compulsory purchase.

54. If there was no time limit for the exercise of the compulsory purchase powers in the Bill then there would be interference with an individual's right under Article 1 of Protocol 1 which could not be justified because such provisions would not be proportionate. In this Bill a time limit is provided. It is the Promoter's position that whilst there is an interference with an individual's rights in terms of Article 1 of Protocol 1 where property is affected by compulsory purchase measures, that interference is justified in the public interest and is proportionate given the rights to compensation and the provisions on blighted land together with the fixed and certain cap on the time during which the power can be exercised. It is considered that as a whole, the provisions would not constitute a breach of the ECHR.

Question 9: Can the Promoter explain the interaction between the time limits in section 26(1) and 36(2)(a) of the Bill?

55. Section 26 of the Bill imposes a time limit of 10 years on the exercise of compulsory purchase powers of the Bill i.e. the powers will expire if a notice to treat (or general vesting declaration) is not made within that period. If a vesting declaration is made, the land will immediately vest in the Promoter; if a notice to treat is served, the Promoter has 3 further years in which to exercise the powers to take possession of the land.

56. Section 36(2) provides a time limit of 10 years on the planning permission granted for the development authorised by the Bill. That provision will expire if development has not commenced within that period. It seems appropriate that the two periods should be equivalent, since the Promoter will not wish to be required to incur the expense of compulsorily acquiring the property required for the scheme until it is in a position to commence construction of the development.

29 Sporrong and Lonnroth v Sweden (1982) 5 EHRR 35
30 Clause 37 of the Bill
Question 10: There are sections of the GARL Bill that are in the same or similar terms to those in the Edinburgh Tram (Line Two) Bill. The Tram Bill was recently amended at Consideration Stage; can the promoter list all the sections in GARL that are common to the Tram 2 Bills, with a note as to whether or not GARL was redrafted in light of the amendments made by the tram 2 Committee?

57. Note of Common Provisions in GARL and Edinburgh Tram (Line 2) Bills:

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<td>Section 31</td>
<td>Section 64</td>
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<td>Section 32</td>
<td>Section 67</td>
<td>No</td>
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<td>Section 33</td>
<td>Section 76</td>
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<tr>
<td>Section 34</td>
<td>Section 74</td>
<td>No</td>
<td>-</td>
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<td>Section 35 and Schedule 8</td>
<td>Section 68</td>
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<td>Section 36</td>
<td>Section 70</td>
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<td>Section 37</td>
<td>Section 71</td>
<td>No</td>
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<tr>
<td>Section 38</td>
<td>Section 40</td>
<td>No</td>
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58. Comments:

Section 11: It was considered that the powers of section 11 (b) (iii) (which was deleted in the Edinburgh Tram Bill) might need to be exercised in order to ensure the safety of construction or operation of the railway.

Section 13: The GARL wording in subsection (2) has been adjusted in the interests of clarifying this provision. The Edinburgh Tram amendments could be taken as implying that the creation of new rights was not being authorised under subsection (1).

Section 16: On further reflection it is agreed that the Edinburgh Tram amendment should be followed in relation to 16(7): the works "without prejudice to Section 20" are unnecessary and can be deleted.

Section 28: The Edinburgh Tram amendments have been followed in part. However:

1. It seemed inappropriate to impose an obligation on any person to keep a certificate other than the Clerk of the Parliament.

2. Since this section might be relied on to deal with an inconsistency between the plans and the book of reference, it seemed appropriate in the new subsection (f) to refer to land identified in the book of reference or on the Parliamentary plans.

Section 33: The Edinburgh Tram additional wording seemed unnecessary.

Schedule 8: The Edinburgh Tram wording was not consistent with the way that the GARL Bill has been drafted.

Section 36: The only amendment which was relevant to the GARL wording was the substitution of a 20 year limit on the planning permission for the works. This was not thought to be required in relation to the GARL project.
QUESTIONs ON THE BILL’S GENERAL PRINCIPLES

Economy

Question 1: With reference to the first bullet point of paragraph 4 of the Promoter’s Memorandum, what evidence do you have to suggest that developing the rail network contributes to economic growth, with reference to the existing, extensive railway and underground system in the west of Scotland?

1. As part of the work undertaken in preparation for the parliamentary submission, the Promoter commissioned consultants to undertake an assessment of the wider economic benefits of the GARL project. These consultant’s subsequent report was entitled the Assessment of Wider Economic Benefits report (“AWEB”) and has been made available on the Promoter’s GARL website. The report outlined that the Promoter is aware from previous experience throughout the UK and Europe that rail transport investment projects such as GARL are capable of producing a number of potential significant effects and impacts, in terms of land use planning, regeneration and socio-economic related issues.

2. Whilst there is a well established rail network in the SPT area, there are some significant direct benefits that will be realised as a result of the GARL project including:

- The existing rail network between Paisley Gilmour Street and Shields Junction is at or near capacity, however the introduction of a third track directly as a result of the GARL project will increase rail capacity by up to 50% between Paisley and Shields Junction.

- The creation of 2km of branch line will open up access to Glasgow Airport from the wider rail network either directly or through interchange at Paisley Gilmour Street or Glasgow Central Stations.

- As indicated within the Promoter’s Memorandum (paragraph 115) the GARL project will have an estimated Net present Value of £64 million (i.e. the economic benefits of GARL will outweigh the costs by £64 million).

3. Further quantified benefits identified for the GARL project (including development effects and wider economic benefits) are outlined in our response to Question 2 below. In addition to these potential benefits (i.e. employment, floorspace, development and investment), it is anticipated that there would be a series of other benefits and impacts. These broadly comprise the following features:

- significant local labour market and training benefits;
- business activity and competitiveness;
- market and investor confidence;
- image and place competitiveness – in terms of both the Airport and surrounding City region;
- potential regeneration benefits, via greater accessibility to employment and services, which may enhance leisure, recreational and tourism opportunities; and
- impact on visitors and tourism potential – helping to cement positive first impression and City image, key to encouraging repeat visits.

Question 2: Paragraph 14 of the Promoter’s Memorandum refers to that fact that the Glasgow Airport Rail Link will “bring the benefit of good airport accessibility and related economic benefit to the whole region”. Can it be explained how the “whole region” will benefit economically?

4. The AWEB report prepared in support of the GARL project provides detail of the quantifiable and non-quantifiable economic benefits of the project to the wider region. The main quantifiable wider economic benefits of the GARL project are noted as follows:

- **Conurbation wide employment**: Support for continuing employment growth of at least 65 jobs per annum (1,300 jobs in 20 year period) in Glasgow and Renfrewshire, and 5 jobs per annum (100 jobs in 20 year period) in Ayrshire and Inverclyde;

- **Tourism and leisure employment**: 275 gross new jobs and 96 net additional new jobs from increased tourism expenditure;

- **Paisley Town Centre**: enabling the development of a new opportunity for up to 135,000 square feet office market accommodation and up to 675-700 gross new jobs and 315-328 net additional new jobs over 3-4 year period;

- **Gross Added Value**: Generation of additional Gross Added Value of at least £2.1 million per annum in Glasgow and Renfrewshire; £0.16 million per annum in Ayrshire and Inverclyde; £3.14 million per annum from tourism and leisure employment; and in excess of £10 million per annum from Paisley town centre based employment (post-completion). In total, this would represent between £283 to £290 million over 20 year period.

5. A number of non-quantifiable economic benefits are also highlighted, including: supporting continuing economic growth at Glasgow Airport continued support for employment growth associated with the Clyde Waterfront Regeneration Initiative; contribution towards the potential for additional tourist and visitors numbers and the linked expenditure; as well
as supporting the competitiveness of the City region in relation to conference market and other general future business opportunities.

6. In the context of the above matters, although the core benefits of the GARL project will relate primarily to Glasgow, Renfrewshire, Ayrshire and Inverclyde, there will be other benefits to the wider West of Scotland by virtue of improved rail services and greater accessibility to over 143 rail stations.

**Question 3:** What is the predicted growth in job numbers at Glasgow and Prestwick airports directly attributable to GARL, what types of jobs are expected to be created and who is likely to fill these jobs?

7. The assessment of the GARL project was conservatively based on the Department for Transport forecasts of air passenger growth. Consequently, no increase in air passenger numbers at Glasgow, or Prestwick, was assumed as a result of the GARL project. As employee numbers are largely a function of air passenger numbers, no increase was assumed as a specific result of the GARL project. The increase in employee numbers is therefore solely due to the Department for Transport forecast of passenger growth. The additional employees will cover a range of occupations from flight crew to maintenance staff and employees in retail outlets. No change in the pattern of home origins of employees has been assumed, although the employment catchment of the airport is likely to grow as the number of staff increases.

8. In reality, the assessment was conservative and the GARL project would help support the continuing growth of the airport both in terms of passenger numbers and job numbers.

9. For example, there is an estimated potential for up to 15,000 jobs at Glasgow Airport, in line with the anticipated growth in passengers volumes outlined by the Government Aviation / Air Transport White paper, where Glasgow Airport itself is expected to double to some 15 million passengers by the year 2030. The Promoter believes that the GARL project will play a key part in this growth by helping to deliver the surface access strategy for Glasgow Airport.

10. It should be noted that whilst our assessment did not directly assume an increase in jobs at the airport as a result of the GARL project, the 650 jobs created in Glasgow and Renfrewshire over the next ten years could be located at or close to the airport.

**Question 4. Can more detail be provided to substantiate the claims made in paragraph 117?**

11. As part of the work undertaken in preparation for the parliamentary submission, the Promoter commissioned consultants to undertake an assessment of the wider economic benefits of the GARL scheme. This
assessment was prepared to provide a broad examination of the wider economic benefit for West Central Scotland, with particular emphasis placed upon the immediate GARL route corridor, particularly within the City of Glasgow and Renfrewshire, but then also the benefits for the wider regional area comprising Inverclyde and Ayrshire.

12. The assessment comprised a number of individual but integrated components which were combined to provide the wider economic benefits identified in the Promoters Memorandum. This included: initial examination of the potential broad qualitative and quantitative benefits of rail investment; identification and assessment of the headline impacts; detailed analysis of a business survey, undertaken to support and provide justification for the GARL; and calculation of the wider quantitative benefits, in terms of employment impacts across business, leisure and tourism, as well as construction and other non-quantifiable impacts.

13. The gross employment impacts were considered in context of the likely displacement, leakage and multiplier effects, and net additional employment impact provided. This was then matched by a broad assessment of output in terms of Gross Added Value impacts attributable to GARL. A summary of these benefits has been provided previously by the Promoter in paragraph 117 of the Promoter’s Memorandum. The wider economic benefits are outlined within the Promoter’s answer to Question 2 above and are summarised again below. The core quantifiable wider economic benefits of the GARL project are noted as follows:

- Conurbation wide employment: Support for continuing employment growth of at least 65 jobs per annum (1,300 jobs in 20 year period) in Glasgow and Renfrewshire, and 5 jobs per annum (100 jobs in 20 year period) in Ayrshire and Inverclyde;

- Tourism and leisure employment: 275 gross new jobs and 96 net additional new jobs from increased tourism expenditure;

- Paisley Town Centre: enabling the development of a new opportunity for up to 135,000 square feet office market accommodation and up to 675-700 gross new jobs and 315-328 net additional new jobs over 3-4 year period;

- Gross Added Value: Generation of additional Gross Added Value of at least £2.1 million per annum in Glasgow and Renfrewshire; £0.16 million per annum in Ayrshire and Inverclyde; £3.14 million per annum from tourism and leisure employment; and in excess of £10 million per annum from Paisley town centre based employment (post-completion). In total, this would represent between £283 to £290 million over 20 year period.

14. A number of non-quantifiable economic benefits are also highlighted, including: supporting continuing economic growth at Glasgow Airport
continued support for employment growth associated with the Clyde Waterfront Regeneration Initiative; contribution towards the potential for additional tourist and visitors numbers and the linked expenditure; as well as supporting the competitiveness of the City region in relation to conference market and other general future business opportunities.

Question 5. Paragraph 65 quotes Glasgow City Council’s City Plan; “the absence of a rail link to Glasgow Airport places it at a disadvantage compared with other UK and European airports...”. Does the promoter have any relevant information on other UK and European airports with rail links and the economic benefits they enjoy as a result?

15. With respect to other UK airports, Chart 1 below shows airports with annual passenger numbers of 1 million to 22 million in 2005. Heathrow (more than 64 million), Gatwick (more than 30 million) and airports with passenger numbers of below 1 million lie outside the scope of the chart. The chart demonstrates that Glasgow (8.8 million) and Edinburgh (8.4 million) are the two airports with the largest annual passenger numbers that do not possess a rail link. It can be seen that many smaller airports already enjoy a direct rail connection and some have recently been opened (such as London City and Cardiff Airports).

Chart 1

<table>
<thead>
<tr>
<th>Passenger Numbers (millions) at British Airports (2005)</th>
</tr>
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<tbody>
<tr>
<td>Southampton</td>
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<tr>
<td>With Rail Link</td>
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</tbody>
</table>

16. With respect to other European airports, Chart 2 below shows cities/airports that are in direct competition with Glasgow for Conventions,
Trade and Tourism. Chart 2 shows that, with the exception of Prague, Helsinki and Dublin airports, all competitor cities possess a rail link.

Chart 2

<table>
<thead>
<tr>
<th>Airport</th>
<th>2004</th>
<th>2003</th>
<th>2002</th>
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<tbody>
<tr>
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<tr>
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17. (Further information in relation to other UK and European airports is provided in our response to Annex 4 question 8.)

18. Furthermore, the research and consultation undertaken in preparing the AWEB report illustrates the perceived requirement for the provision of direct airport rail links, as part of an overall integrated multi-modal transport network.

19. First and second tier regional cities in Europe compete for investment and business opportunities and operate in a highly competitive environment. It has been indicated by consultees including Scottish Enterprise, Glasgow City Council and the Glasgow and Clyde Valley Tourist Board that, for Glasgow to continue to compete successfully in such a business environment, it is considered essential for the conurbation to have an equivalent high quality business infrastructure, transport connections and services, including airport rail / light rail connections, and a high quality gateway experience to boost overall positive perceptions of the potential investor/visitor. This includes both potential mobile business investment and leisure business, where the latter offers immense potential for business expenditure.

20. Discussions with GRL consultees indicates that it remains firmly their view that the implementation of the fast Airport rail link will be a significant

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31 Proposals for a metro rail connection to Dublin Airport are currently in development by Department of Transport Ireland
contributory factor in supporting not only business but also tourism in the Glasgow conurbation and throughout the West of Scotland.

21. This position has been re-affirmed by the recent statement made by Alan Wilson, the Chief Executive of Scottish Council for Development and Industry (Scotsman, 5 April 2006), who strongly support the GARL project. He states that “where our major cities do lag badly behind their European counterparts is in connectivity by air and rail. Glasgow, for example, is in 39th place on rail links and 43rd on air links… and this lowly position for Scotland’s biggest city clearly underlines the importance of going further.” The GARL project will therefore be a key ingredient in ensuring that Glasgow (and Scotland) is able to compete with other major European cities.

22. As a key illustration of this competitive requirement at a ‘flagship’ level, all cities hosting Olympic Games in recent years have ensured that such airport – city rail transport infrastructure were provided, as an essential ingredient of their competitive bid. For example, Athens, Sydney and Barcelona each of developed a system specifically for this purpose. Indeed, the International Olympic Committee questions as to robustness of London’s bid for the 2012 Olympic Games focused upon the quality of the city’s transport links and ability to transport large numbers of people across the conurbation, despite possessing direct rail links from each of the city’s airports. Cities hosting the Commonwealth Games are also largely similarly equipped, with only Melbourne, the 2006 Commonwealth Games host City, being the exception with public transport access by bus only. The bid by Glasgow to host the 2014 Commonwealth Games will only strengthen the need for such a direct rail link service.

23. Research by the Airports Council International highlights the economic and social significance of airports as key aspects of air transport systems and the economy. The research covering airports across 45 European countries indicates that the accessibility that airports bring to a region is perhaps the single most important of these factors. It confirms that airports are not only key drivers for economic, social and tourism development and investment, but also act as a catalyst for improved accessibility. It notes that restricting the development or capacity of an airport would have subsequent implications for the local economy. In this context, the development of Glasgow airport and its ability to continue to be competitive with other major cities will be limited should there be no direct airport rail link.

Questions as Listed in Annex 1 with corresponding answers

Questions on the Bill’s General Principles:

Transport Benefits

Question 6. For clarification, in terms of the policy objectives set out in paragraph 4, can you define what the Ayrshire/Inverclyde/M8 corridors are
and what exactly is meant by “the sustainable regeneration of the M8 corridor and Ayrshire/Inverclyde corridors”?

1. In the context of paragraph 4, the Ayrshire/Inverclyde/M8 corridors are generally defined as the M8 corridor between Glasgow city centre and Port Glasgow, the Inverclyde rail corridors served by the Wemyss Bay and Gourock train services and the Ayrshire rail corridors served by the Ayrshire trains that route via Paisley Gilmour Street as broadly indicated on the map attached at Appendix 1. As indicated on said map, the Ayrshire corridor mainly includes parts of North and South Ayrshire.

2. The development of the rail network capacity in the key transportation corridors such as the M8 and in Ayrshire/Inverclyde can greatly assist in supporting the overall GARL objective of sustainable regeneration. Benefits will be felt through the increased platform capacity at Central Station that will afford opportunities for service development, specific potential benefits through improved reliability and rail capacity in the Paisley to Glasgow corridor that will impact on the North and South Ayrshire Council and Inverclyde Council areas served by the existing rail infrastructure. With 50% more services calling at Paisley Gilmour Street it is anticipated that this capacity improvement will have a beneficial effect for those other stopping rail services between Paisley and Glasgow.

3. It is recognised that rail transport investment (including investment in the GARL project) is capable of producing a number of potential significant impacts, comprising sustainable regeneration. In particular, such investment in the rail infrastructure will provide greater accessibility and choice of transport, as means of reaching place of employment and services, as well as other amenities (leisure, recreation and tourism).

4. Overall sustainability and regeneration will be enhanced by virtue of related effects of rail investment, such as development and wider economic benefits, covering job and floor space creation, development and investment. This will all provide for a more sustainable approach to development, living and movement. The importance of the latter will be addressed through public transport network upgrading, consisting in part by the GARL project and its associated increase in rail network capacity.

Question 7. While paragraphs 8, 9, 34 and 64 provide some explanation of how the rail link will benefit Prestwick Airport, is there any further evidence on the expected benefits for Prestwick?

5. The GARL project will provide additional track capacity between Paisley Gilmour Street and Shields Junction. This will facilitate the operation of up to 6 trains per hour between Ayrshire and Glasgow throughout the day (i.e. an extra two trains per hour over and above the four GARL trains per hour). This will benefit passengers to and from Prestwick Airport both by providing them with a more frequent service and by reducing crowding on the route. This will help facilitate the further development of Prestwick Airport.
However the quantitative analysis undertaken for the GRL project did not examine the effects of any increase in use of Prestwick Airport as a result of additional train services to Prestwick Airport station.

6. In addition, as a direct result of introducing a third track between Paisley Gilmour Street and Shields Junction, operational performance modelling has shown that the three track solution would lead to higher levels of reliability along this section of route when compared to the base year for assessment (2004).

7. A further benefit for travellers between Glasgow Airport and Prestwick Airport would that a passenger could step on a train at Prestwick Airport, change trains in Paisley and get off a train at Glasgow Airport (or vice-versa) without having to switch travel modes, thus increasing the accessibility of both airports by rail. This additional choice in mode of travel would be specifically beneficial to any transfers between both airports.

Question 8. Paragraph 16 states that GARL will also allow the opportunity to develop extra services for Ayrshire or Inverclyde by utilising the additional capacity that will be available after the works are completed. Can more detail be provided on this statement?

8. The GARL project would provide a third track between Shields Junction and Arkleston Junction and would increase the capacity of Arkleston and Wallneuk Junctions. These improvements would provide additional track capacity between Paisley Gilmour Street and Shields Junction. Operational performance modelling has shown that it would be possible to operate up to two extra trains per hour over this section of the route in each direction, in addition to the GARL service and current passenger and freight services. However, the timetable would need to be re-structured to accommodate these services and further infrastructure works could be required between Shields Junction and Glasgow Central and west of Paisley.

9. These additional trains could serve either the Ayrshire or Inverclyde lines. During the assessment of the GARL project, a sensitivity test was undertaken on the economic benefits of providing two extra services per hour to Ayrshire. The analysis demonstrated that the value of the benefits increase by more than the value of costs leading to an improvement in the economic case for the project. This indicates that it is likely to be worthwhile to provide additional services using the GARL infrastructure. However, the precise destinations, stopping patterns and date of introduction of such services have not been determined, nor has the investment case been made for any additional infrastructure works that may be needed.

10. The Promoter, because of the integrated nature of rail problems and solutions, has had to confine the case for the GARL project to that presented but paragraph 16 of the Promoter’s Memorandum is intended to
highlight the potential additional benefits which could arise if the GARL project is approved and built.

Question 9. Paragraph 27 states that current plans are for a service of four trains per hour in each direction. Is this sufficient given the current and predicted airport passenger figures set out in paragraphs 8, 36 and 37? If the frequency of the service had to be increased, could this be accommodated by the Bill proposals? Would any increase in frequency alter significantly the expected environmental impacts of the scheme? Have the relevant bodies mentioned in paragraph 27 indicated that they are content with the projected frequency?

(i) Is this sufficient given the current and predicted airport passenger figures set out in paragraphs 8, 36 and 37?

11. The GARL patronage forecasts demonstrate that adequate capacity will be available on the GARL service with the forecast increase in air passenger, and airport employee numbers. A 15-minute interval frequency is considered to be adequate to meet air passenger requirements, for example Heathrow Express, Gatwick Express, Stansted Express and the Arlanda Airport Link in Stockholm all operate at a 15-minute interval. The assessments undertaken to date have considered 3 car trains operating on the GARL service. However, 8 car trains could be accommodated at stations along the route which would allow capacity to be more than doubled with no increase in frequency. Therefore, the infrastructure within the Bill has allowed for future growth.

(ii) If the frequency of the service had to be increased, could this be accommodated by the Bill proposals?

12. As noted in response to Question 8, the GARL project could allow up to two additional services per hour to operate over the main line between Paisley and Shields Junction. These could operate to the airport, to Ayrshire or to Inverclyde line destinations. Furthermore, the double track branch line to the airport was selected mainly because it provides capacity to operate additional services to the airport in the future, if required. However as noted above there is also substantial capacity available by lengthening trains to increase capacity.

(iii) Would any increase in frequency alter significantly the expected environmental impacts of the scheme?

13. The environmental impacts of the proposed service frequency are based on 4 trains per hour, equating to 8 movements per hour, and as discussed above there is capacity to increase the service to 6 trains per hour (i.e. 12 movements per hour). The main potential environmental impact associated with this change would be with regard to noise generated by the operation of GARL. It is estimated that a service increase from 4 to 6 trains per hour would generate an additional noise level of 1.75dB. However, guidance
indicates that noise increases of less than 3dB are not generally detectable by the human ear and therefore it is unlikely that this change would be noticeable. Therefore it is considered that a service increase from 4 to 6 trains per hour would not significantly alter the environmental impacts of the scheme.

(iv) Have the relevant bodies mentioned in paragraph 27 indicated that they are content with the projected frequency?

14. The analysis performed by SKM for the Scottish Executive, which determined the 4 trains per hour projected frequency, was accepted by the steering group of that study as the optimum solution. The Steering Group comprised representatives from the Scottish Executive, Scottish Enterprise, Department for Transport, BAA and the Strategic Rail Authority. The study also consulted with a wider stakeholder group including the rail operators and Network Rail (at that time Railtrack Plc).

15. The recent work undertaken by the Promoter in preparation of the Bill has confirmed that this frequency provides the optimum solution. The detailed analysis was undertaken in close consultation with the Scottish Executive, Transport Scotland, Network Rail, First Scotrail and has been presented to the Freight Operating Companies.

Question 10. Paragraph 28 mentions the estimated patronage figures for the new rail services:

- Please explain how these figures were calculated and the margins of uncertainty in calculating them;

16. Total demand for the GARL service will comprise 3 elements: -

- Air passengers;
- Airport employees; and
- Non-airport passengers between Paisley and Glasgow who switch to using the additional train services between Paisley Gilmour Street and Glasgow Central.

17. These three sources of demand were assessed separately.

18. For air passengers Faber Maunsell developed a new Glasgow Airport Access Model (GLAAM) to predict the response of air passengers to the introduction of GARL. GLAAM was developed using locally collected Stated Preference survey data (refer to our response to Question 31), ensuring that the model reflects how users of Glasgow airport value the various elements of the journey experience (time, cost etc) and any preferences for one mode relative to another. Stated Preference is a well-established research technique for establishing the demand for new transport services. The GLAAM model was calibrated to reproduce the latest available Civil Aviation Authority data on access modes used to Glasgow Airport. In order to forecast the market share of the rail link, it was included as a travel
option in the model and changes in factors such as congestion were also taken into account. Future air passenger growth was assumed in line with DfT forecasts.

19. A Glasgow Airport Employee Access Model (GLEAM) was also developed. This was calibrated to reproduce the travel choices in the 2004 Glasgow Airport Employee survey. Future employee forecasts were supplied by BAA, assuming the DfT forecasts for air passenger growth (which are lower than BAA’s own forecasts).

20. The assessment of non-airport demand was based on the use of an incremental mode choice model that was developed to model potential transfer to rail by non-airport users. This model used data from SPT’s Strathclyde Integrated Transport Model (SITM).

21. The assessment is based on models that attempt to predict the aggregate effect of millions of individual decisions on mode choice. The models use decision-making algorithms based on sound research, and conform to best practice. These models were calibrated so that they reproduced observed mode split proportions in the base year. This gives the best starting point for forecasts. However, in order to test the robustness of the assessment (and as a proxy for margin of uncertainty), a number of sensitivity tests were undertaken. These examined the impact of factors such as higher or lower air passenger forecasts, higher or lower petrol costs and different values placed by air passengers on travel timesavings. In each case the overall economic case for the scheme remained positive.

- Please provide more detail on the profile and number of the likely passengers, with reference to new passengers; redistribution of passengers from existing services; “air passengers”; and “employees”;

22. The forecast annual patronage for 2009 and 2030 is shown in the table below. It indicates that several effects will occur. Firstly, air passengers and airport employees would switch from other modes to use the new GARL service. Secondly, the increase in frequency between Paisley Gilmour Street and Glasgow Central from eight to twelve trains per hour would attract some extra passengers to rail. These passengers would be attracted by the higher frequency which results from GARL rather than by the GARL service itself and would therefore not all use the GARL trains. Thirdly, existing rail passengers between Paisley and Glasgow would have a wider choice of departures and some would choose to use the GARL trains.

<table>
<thead>
<tr>
<th></th>
<th>2009 ('000s)</th>
<th>2030 ('000s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air passengers</td>
<td>456</td>
<td>828</td>
</tr>
<tr>
<td>Employees</td>
<td>94</td>
<td>150</td>
</tr>
<tr>
<td>Non Airport related trips new to rail</td>
<td>265</td>
<td>243</td>
</tr>
<tr>
<td><strong>Total extra trips on rail</strong></td>
<td><strong>815</strong></td>
<td><strong>1,222</strong></td>
</tr>
</tbody>
</table>
Non Airport related trips that previously travelled on the existing services on the Paisley Gilmour Street to Glasgow Central Route

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2030</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total trips on GARL</td>
<td>1,388</td>
<td>1,849</td>
</tr>
</tbody>
</table>

The table below presents the proportions of the total GARL patronage by trip type.

<table>
<thead>
<tr>
<th></th>
<th>2009</th>
<th>2030</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air passengers</td>
<td>33%</td>
<td>45%</td>
</tr>
<tr>
<td>Employees</td>
<td>7%</td>
<td>8%</td>
</tr>
<tr>
<td>Non Airport related trips</td>
<td>60%</td>
<td>47%</td>
</tr>
<tr>
<td>Total trips on GARL</td>
<td>100%</td>
<td>100%</td>
</tr>
</tbody>
</table>

23. It can be seen from the above table that the proportion of the GARL patronage originating/terminating at the airport would be around 40% of total usage of the service in the early years of operation. This percentage would increase over time due to the relatively rapid growth of the airport. By 2030 over 50% of users would originate or terminate at the airport.

- What evidence is there to suggest that the rail link will contribute to relief from road congestion and the environmental impacts of road traffic? Is it possible to predict how much traffic will be removed from the M8 as a direct result of the rail link? (You may also wish to substantiate the claim in paragraph 59, that “rail travel has relatively less emissions than road traffic”.)

24. Information is available from the modelling on the previous mode of air passengers and airport employees. In total, 159000 person trips would transfer from cars and taxis in the opening year, and 279000 would transfer in 2030.

25. This reduction in vehicle trips would result in positive air quality benefits along the M8 corridor. Based on these figures, the Design Manual for Roads and Bridges, Section 3, Part 1 Air Quality, February 2003, HMSO methodology predicts that ambient levels of carbon monoxide, nitrogen dioxide, benzene and suspended particulate matter at receptors within 50 metres of the M8 alignment would fall by up to 0.1%. The methodology states that there is unlikely to be any effect on air quality due to road traffic at properties beyond 200m from any roads that experience a change in traffic flow.

26. With regard to global levels of carbon dioxide (CO₂), based on the estimates of passenger numbers using GARL in 2009 and 2030, assuming that average road journey saved by the opening of the rail link would be 16km and that any reductions would be offset by the net remote emissions of power consumption of the rail network, savings would be of the order of 1,400 tonnes CO₂ per annum in 2009, rising to over 1,800 tonnes per annum in 2030 with GARL in place.
27. With regard to the reference in paragraph 59, that “rail travel has relatively less emissions than road traffic” it should be noted that in July 2004 the Parliamentary Under-Secretary of State for Transport was asked a question on the CO₂ emissions of various modes of transport from London to Edinburgh. In terms of road and rail travel his answer is summarised below:

<table>
<thead>
<tr>
<th>London to Edinburgh</th>
<th>CO₂ emissions per passenger - journey (kg)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rail (modern high speed electric train)</td>
<td>11.9</td>
</tr>
<tr>
<td>Car</td>
<td>71.0</td>
</tr>
</tbody>
</table>

- What calculation has been made of the likely impact (in terms of patronage and economics) of the rail link on existing bus and taxi operators in the area?

28. The use of bus services to and from Glasgow airport with and without the GARL project is shown in the chart below.

29. This shows that bus services to the airport are expected to more than double their revenue by 2030. The introduction of GARL would reduce the gain in revenue (shown by the two lines) because passengers should perceive a benefit in the shorter journey time and journey reliability to and from Glasgow city centre and Paisley. There is an expected impact from the competition afforded by the Rail Link but by 2030 the revenue value is expected to be 50% more than the pre-GARL annual total.
30. In the “with GARL” situation, all other things being equal, bus operators’ revenue from air passengers and airport employees would be reduced by an annual average of £188,000 over the 60 year appraisal period. This has been included in the economic appraisal. This does not take account of the commercial reaction to the new market entry of GARL as an alternative transport mode and the potential for the bus market to satisfy new demands not open to rail.

31. SPT is actively encouraging new bus services to take advantage of new opportunities arising from the introduction of the GARL project.

32. The impact of the GARL project on taxi operators is illustrated in the figure below.

33. As can be seen, the taxi trade is expected to experience large increases in revenue over the current position over the life of the project appraisal period. The estimated effect, all other things being equal, is that with the introduction of GARL total taxi revenues would recover after a three-year period. There is an estimated £1.64m annual average disbenefit to the taxi industry as a whole. As can be seen from the predicted revenue graph, the taxi industry revenue growth is expected to grow in line with previous growth predictions. The Promoter has not appraised the economic disbenefit to the taxi industry within the economic appraisal as it is probable that other markets would be generated e.g. as a direct result of GARL and the Promoter has not sought to forecast what reaction the taxi industry would have in relation to forecast congestion on the M8 motorway. It is the Promoter’s assumption that the economic benefits would be derived, in part, from journey time savings and these would result from a transfer from all forms of road transport, including bus and taxi, onto the rail link.
34. An important aspect of the modelling at Glasgow Airport is that it does not change the parking charges that exist in the base year, and also the scenario for parking is unconstrained i.e. car park capacities are not considered. It is unlikely that the growth in predicted passenger numbers, and therefore car journeys, could be accommodated in the existing number of car parking spaces. However, the cost of providing the extra parking spaces implied by the growth in the revenue of the parking providers has not been assessed, and is outside the scope of the Promoter’s study. If extra parking capacity cannot be provided, then the parking charges of the private sector would tend to increase to match supply to demand. This would tend to increase the demand for taxis, and increase their patronage and revenue over the current situation still further. Again, this effect on taxi demands has not been appraised by the Promoter.

35. If other public transport operators increased or decreased the frequency of their service to the airport, how would this affect economic and patronage figures for GARL?

36. The proposed rail link is expected to increase accessibility by public transport with key benefits realised by the socially disadvantaged (for example those who do not have access to a private car and have to rely on public transport). The provision of a fast, direct service between Glasgow city centre and the Airport, with the provision of one stop at Paisley Gilmour Street station to allow interchange with services to Inverclyde and Ayrshire, will particularly benefit these groups and will, in practice, increase accessibility of the public transport network and accessibility to employment opportunities. It is considered that GARL will increase accessibility to Glasgow Airport and Paisley from not only Glasgow Central Station, but also from Glasgow Queen Street station via the free inter-station bus service. GARL would provide an integrated journey, with one ticket.
37. The Scottish Index of Multiple Deprivation shows that there is a concentration of those classified as most deprived along the River Clyde corridor. The GARL project provides up to 50% extra rail capacity between Paisley Gilmour Street and Shields Junction with associated reliability benefits for all rail services along this corridor. It also opens up access to the airport job market together with the extra jobs attracted into the area, all of which must increase accessibility to jobs, amenities and other social provision.

38. It is anticipated that the regeneration area wards will seek to benefit from the transport improvements resulting from the airport rail link, primarily by virtue of increased accessibility and greater job and labour market opportunities being created throughout the wider area, as well as other opportunities situated within the City Centre and elsewhere across the City.

**Comparative figures available showing the safety of rail and road based modes**

The following data is taken from The Office for National Statistics' Social Trends 36, 2006 edition, table 12.21. This illustrates that any shift of journeys from private vehicles (motorcycle, car, van) to public transport (bus, coach, rail) is likely to result in fewer deaths as a whole.

<table>
<thead>
<tr>
<th>Passenger death rates: by mode of transport</th>
<th>Great Britain Rate per billion passenger kilometres</th>
</tr>
</thead>
<tbody>
<tr>
<td>Motorcycle</td>
<td>115.8</td>
</tr>
<tr>
<td>Walk</td>
<td>76.9</td>
</tr>
<tr>
<td>Bicycle</td>
<td>56.9</td>
</tr>
<tr>
<td>Car</td>
<td>6.1</td>
</tr>
<tr>
<td>Van</td>
<td>3.7</td>
</tr>
<tr>
<td>Bus or coach</td>
<td>0.3</td>
</tr>
<tr>
<td>Rail</td>
<td>1.0</td>
</tr>
<tr>
<td>Water</td>
<td>0.4</td>
</tr>
<tr>
<td>Air</td>
<td>0.2</td>
</tr>
</tbody>
</table>

In what way does paragraph 31 explain how the promoter is meeting national government transport objectives on economy and environment?

39. In terms of **economy**, the greatest impact will be experienced in relation to employment, with up to +650 additional jobs being created in Glasgow (+600) and Renfrewshire (+50) over a period of ten years. This is equivalent to +65 additional jobs per annum. Since these impacts would likely result from the introduction of the Airport rail link, they would occur mainly inside the City region, but also in areas in close proximity to the rail link corridor through Paisley and Glasgow South. In relation to employment

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sectors, it is anticipated that the greatest employment increases will occur amongst financial and business services, public administration and less so in retail and catering. This will provide some opportunities for employment in providing support services as well as the more highly skilled occupations.

40. The Airport rail link is also estimated to contribute to an additional £2.1 million per annum in terms of potential total gross value added to the Glasgow and Renfrewshire economy. This would be the equivalent to up to £21 million gross value added over a 10-year period.

41. In respect of property related impacts it is estimated that the Airport rail link could help support and lead to the development of up to 135,000 sq ft of new office accommodation in Paisley town centre, which in turn could support a further 650-700 gross new jobs in the town centre over a period of up to 4 years.

42. A number of non-quantifiable economic benefits have also been highlighted in the supporting documents, including: facilitating continued economic growth at Glasgow Airport; continued support for employment growth associated with the Clyde Waterfront Regeneration Initiative; contribution towards the potential for additional tourist and visitors numbers and the linked expenditure; as well as supporting the competitiveness of the City region in relation to conference market and other general future business opportunities.

43. It is therefore expected that the Glasgow Airport Rail Link would provide benefits to businesses and residents alike through improved accessibility to employment and also through the widening of the available labour market.

44. In addition, the direct transport benefits arising from the project are in excess of the costs required to construct and operate the new rail scheme. This results in a Net Present Value for the scheme of £64 million (i.e. the GARL project’s economic benefits would outweigh its costs by £64 million) as stated in para 115 of the Promoter’s Memorandum.

45. In terms of environment, the GARL project would provide an alternative sustainable mode of transport to Paisley and the Airport. The environmental appraisal indicates that approximately 80% of the air passengers using GARL are predicted to transfer from private car or taxi, along with more than 35% of employees, contributing to the relief of congestion and reducing some of the environmental impacts of road traffic.

Question 12. Paragraph 44 states that one of the overall aims of the Scottish Executive transport policy is “a clean environment”. Does the promoter have any relevant information on the local environmental impacts of air travel and how these environmental impacts are likely to change if there is greater air travel to and from Glasgow and Prestwick airports? Within this context of increasing air travel and its environmental impact, how do the environmental benefits of the Glasgow Airport Rail Link
compare? Can you provide similar information on the local economic impacts of air travel?

46. The Promoter has based the GARL project on the Aviation White Paper (DfT) central forecast for air travel in the U.K. as it relates specifically to the expected growth at Glasgow Airport. In this regard the local impacts of air travel are related to the forecast changes in air travel and this is a matter that the Promoter has taken from the Aviation White Paper. The Promoter understands that such impacts relating to air travel (e.g. aircraft noise) are matters being taken forward in the development of the Airport Masterplan by the airport owners BAA. For example, BAA set out in their draft Masterplan (July 2005) at Section 8.2 proposals associated with Safeguarding the Environment with respect to air noise, ground noise, air quality, water environment, biodiversity, landtake, waste management, energy use and heritage.

47. With regard to Prestwick Airport, the Aviation White Paper states at section 5.26 “Our appraisal shows no significant local environmental impacts associated with growth at Glasgow Prestwick. Indeed, noise impacts should reduce over time as older aircraft are replaced by quieter, more modern ones.”

Within this context of increasing air travel and its environmental impact, how do the environmental benefits of the Glasgow Airport Rail Link compare?

48. The intention of the GARL project is to cater for the increase in numbers of air passengers using Glasgow Airport, as predicted in the Aviation White Paper, and allows for the emerging proposals in the airport operators’ Outline Masterplan for Glasgow Airport. The main direct environmental benefit with regard to the development of the GARL project compared to the predicted increase in air travel is related to surface access whereby the proposal would enable a modal shift from road to rail for air passengers and employees using the Airport.

49. Traffic modelling of the impacts of modal shift from road to rail has shown that it will make a contribution to the reduction on the overall level of traffic on the M8 without other demand management interventions e.g. airport access charging, high occupancy motorway lanes, restrictions on car parking availability. Such strategic demand management interventions and the benefits derived there from are outwith the scope of the GARL Private Bill but will be a consideration of the Regional Transport Strategy which SPT intends to publish in March 2007.

50. The reduction in vehicle trips will result in positive air quality benefits along the M8 corridor. Based on these figures, the Design Manual for Roads and Bridges, Section 3, Part 1 Air Quality, February 2003, HMSO methodology predicts that ambient levels of carbon monoxide, nitrogen dioxide, benzene and suspended particulate matter at receptors within 50 metres of the M8
alignment would fall by up to 0.1%. The methodology states that there is unlikely to be any effect on air quality due to road traffic at properties beyond 200 metres from any roads that experience a change in traffic flow.

51. With regard to global levels of carbon dioxide (CO$_2$), based on the estimates of passenger numbers using GARL in 2009 and 2030, assuming that average road journey saved by the opening of the rail link would be 16 kilometres and that any reductions would be offset by the net remote emissions of power consumption of the rail network, savings would be of the order of 1,400 tonnes CO$_2$ per annum in 2009, rising to over 1,800 tonnes per annum in 2030 with GARL in place.

52. It has not been possible to establish the magnitude of these savings in the context of air travel in Scotland as a whole although the Promoter is continuing to research this and will revert to the Committee if further data is found. It is clear however that in the context of CO$_2$ emissions in Scotland as a whole (not just from air travel) that this saving will be small. For example, the total CO$_2$ emissions for Scotland in 2000 from all sources including air travel was 61 megatonnes.

**Can you provide similar information on the local economic impacts of air travel?**

53. The AWEB report undertaken in support of the GARL project did not consider the local economic impacts associated with the growth in air travel in general as this was beyond the scope of the project. The report focused specifically on the range of 'wider economic benefits' of the GARL project (also cross-reference to Q3 above).

54. The AWEB report does identify the positive support (and benefit) and role of GARL towards continuing economic growth at Glasgow Airport. For example, approx. 15,000 jobs could be supported at Glasgow Airport should the projections for passenger number growth outlined by the UK Government Aviation/Air Transport White paper were to be achieved. This envisages that Glasgow Airport could almost double the current passenger volumes of circa 8 million to 15 million passengers by the year 2030. This could have subsequent local economic impacts.

**Question 13. Paragraph 56 states that “a new rail station at Glasgow Airport would help to maximise the opportunities for interchange at Scotland’s busiest airport”. Can more detail be provided of what this means, with particular reference to the likely patronage of the rail link and other forms of transport?**

55. A key aspiration within the Outline Masterplan produced by BAA for Glasgow Airport was the need for the airport’s internal road system to undergo a major reconfiguration, with the creation of an integrated public transport interchange giving priority to key public transport services. GARL would assist in achieving this aspiration. For example, Glasgow Airport is
the terminus for a number of bus routes at present, and this is likely to increase in future as the airport expands. The provision of GARL would provide opportunities for bus-rail interchange at the airport, providing benefits to passengers. This would lead to some increase in the use of both GARL and bus services providing benefits to operators and potentially resulting in a further increase in bus service levels to and from the airport. This would lead to benefits to people travelling to the airport and would encourage the use of more sustainable access modes. The provision of GARL would also facilitate coach and taxi interchange.

56. The economic assessment, conservatively, did not take account of any benefits from improvements of other transport services in line with the opportunity to develop the transport interchange facility, as it is not currently committed.

Question 14. Paragraph 57 states that “A new Glasgow Airport Station and the intermediate stop at Paisley Gilmour Street would provide opportunities for increased information provision on all public transport facilities”. What, in practical terms, does this sentence mean?

57. The new airport station could become an important gateway to the public transport network for many visitors to the region. With one interchange at Paisley, the Inverclyde and North and South Ayrshire coastal areas would be accessible from the Airport by rail. The Promoter has been encouraged by BAA’s outline plans to develop a public transport hub located at the airport station that would include bus and taxi provision. There is the potential to develop the bus network using this facility for those areas not served by rail.

58. The opportunity exists to ensure that high quality information on all public transport services can be made available within the station. The existing SPT travel Centre at Glasgow Airport could relocate from the arrivals hall to the new airport station.

59. SPT travel centres provide independent travel information and advice on all forms of public transport within the Strathclyde area. The travel centres provide a wide range of services for all modes of public transport in the Strathclyde area and beyond, including:

- Journey planning.
- Independent information for bus, coach, rail, Subway and ferry travel in the Strathclyde area.
- Tickets and information for express coach travel throughout Strathclyde, Britain and Europe.
- Tickets and information for tours and excursions.
- Local travel cards and season tickets for most major bus operators.

60. Paisley Gilmour Street station would also become an important node on the public transport network for many visitors and would be used by air
passengers and employees to interchange with rail services on the Ayrshire (North and South Ayrshire Council areas) and Inverclyde lines and bound for local stations between Paisley and Glasgow Central. Again the opportunity exists to ensure that high quality information on all public transport services can be made available within the station.

Question 15. Paragraph 58 states that “Rail travel is one of the safest modes of transport available (per kilometre travelled)”. What evidence is available to substantiate this claim?

The following data is taken from The Office for National Statistics’ Social Trends 36, 2006 edition, table 12.21.

Passenger death rates: by mode of transport
Great Britain Rate per billion passenger kilometres

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Motorcycle</td>
<td>115.8</td>
<td>94.6</td>
<td>108.4</td>
<td>112.1</td>
<td>114.4</td>
</tr>
<tr>
<td>Walk</td>
<td>76.9</td>
<td>74.6</td>
<td>55.9</td>
<td>47.5</td>
<td>43.3</td>
</tr>
<tr>
<td>Bicycle</td>
<td>56.9</td>
<td>46.8</td>
<td>49.8</td>
<td>32.6</td>
<td>25.3</td>
</tr>
<tr>
<td>Car</td>
<td>6.1</td>
<td>3.7</td>
<td>3.0</td>
<td>2.8</td>
<td>2.7</td>
</tr>
<tr>
<td>Van</td>
<td>3.7</td>
<td>2.1</td>
<td>1.0</td>
<td>0.9</td>
<td>0.9</td>
</tr>
<tr>
<td>Bus or coach</td>
<td>0.3</td>
<td>0.6</td>
<td>0.2</td>
<td>0.2</td>
<td>0.2</td>
</tr>
<tr>
<td>Rail</td>
<td>1.0</td>
<td>0.8</td>
<td>0.4</td>
<td>0.2</td>
<td>0.1</td>
</tr>
<tr>
<td>Water</td>
<td>0.4</td>
<td>0.0</td>
<td>0.8</td>
<td>0.4</td>
<td>0.0</td>
</tr>
<tr>
<td>Air</td>
<td>0.2</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
<td>0.0</td>
</tr>
</tbody>
</table>

61. It can be seen that rail has been amongst the safest modes in each reported year for the last 25 years.

Question 16. Paragraph 67 quotes the Aviation White Paper as saying that road and rail capacity must be sufficient to cope with the transport demands of expansion. How will the Rail Link guarantee that this requirement will be met?

62. The GRL project would provide sufficient rail capacity to cope with the forecast level of rail demand at the expanded Airport and will contribute towards tackling road capacity pressures on the Paisley to Glasgow city corridor. However, the GRL project is only one element of the overall surface access requirements of the airport and other measures are likely to be required. This is being addressed in BAA’s Glasgow Airport Masterplan – for which the Promoter is a consultee.

Question 17. Paragraph 105: Why was the decision taken to recommend one additional track between Shields Junction and Arkleston rather than two

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additional tracks? What implications does that decision have for the capacity of the line?

63. During the development of the GARL project an assessment was made of the implications of providing two (as at present), three and four tracks between Shields Junction and Arkleston. Timetable development work showed that the airport service could be accommodated, in addition to all existing levels of passenger and freight services, with a three track layout. Operational performance modelling showed that the three track solution would lead to higher levels of reliability than in the base year for assessment, 2004. It would also allow for a limited increase in service levels above the 2004 level within that section of new track between Shields Junction and Arkleston. A four track solution was estimated to be at least a further £30m in capital cost terms and would deliver very little in additional benefits to the GARL project alone. The case for a fourth track was therefore considered to lie outwith the GARL project. However, it should be noted that the third track will be positioned in such a manner as not to preclude the provision of a fourth track in the future.

64. While there may be additional benefits from a four track solution, in terms of further increases in service levels on the Ayrshire and Inverclyde Lines, they are outwith the scope of the GARL project, which only requires three tracks between Shields Junction and Arkleton. It is important to note that further infrastructure works, for example at Glasgow Central, or in Ayrshire are likely to be needed to accommodate the additional services that could make use of a fourth track between Shields Junction and Arkleton. The matter of replacing a fourth track between Paisley and Shields Junction is a wider strategic consideration for Scottish Ministers in partnership with SPT and is likely to have wider implications for other rail infrastructure investment plans across the Scottish rail network.

Question 18. How can the promoter demonstrate that there will be sufficient space for passengers’ baggage on the rail link?

65. The Promoter is actively engaged with Transport Scotland who are developing a rolling stock strategy across the entire network for Scotland.

66. The Promoter will be working closely with all industry partners, notably Network Rail and the franchisee, to ensure that the internal layout and configuration of the rolling stock meets the needs of the customer profile for the GARL services. This will include detailed consideration of seating layouts and space for luggage as well as ensuring compliance with the Disability Discrimination Act in terms of areas and space for mobility impaired passengers.

Alternatives

Question 19. Paragraph 73 says that a “People Mover Link” would prove to be less attractive to air passengers in comparison to a direct rail link
because of the need to interchange at the main line rail station. How significant a disadvantage was this perceived to be in comparison to GARL? Also, what were the “significant environmental disbenefits” in comparison with GARL?

1. The consultancy study referred to within the Promoter’s Memorandum found that the People Mover Link would attract only one quarter of the patronage of the GARL project’s equivalent. This was felt by the consultants to be due to the need for passengers to change between rail and the People Mover Link at Paisley St James. Interchange tends to be a key factor in the public choice of mode of transport. Many studies have found that it is a major deterrence, including the Glasgow Airport Links and Cross-City Links Phase 2 report (MVA, 1998).

2. The significant environmental disbenefits of the route of the People Mover Link included: potential adverse impact on a Site of Interest for Nature Conservation; loss of wildlife habitats and disruption to wildlife corridor; visual intrusion along the White Cart Corridor; and potential contamination of water in the White Cart.

Question 20. Paragraphs 74 and 75 explain why the option of more frequent bus services between Glasgow City Centre and the airport was discounted. Solutions such as dedicated bus lanes, additional motorway lanes and hard shoulder running were discounted because of “end point congestion”. Could this congestion have been avoided or lessened by reconfiguration of the M8 motorway and/or Glasgow airport?

3. “End point congestion” is due to problems with capacity at Kingston Bridge, at the slip roads to the M8 and at Glasgow Airport. The proposals listed, such as providing bus lanes, additional motorway lanes and hard shoulder running, are all dependent on the ability of the road infrastructure to meet capacity at the bottlenecks. The bottlenecks are in areas such as at the Kingston Bridge and slip roads. While the suggested solutions stated that traffic speed could be increased between these points, total capacity is constrained by these critical locations. As such, the proposed solutions would be contrary to general transport policy. There are alternative, more efficient ways, of solving the transport problems.

Question 21. Paragraph 77 explains that a number of light rail routes were ruled out on the grounds of higher capital costs and a lack of accessibility improvements for south west Scotland. What are the capital and running costs of these various routes in comparison with GARL? While it is claimed that the interchange at Paisley Gilmour Street offers greater accessibility improvements for south west Scotland, did the light rail routes not offer greater accessibility by extending to Glasgow Queen Street station?

4. With respect to accessibility, all of the routes accessing Glasgow Queen Street (light rail and heavy rail options) would offer an additional level of accessibility. The Promoter believes that the GARL project provides a
robust case by connecting the airport to the heavy rail network with a stop at Paisley Gilmour Street (for accessibility to the south west) and then directly to Glasgow Central Station for accessibility to Glasgow and trips onwards. There are opportunities to complement the GARL project that will provide additional accessibility via Glasgow Queen Street. With respect to heavy rail, the Promoter is actively promoting the Crossrail project which would provide an opportunity for additional accessibility, not only for services to and from Glasgow Airport, but for all trips between the south west and north east. (For further details on Crossrail please see the Promoter’s answer to Question 13 of Annex 1). At the same time, the Promoter is currently undertaking a wide ranging study to look at the complementary role of light rapid transit (including light rail) to the well established heavy rail network within the Glasgow conurbation and investigate public transport throughout the Promoter’s area. These investigations and specifically the Promoter’s promotion of Crossrail should complement the GARL project’s proposals within a comprehensive transport strategy.

The SKM Report

Question 22. Paragraph 81: what exactly was the “pessimistic conclusion” of the SKM study and what were the “factors that could materially improve the case for a rail link to Glasgow Airport”?

59. The pessimistic conclusion provided in paragraph 679 of the SKM study stated: “Under our base case assumptions, none of the options at Glasgow would generate economic benefits which would exceed the costs of implementation and operation.”

60. The factors that SKM felt could materially improve the case for a rail link are given in paragraph 686 of their report:

“The factors that could materially improve the case for a rail link to Glasgow Airport include: increased parking charges or tolls at the airport; increased highway congestion levels and therefore increased decongestion benefits; use of even higher values of time than the values used which are significantly higher than the standard appraisal values advised in the Department for Transport’s Transport Economics Note (TEN); and reduced capital costs. None of these factors on their own is likely to make the case convincingly positive.”

61. The Promoter believed that there was sufficient merit in looking more closely at the case for GARL and particularly at the benefits to the wider network from the rail infrastructure anticipated. The case is thus being made not just on the grounds of a link to the airport (the central focus of the SKM study) but also on the capacity enhancements between Paisley and Glasgow.
Question 23. Paragraph 97 states that SPTE reviewed the outcomes of the SKM work and “concluded that if additional economic benefits such as those accruing to non-airport rail passengers in the corridor, which had been omitted from the SKM assessment, were included then a much stronger case for the rail link could be made”. Please explain in detail:

- The economic benefits that accrue to non-airport rail passengers in the corridor;

62. Non-airport rail passengers would gain benefit from the increased train frequency between Paisley Gilmour Street and Glasgow Central. They would also benefit from improved reliability due to increased line capacity. The assessment shows that the benefits to non-airport rail passengers would be:

- Time savings - £49.0 million; and
- Improved reliability - £41.2 million

63. These factors account for 27% of the overall benefits of the scheme.

- All the other additional economic benefits;

64. In addition to the non-inclusion of non-airport rail passengers in the corridor, the Promoter identified the following omissions from the benefits:

- Airport visitors; and
- Non-airport related travel to the airport (e.g. to businesses within walking distance of the station).

65. Furthermore, the Promoter was concerned that the modelling of highway congestion did not fully reflect the predicted increases in traffic to Glasgow Airport. The Promoter was also concerned that the modelling assumed no real change in car parking charges, and that extra capacity would be provided to match demand that would remain as conveniently located as it is now.

- Why these were omitted from the SKM study.

66. The Promoter is exploring this matter in discussions with Transport Scotland.

Question 24. Paragraph 108: Please provide detail on the costs of the alternative routes, particularly in light of the mitigation strategy for the preferred St James Playing fields option, which, presumably, has increased the costs of that option?

67. It should be noted that branch line alternative route options X, Y and Z all cross the St James’ playing fields and hence all would be subject to
mitigation works. As such, the playing field mitigation costs do not materially affect the decision made to proceed with option Y.

68. The assessment of the branch line alternative routes was undertaken during the early stages of work carried out by the Promoter’s principal consultant, Faber Maunsell. An initial assessment led to Option W being dropped from further consideration. This was mainly due to the additional cost involved (estimated at least £25 million to £40 million more than the other options) due to it having the longest route length and as a consequence of the high costs of constructing the M8 tunnel and the approach structures on either side. In addition, the requirement for a tunnelled section was considered to introduce more risk. A minimum headroom of 5.3m could not be provided below the viaduct at the western end of the Airport which would restrict access to this area and there would be disruption to Network Rail operations when constructing the route adjacent to the existing railway line. There would also be the requirement to acquire residential properties and land in the vicinity of St James Avenue.

69. The results of the initial assessment demonstrated there was little to differentiate between Options X, Y and Z and therefore all three were taken forward into a more detailed assessment.

70. This more detailed assessment included the calculation of capital costs for the purpose of comparing the options. The comparative capital costs from this more detailed assessment are presented below.

<table>
<thead>
<tr>
<th>Option</th>
<th>Capital Cost (£m)</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td>77</td>
</tr>
<tr>
<td>Y</td>
<td>63</td>
</tr>
<tr>
<td>Z</td>
<td>61</td>
</tr>
</tbody>
</table>

71. It should be noted that all three of these options traverse the playing fields, so all three would require a mitigation strategy, with associated costs.

Question 25. Paragraph 115: Please provide more detail on the predicted shortfall between the operating costs and the revenue raised (in so doing, please also clarify the terms “Net Present Value” and “Benefit: Cost Ratio” in plain English). Who carried out this appraisal?

72. A preliminary financial appraisal has been undertaken based on passenger numbers as set out in the Promoter’s response to Question 10 above, which shows an annual average deficit of £1.32 million over a 30 year appraisal period. It should be noted that this analysis only includes revenue from new passengers and does not include the revenue from passengers who switch from other trains nor from any additional services that may be developed to Ayrshire.
73. Grant Thornton, the Promoter’s financial advisers, are continuing to conduct further analysis of costs and revenues and an example from the initial findings have shown that setting a single fare of £3.75 (instead of £3.30) would reduce the annual deficit by around 17% to an annual average of £0.75 million. The Promoter also believes that the conservative approach in estimating the patronage, as highlighted in the Promoter’s answer to Question 10 above, means that there are further opportunities to reduce the deficit. Work on this is on going and will be used to assess an appropriate level of subsidy that would need to be drawn down within the regulatory framework for fare setting and hence the final fare to be applied to the GARL project.

74. Cost benefit analysis is defined by the Treasury as “Analysis which quantifies in monetary terms as many of the costs and benefits of a proposal as feasible, including items for which the market does not provide a satisfactory measure of economic value.”

75. As the costs and benefits occur at different points in time, discounting is used to bring the values to a common price year so that they can be compared. Discounting is based on the principle that people prefer goods and services now rather than later. The discounted value is calculated by reducing its value by the appropriate discount rate for each year between the base year and the year in which the value occurs.

76. The Present Value of Benefits (PVB) and Present Value of Costs (PVC) are assessed using this method. The Net Present Value (NPV) is the difference between the benefits and the costs.

77. The Benefit Cost Ratio (BCR) is a further value for money measure where the benefits are divided by the costs. It shows how much benefit is generated for each pound of expenditure (for example a BCR of 1.20 means that for every pound of expenditure there would be a benefit of One pound twenty pence.)

78. The economic assessment of the NPV and BCR was carried out by the Promoter’s Principal Consultant, Faber Maunsell.

79. The financial assessment of operating costs and revenues was undertaken by the Promoter’s Financial Adviser, Grant Thornton.

Question 26. Paragraph 116:

- **What are the “additional planning criteria” mentioned?**

80. The additional planning criteria are the policy objectives of the Bill and are given in paragraph 4 of the Promoters Memorandum. These are:

- To stimulate growth in the West of Scotland by developing the capacity and capability of the national and regional rail network;
- To contribute to a sustainable basis for the future growth of Glasgow and Prestwick Airports in terms of government and regional objectives for airport surface access;
- To support the sustainable regeneration of the M8 corridor and Ayrshire/Inverclyde corridors by developing rail capacity;
- To improve social inclusion and accessibility by connecting areas of low car ownership and high deprivation within west Scotland to economic opportunities at Glasgow and Glasgow Airport;
- To provide a high quality, high capacity public transport service between Glasgow Airport, Paisley and Glasgow that will attract car and other users through offering a high quality, high reliability, safe, frequent service and competitive journey times; and
- To provide public transport services to Glasgow Airport and in the M8 and Ayrshire Corridors that integrate with the existing transport network and allow for the future development of enhanced interchange opportunities with bus, car, rail, cycling and walking.

**Were these considered in the original SKM report and if not, why not?**

81. These were added for the purposes of the current GARL project and reflect the fact that the recent work undertaken by the Promoter is at a more detailed level than the work undertaken by SKM. The planning criteria are therefore a more detailed sub-set of the planning objectives used by SKM.

**To what extent will pressure on car parking at the airport be reduced?**

82. The GARL project would reduce the number of car park spaces required by around 187,000 parking space days per year.

- **Is more detail available on how this will support the Greater Glasgow and Renfrewshire economy?**

83. As outlined within paragraph 117 of the Promoter’s Memorandum, in addition to the transport economic benefits, it has been estimated that there will be considerable wider economic benefits arising as a result of GARL. For example it has been estimated that the project could:

- Deliver approximately 650 jobs to Glasgow and Renfrewshire over the next ten years;
- Create a further 60 jobs to run the new GARL service;
- Support the development of up to 135,000 sq ft of office accommodation in Paisley Town Centre, which would provide the opportunity of a further 675 jobs for Paisley town centre over 3 to 4 years
- Help to bring 52,500 additional UK and overseas visitors and contribute towards £10 million in additional expenditure every year to Glasgow, Renfrewshire and Inverclyde; and
- Support Glasgow’s estimated £115 million conference sector.
• **What is meant by “Improve sustainability”?**

84. GARL would increase the attractiveness of public transport as an option for trips accessing Glasgow Airport. It would therefore increase the use of an environmentally less harmful mode (rail), and decrease the use of environmentally relatively more harmful modes (car, taxi). GARL would contribute to a sustainable basis for the future growth of Glasgow and Prestwick Airports in terms of government and regional objectives for airport surface access. GARL would also support the sustainable regeneration of the M8 corridor and Ayrshire / Inverclyde corridors by developing rail capacity.

**Access**

**Question 27. Paragraph 101: Will the Promoter update the Committee on the proposal for authorised mobility impaired vehicles to use Gordon Street for set down and pick up at the main entrance to the station?**

85. The Promoter has held detailed discussions with Glasgow City Council and Network Rail on the proposals for the use of Gordon Street for set down and pick up of authorised mobility impaired at the main entrance to the station. In general, the principle for set down and pick up of authorised mobility impaired vehicles has been agreed with both parties. A technical note with supporting drawings has been submitted to Glasgow City Council and Network Rail and their formal approval is currently awaited.

86. In summary, the proposal is to allow the area beneath the canopy at the main entrance to Glasgow Central for the set down and pick up of authorised mobility impaired vehicles.

87. This means that authorised mobility impaired passengers will be able to pick up and set down at the main entrance to Glasgow Central station.

**Question 28: Paragraph 54: Please advise how the rail link would ensure compliance under the Disability Discrimination Act 1995? Are there aspects where compliance will not be provided?**

88. All new facilities to be provided as part of GARL will be designed to comply with the Disability Discrimination Act 1995 and the Disability Discrimination Act 2005 (“DDA 1995” and “DDA 2005”).

89. The DDA 1995 and 2005 do not define regulations, guidance or best practice for the design of buildings, including rail station infrastructure and passenger facilities, for disabled persons. There is, however, a range of Codes of Practice and Standards that have been published regarding accessible building design and for public transport facilities in particular. These Codes of Practice and Standards have informed the basis of the Preliminary Design undertaken to date and have included:
• Strategic Rail Authority – Train and Station Services for Disabled Passengers: a Code of Practice – February 2002 (revised March 2005)

• UK Department for Transport – Inclusive Mobility: a guide to best practice on access to pedestrian and transport infrastructure (November 2002)

• British Standards Institution - BS 8300:2001 - Design of building and their approaches to meet the needs of disabled people – Code of Practice (October 2001)

• Centre for Accessible Environments – Designing for Accessibility – 2004

• UK Department of the Environment, Transport and the Regions – Guidance on the Use of Tactile Paving Surfaces

• EU Directorate General for Energy and Transport - ‘COST 335’ – study entitled “Passengers’ Accessibility of Heavy Rail Systems”

90. The preliminary design for Glasgow Airport Station has been developed following discussion with BAA, Network Rail, First Scotrail and Renfrewshire Council, amongst other key stakeholders. Initial reference has been made to a range of corporate design standards developed by these stakeholders.

91. The preliminary design has allowed for the following features that would aid accessibility within the passenger areas:

• 5 metre wide platforms with a minimum gradient fall back from the platform edge and tonally contrasting tactile paving warning strip at platform edge in accordance with Railway Group Standards

• broad and level concourse areas (minimum 12.5 metre width) free from columns and with floor finishes in accordance with BAA Design Standards and to meet SRA slip resistance requirements

• wheelchair accessible toilet provision in accordance with SRA, BAA and BS 8300 requirements

• general toilet provision with suitable dimensional clearance to allow ambulant disabled access to cubicles and urinals in accordance with SRA, BAA and BS 8300 requirements

• split level customer information and ticket sales points with high and low level service area
• stairwell and wheelchair accessible lifts provided at Airport Station and at interface with Terminal Building to provide compliant access at changes in level

• 3 metre wide link connection bridge to Terminal providing sufficient space for wheelchairs to manoeuvre and pass

• Two 1.4 metre wide passenger conveyors on bridge incline with audible warnings on approach to assist the transfer of passengers to/from Terminal in accordance with BAA guidance

92. The design of the above features will continue to be developed through the next stage of design development, which will also take account of:

• directional signage and customer information signage in typeface, mounting, size and tonal contrast meeting codes of practice and other relevant design standards including those of BAA, the Promoter and First Scotrail.

• tactile / Braille signage for visually impaired passengers

• finishes with suitable tonal contrast to assist those passengers with visual impairments

• tactile warning at level changes and platform edges

• hand and tapping rails at relevant changes and level and guardrails

• induction loops at customer service locations

• audible announcements for customer information throughout the Station

• stairwell, ramp and lifts design to meet with standards in terms of dimensions, finishes, fittings and warnings etc.

• a range of station furniture which is clearly organised, tonally contrasts with surroundings and dimensionally compliant including a range of seating options to offering resting points for passengers with varying needs

• all glazed screens with suitable manifestation warning strips

• lighting levels to meet standards and provide consistent lighting coverage without causing glare

93. At Glasgow Central Station the removal of car parking to accommodate the new platform will reduce conflict between passengers and vehicles and the proposed new concourse arrangements will provide barrier free access to
platforms 11a, 12 and 13 without a road crossing. This will improve the passenger experience and accessibility. The proposals will ensure there is no net loss of parking spaces for mobility impaired users and an alternative, convenient location will be provided for set down and pick up of mobility impaired customers at the main entrance to the station.

94. Furthermore, the Promoter has consulted widely with Accessibility groups during the development of the project to date and is committed to ongoing consultation to ensure the practical experience from such groups is incorporated into the design.

95. There are examples of some practical difficulties that are experienced on the existing rail network (e.g. platform gaps) by Accessibility groups that the Promoter will not be able to address as part of the GARL project. However, the Promoter, in accordance with its “Access for All” policy objectives, is committed to influencing such issues on a wider network basis.

Consultation

Question 29. Paragraph 151 states that the majority of people consulted were in favour of GARL. Were people given an opportunity to vote or comment on alternatives to GARL or alternative routes, other than the St James Park option?

96. Throughout the consultation period the Promoter made available information about alternative routes that had been investigated.

97. A 16 page A4 briefing pack was created and made available at public meetings, exhibitions, on the internet and by post if requested.

98. The briefing pack explained nine alternative routes that were examined and ruled out by previous studies. The pack then explained five further options at St James including a tunnel, a route to the west of St James Park, a route skirting the west of St James Park, a route crossing St James Park and Greenock Road, and the preferred route as proposed in the Bill. The briefing pack included a page of information about how people could be involved in the consultation and encouraged them to provide feedback. Approximately 300 briefing packs were distributed.

99. A total of five formal public meetings were held. Each meeting started with a presentation that included information about the routes that had been ruled out by previous studies. Each meeting included a substantial number of questions from the public about alternative routes and these were answered in detail by the project team.

100. Information about alternative routes was also provided at five focus groups held with residents and businesses along the line of route. The project team also attended meetings where alternative routes were discussed with a grouping of playing field users, Paisley North Community Council and St James Residents Associations.
101. Comments made during the consultation were recorded and section four of the Consultation Report lists this information, including the number of respondents who suggested alternative routes. A total of 31 respondents are recorded as recommending alternative routes.

102. Following the SKM report in March 2003 the Scottish Executive decided upon a preferred route (the St James Option) and provided the Promoter with funding to take this forward to the Parliamentary Bill stage. During the official consultation period it was not thought appropriate to take a “vote” on the other route options due to the amount of previous work and decisions that had narrowed the option down to the St James route and the fact that the Scottish Executive had already declared this as its preferred route. Although the other routes were not provided as options that people could state a preference for, they were made public and discussed in an open forum with the Promoter explaining why those options had not been taken forward.

103. It should be noted that consultation was undertaken for the production of the SKM report. The Scottish Executive, BAA, Scottish Enterprise, the Strategic Rail Authority and the Department for Transport were all represented on the Steering Group that managed the production of the report. The Promoter was consulted in separate meetings. Railtrack advised the consultants in detail on the feasibility, network integration issues and costs of implementing the report’s favoured options. A Wider Stakeholder Group was also established and this included all those identified above, along with the rail operators, Glasgow City Council and Renfrewshire Council. Consultations and workshops were held with this Wider Stakeholder Group.

Question 30. Paragraph 133 states that “SPTE is in the process of setting up Community and Business Liaison Groups to provide an on-going forum for people in local areas to be kept informed of the proposals as they progress through Parliament”. Can more detail be provided on the progress of these groups? What are the Promoter’s plans to provide relevant groups and individuals with useful information, for example (as noted in paragraph 140) guides to compulsory purchase and compensation? (In replying to this question the promoter may wish to make reference to paragraph 3.15 of the Private Bills Guidance, which states “promoters should enter into dialogue with objectors as soon as practicable after objections have been lodged to discuss in detail the specific concerns of the objector and the ways, if any, in which they could be addressed”).

104. The purpose of the Community Liaison Groups and Business Liaison Groups (“CLG” and “BLG”) are to provide a forum where the views, concerns and comments of the community along the proposed route can be heard. With this in mind, the CLGs/BLGs have a restricted membership of affected and interested parties rather than operating as an open public forum. This is to ensure that the groups are of a manageable size to hold useful discussion and comment and make best use of all attendees’ time.
105. After analysing the attendance at public meetings, and the main themes from the public consultation, three CLGs and one BLG were created:

- St James residents CLG covering the main streets surrounding the St James playing fields
- Playing fields users CLG with representatives from the leagues using the pitches and sport and recreation bodies
- Track upgrade and compounds CLG for the communities along the existing line of route when upgrades will take place and for those living near to proposed construction compounds
- Murray Street industrial area BLG for businesses in the industrial estate and business interest groups

106. CLG/BLGs have been established in order to meet the following objectives:

- To provide for ongoing consultation with community/business stakeholders on key issues associated with the route
- To provide a forum in which regular updates will be provided to members regarding the progress of the project through Parliament
- To identify suitable measures that may be required to address specific local concerns (such as privacy, landscaping and access for businesses)
- To provide community access to the project team during construction (if the Scottish Parliament approves the project)

107. The CLG/BLGs will discuss the issues of most importance to their community or interests and work with the Promoter to come to workable solutions on various issues, including access, construction, and public realm designs.

108. Transport engineers, planners and legal representatives will attend meetings as appropriate to inform the discussion and answer questions.

109. The CLG/BLG meetings will not replace one-to-one meetings to discuss specific mitigation for individual properties.

110. The CLG membership is comprised of:

- Community Council(s)
- Community groups e.g. local residents associations or street-based action group
• City of Glasgow/Renfrewshire Council elected representatives and MSPs

• City of Glasgow/Renfrewshire Council officials as appropriate

111. Membership of the BLGs will normally comprise the same representatives except that the community invitees would be replaced by the business interests located on the streets allocated to the BLG coverage area.

112. Prior to the setting up of the CLG/BLGs the local councillor was contacted and his/her advice taken on the exact membership of the group.

113. The CLG/BLGs were set up in February 2006 and all held their first meeting during March 2006.

- **St James Residents CLG** - Monday 13 March, 7pm, Beechwood Community Centre.
- **Playing Fields CLG** - Tuesday 21 March, 7pm, St James Primary School.
- **Murray Street BLG** - Wednesday 22 March, 2pm, Ramada Jarvis Glasgow Airport.
- **Line of Route CLG** - Monday 27 March, 7pm, Hillington Primary School.

114. The first meetings were considered by respondents to have been successful and a useful dialogue took place at each which will help to shape the agenda and discussions at future meetings. The groups have shown a willingness to be involved and requested that the CLG/BLGs be used as a forum for further consultation and information provision.

115. The initial meetings provided information on the progress of the Bill to-date and provided a forum for questions to be answered about issues including the impact of the construction works on residents and playing field users, detailed information about bridge/viaduct structures and the location of temporary playing fields.

116. It is expected that the groups will meet approximately every four to eight weeks.

117. Minutes of each CLG/BLG will be made available on the GARL project website.

**Provision of information**

118. In terms of the provision of useful information to relevant groups and individuals the Promoter has made a wide variety of information available on the internet throughout the development of the project. In addition, the Promoter has posted copies of the Code of Construction Practice to all members of the CLGs.
119. A leaflet was produced explaining compensation and compulsory purchase. This was sent to people on request and to those who raised issues about compensation. It was also made available on the project website.

120. An updated project leaflet was produced in January 2006 and sent to approximately 12,000 properties in the immediate vicinity of the proposed route and to over 3,000 individuals who had been recorded in the project database. This leaflet included the most up-to-date information, including artist’s impressions of the viaduct and airport station and other sections of the project. The leaflet also advised that the Bill had been submitted to the Parliament and directed people to the Scottish Parliament’s website for more information about how to get involved or object.

Dialogue with Objectors

121. The Promoter has put in place an Objection Management system which tracks the status of all objections. The system helps the Promoter, where possible, to address the issues raised by objectors through greater dialogue and meetings. All objections are acknowledged as they are received by the Promoter and an entry is created in the Objection Management database. Project members are assigned to each objection and actions required to address each objection are reviewed on a weekly basis.

122. Throughout the project the Promoter has been keen to have an open dialogue with people or organisations likely to be affected by the Bill. This has included public meetings, one-to-one meetings, focus groups and by correspondence.

123. Prior to the close of the Objection Period the Promoter held one-to-one meetings as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>Promoter meeting/presentation to:</th>
</tr>
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<tbody>
<tr>
<td>14 March 2005</td>
<td>Scottish Executive / Amey</td>
</tr>
<tr>
<td>14 March 2004</td>
<td>BAA Security Meeting</td>
</tr>
<tr>
<td>7 April 2005</td>
<td>Her Majesty’s Railway Inspectorate</td>
</tr>
<tr>
<td>8 April 2005</td>
<td>Department for Transport - Transec</td>
</tr>
<tr>
<td>8 April 2005</td>
<td>Glasgow City Council</td>
</tr>
<tr>
<td>19 April 2005</td>
<td>Network Rail at Central Station and Strathclyde Fire Brigade</td>
</tr>
<tr>
<td>25 April 2005</td>
<td>Kingsley Wood (solicitors) and Eric Young (chartered surveyors) representing J M Estates (Scotland) Ltd, Direct Parking (Glasgow) Ltd, Airlink Security Park Ltd and Datastore Solutions</td>
</tr>
<tr>
<td>11 May 2005</td>
<td>Linn Park Buses</td>
</tr>
<tr>
<td>16 May 2005</td>
<td>Glasgow City Council</td>
</tr>
<tr>
<td>17 May 2005</td>
<td>Central Station Users Group</td>
</tr>
<tr>
<td>28 June 2005</td>
<td>NCP (car parks)</td>
</tr>
</tbody>
</table>
124. Other meetings:

- Since May 2004, the Promoter has carried out a series of meetings with Network Rail at two-to-four weekly intervals
- Since May 2004, meetings have been held between the Promoter and BAA at four-weekly intervals
- Since May 2004, meetings have been held between the Promoter and the Scottish Executive at two weekly intervals
- Meetings have taken place between the Promoter and various departments of Glasgow City Council since May 2004
- Monthly meetings have taken place between the Promoter and Renfrewshire Council since May 2004.

125. A series of statutory stakeholder meetings also took place between March and December 2005 as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>Promoter meeting/presentation to</th>
</tr>
</thead>
<tbody>
<tr>
<td>28 October 2005</td>
<td>SEPA</td>
</tr>
<tr>
<td>16 November 2005</td>
<td>Historic Scotland (regarding Central Station)</td>
</tr>
<tr>
<td>18 November 2005</td>
<td>Network Rail</td>
</tr>
<tr>
<td>21 November 2005</td>
<td>Historic Scotland (regarding Four Square Tobacco Factory, Paisley)</td>
</tr>
<tr>
<td>23 November 2005</td>
<td>Scottish National Heritage - Clydebank</td>
</tr>
<tr>
<td>23 November 2005</td>
<td>Renfrewshire Council</td>
</tr>
<tr>
<td>28 November 2005</td>
<td>BAA</td>
</tr>
<tr>
<td>5 December 2005</td>
<td>Glasgow City Council</td>
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</tbody>
</table>
Question 31. Has a survey been carried out with possible users of the Rail Link (for example airport staff referred to in paragraph 190) to indicate whether they are likely to use the link? If so, what are the results?

126. A survey of air passengers was undertaken to establish the way in which air passengers at Glasgow Airport choose between travel alternatives. This formed the basis for the development of the Glasgow Airport Access Model (GLAAM). These surveys took the form of Stated Preference (SP) surveys. SP surveys are designed to determine attribute valuations (for example – in-vehicle time, service frequency, or how respondents value bus against rail) by asking respondents to select from a set of hypothetical but realistic scenarios.

127. Survey responses were obtained by interviewing arriving passengers at Glasgow Airport, by sending questionnaires directly to major employers in the Glasgow area through telephone surveys and via interviewer led surveys in Glasgow City Centre.

128. A total of 638 SP surveys were obtained. Of these, 485 were leisure and 153 were business trips. This is a large sample for an SP survey, where 100 respondents per market segment is generally considered adequate.

129. Roger Tym & Partners as part of their remit to assess the wider economic impacts of the GARL project, undertook a survey of selected businesses across the Glasgow Conurbation by means of a postal questionnaire sent to named individuals. Of the total number of survey questionnaires distributed (86), some 24 businesses replied.

130. A survey of all airport employees was undertaken by BAA in 2004 and made available to the Promoter. This information was used in the development of the forecasts of rail patronage as related to employees.

Question 32. Apart from the specific examples given in the Memorandum, what other examples are there of the Bill or accompanying documents being amended as a result of feedback given during the consultation process? Where was it not possible to amend the Bill or accompanying documents in light of feedback given?

Other examples of the Bill or accompanying documents being amended as a result of consultation:

131. The vast majority of issues raised during the consultation process were considered by the Promoter and where relevant are addressed in the Promoter’s Memorandum.

132. Regular consultations have been undertaken with BAA in relation to the Airport station location, relocation of the fuel farm, and on funding and project delivery issues. BAA was keen to ensure that the rail link and the location of the station did not form a barrier to future expansion of the
Airport and the scheme design has taken due consideration of these constraints.

133. Additional examples of the Bill or accompanying documents being amended as a result of feedback are as follows:

- Airport station location was chosen to take account of the emerging BAA Masterplan and extensive discussions with BAA, with a further requirement to relocate the existing airport fuel farm facility to an alternative site within the airport due to the station location.

- A double track branch line was chosen in order to future proof further expansion of the rail network, as a result of feedback from key stakeholders in the rail industry, including the Scottish Executive, Network Rail and the Promoter.

- Requirement for the provision of vehicle set down / pick up facilities at Glasgow Central Station, as a result of feedback from Glasgow City Council.

- Requirement to ensure that the existing service bay on Gordon Street will remain available for deliveries to Glasgow Central Station, as a result of discussions with the Network Rail Station Manager.

- As a result of discussion with Renfrewshire Council, Section 41 of the Bill which disapplies statutory restrictions applying to the St James Park playing fields was extended so as to disapply any restrictions arising from the fact that the land is held by the Council as land forming part of the common good of a local authority (please refer to paragraph 91 of the Explanatory Notes to the Bill).

- Discussions took place with BAA on the inclusion in the Bill of protective provisions in relation to Glasgow Airport. In recognition of this, the Promoter has inserted a new section (section 29) which contains a restriction on the exercise of the compulsory purchase powers of the Bill in relation to operational airport property (please refer to paragraph 142 of the Explanatory Notes to the Bill). The Promoter has not included other protective provisions which had been suggested for inclusion on the grounds that the object of these provisions could more appropriately be achieved through agreement outside the Bill.

Examples where it was not possible to amend the Bill or accompanying documents in light of feedback given:

- Scottish National Heritage (SNH) provided feedback to the statutory consultation for the ES, outlining that they considered the fuel farm should not be located adjacent to the Local Nature Reserve. This feedback has fed into the development of a mitigation strategy for the replacement aviation fuel farm facility.
• Local bus and taxi operators raised concerns regarding the impact of the GARL project on the growth of the bus and taxi industry. Whilst it was not possible to amend the Bill or accompanying documents to directly address this feedback, BAA’s proposals for the provision of an integrated transport hub at Glasgow Airport will provide travellers with greater choice and flexibility regarding journeys to and from the Airport.

• St James Park – Community Councils and residents requested an alternative route to avoid impact on St James Park. Whilst an alternative route was explored previously by others and more recently by Faber Maunsell within the content of the St James corridor, the alternatives were not considered feasible. However, the views of local residents have fed into the mitigation strategy to minimise impact of the promoted scheme.

Question 33: Paragraph 11 states that sometime after 1 April 2006, the current Promoter of the Bill will be replaced by the Regional Transport Partnership for the Strathclyde Passenger Transport. The Promoter is reminded that, under Rule 9A.11A of Standing Order, it will be required to provide a memorandum setting out the reasons for and the circumstances of the change of Promoter. The Strathclyde Passenger Transport Executive is requested to liaise with the new promoter on this matter and ensure that the Committee is kept up to date as is required.

134. Strathclyde Partnership for Transport (being the Regional Transport Partnership for the West of Scotland Area in terms of the Transport (Scotland) Act 2005 and associated secondary legislation) is the statutory successor to the functions, property, rights and responsibilities of both Strathclyde Passenger Transport Executive and Strathclyde Passenger Transport Authority. This took effect on 1 April 2006 and a memorandum explaining the process was submitted to the Committee by the Promoter on 7 April 2006.

Question 34: Given other scheduled and ongoing major transport infrastructure projects (for example, Waverley, Edinburgh Trams, work associated with the London Olympics), what makes the Promoter satisfied that, if the Bill gains Royal Assent, there will be sufficient engineering and construction capacity available to carry out the works?

135. The Promoter believes that, from current evidence available, there is sufficient engineering and construction capacity to carry out the works for GARL. This is in line with the view taken by the Construction Confederation, who state on their website that “The public sector is construction’s single largest client ..... We believe that construction does have the capacity to deliver; the real area of concern is our bidding capacity which is often stretched by an inefficient and costly procurement process.”

34www.thecc.org.uk/index.asp?page=ourpolicy
With respect to procurement and bidding capacity the Promoter is currently undertaking a detailed procurement and contracting strategy analysis as part of the Value for Money assessment. This work includes a detailed market sounding exercise where the views of the market on commercial, financial and risk allocation aspects of the potential project are being requested to capture this understanding in the procurement and contracting analysis and ensure an efficient process is followed. Furthermore the Promoter has regular dialogue on this matter with Transport Scotland and Network Rail specifically relating to the rail sector of the construction industry.

Question 35. What will be the impact on airport traffic levels at Glasgow and GARL patronage if proposed developments at Edinburgh Airport are approved? What will be the overall impact of the M74 extension on traffic flows?

The study team has not produced the forecasts for the number of air passengers using Glasgow Airport. The Department for Transport (DfT) maintains a model, SPASM, that provides forecasts for the number of air passengers for UK airports. This is the tool that was used to provide forecasts for the White Paper “The Future of Air Transport (DfT, December 2003) which determined the demand at both Glasgow and Edinburgh Airport. The study team used the ‘Modified Central Case’ forecasts as supplied by the DfT’s consultants. The use of this central case was confirmed in discussions with the DfT and the Scottish Executive. It is therefore the DfT’s planning conclusion that the levels of air demand at Glasgow take account of the forecast demand arising at Edinburgh.

The M74 Northern Extension was included in the modelling for this project; the effects on lowering the access time to Glasgow Airport for that corridor are therefore included. A scenario without the M74 Northern Extension was not produced as it is a committed scheme that is proceeding independently of the GARL project. However, should the M74 Northern Extension not proceed for whatever reason it is likely that the economic case for GARL would improve.

Question 36. Are there any other relevant local or national transport or planning developments that may affect the overall case for the Glasgow Airport Rail Link and, if so, can the Promoter demonstrate how these developments have been taken into account?

At the start of the modelling process for GARL, a number of existing or planned transport developments were identified in discussion with the Promoter, Faber Maunsell and key stakeholders (Scottish Executive, Glasgow City Council and Renfrewshire Council) as being likely to be implemented within the timeframe of GARL and hence may potentially impact on travel patterns within the study area. The table below outlines those schemes that were identified and whether they were included within the base transport model in either the year 2009 and/or 2030.
### Scheme Description

<table>
<thead>
<tr>
<th>Scheme</th>
<th>Type</th>
<th>2009</th>
<th>2030</th>
</tr>
</thead>
<tbody>
<tr>
<td>M77/Glasgow Southern Orbital</td>
<td>Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Finnieston Bridge</td>
<td>Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bishopbriggs Relief Road</td>
<td>Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Three Towns By-pass Saltcoats/Stevenson/Ardrossan</td>
<td>Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Seaward St</td>
<td>Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td>M8 Capacities 2005/6</td>
<td>Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td>M74 Northern Extension</td>
<td>Road</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bus Services Glasgow - Renfrew/Paisley/Erskine added via Finnieston Br.</td>
<td>Bus</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pre-metro services Northbank : City Centre-Scotstoun via Broomielaw/</td>
<td>Bus</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SECC/ Expressway/ South Street</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>North Electric/Argyle Line Revision Dec.05</td>
<td>Rail</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Glasgow-Stirling service extended to Alloa</td>
<td>Rail</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Glasgow-Cumbernauld/Falkirk service with Gartcosh stop added</td>
<td>Rail</td>
<td></td>
<td></td>
</tr>
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</tr>
<tr>
<td>M8 Capacities</td>
<td>Road</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

✓ = included, × = not included

140. As the above table outlines, a number of significant schemes have been taken account of within the GARL scheme including the M74 Northern Extension and a number of bus and rail enhancements. The analysis undertaken for GARL did not test the exclusion of the above schemes as they are deemed committed works. However, as a proxy to future changes in transport and/or developments a number of sensitivity tests were undertaken. Notably a sensitivity test that assumed only half of the rate of growth at the airport was undertaken, the results of which still showed that the economic case for GARL would remain positive.

141. There are a number of other potential complementary developments at various stages of completion that have not been taken into account but could have a positive impact on GARL and are summarised below.

142. The current Crossrail scheme that is being promoted by the Promoter will have a beneficial impact on GARL. The Crossrail project is widely regarded as one of the most important strategic rail infrastructure projects in Scotland, because it closes a critical gap in the Scottish rail network. The project has the potential to join south-west Scotland with the rest of the country, by constructing the missing link across Glasgow. It opens a huge range of possible new rail connections across Scotland by integrating the network and providing faster journey times. Crossrail will also improve local Glasgow conurbation rail links and support economic regeneration in some of city’s poorest areas. The project would also:
• Improve national connections linking north and south Glasgow rail networks; and
• Expand the potential for direct travel to Glasgow Airport and Glasgow Prestwick International Airport from other parts of Scotland.

143. Bishopton is recognised in the National Planning Framework as the preferred area for long-term expansion to the west of Glasgow. As identified in the Glasgow and Clyde Valley Structure Plan the area is well related by the rail network to Glasgow Central station. Services on this line have the potential to be enhanced through improvements associated with the development of the Glasgow Airport Rail Link.

144. Johnstone South is identified in the Glasgow and Clyde Valley Structure Plan in relation to the proposed expansion area. This will provide an opportunity to provide new and improved local social and community facilities including local retail provision. The site has good existing accessibility to the rail network via Milliken Park station. It will provide the opportunity to investigate the provision of park and ride facilities which are currently lacking at the station. Rail services have the potential to be enhanced through improvements to the rail infrastructure associated with the development of the proposed Glasgow Airport Rail Link.

145. Riverside Inverclyde is a joint initiative between Inverclyde Council, Scottish Enterprise Renfrewshire, Communities Scotland and the Private Sector to promote the economic regeneration of approximately 4 miles of generally derelict land from Port Glasgow through to Greenock. The development comprises a £400 million regeneration initiative which will deliver locally, over the next ten years, 2,500 new quality homes, 2,500 new jobs and more than 530,000 square feet of new business accommodation. All stations serving Riverside Inverclyde including Greenock Central, Cartsdyke, Bogston and Port Glasgow will be linked to the airport via interchange at Paisley Gilmour Street.

146. North East Phoenix/East Candren is identified within the Renfrewshire Local Plan (March 2006). The proposed development area will comprise major business, industry, housing and warehousing development. The development site is located immediately adjacent to the south west of St James Interchange (M8/A737). Rail services have the potential to be enhanced through improvements to the rail infrastructure associated with the development of the proposed Glasgow Airport Rail Link.
Insert map here
Questions as listed in Annex 2 with corresponding answers

Question 1: Can the Promoter explain how it satisfies the first part of Rule 9A.1.1 of the Standing Orders, namely that it is a body corporate?

2. The Promoter was established as a body corporate by the Regional Transport Partnerships (Establishment Constitution and Membership) (Scotland) Order 2005. (SSI 2005 No.622, made under the Transport (Scotland) Act 2005).

Question 2: Can the Promoter provide details as to what powers or benefits are sought by the promoter that are in excess of, or in conflict with, the general law and why they are necessary?

3. The powers sought by the Promoter that are in excess, or in conflict with the general law, are the statutory authority to carry out works which would otherwise give rise to actions in nuisance, to interfere with public roads for the purpose of constructing those works, to acquire land and rights to use land compulsorily, to disapply the requirement to obtain listed building consent for the works, to disapply statutory restrictions on the use of the St James Park playing fields and to transfer these statutory powers to another body. In addition the enactment of the Bill will automatically bring with it planning permission for the project without the need to make an application for planning permission.

4. These powers are necessary to ensure that the scheme can be constructed in a timely efficient and economic manner. In the absence of a statutory authority or compulsory powers it is open to a person with a potential nuisance claim or a person whose land is required for the project to prevent the scheme proceeding at all, or only at disproportionate expense. Without disapplying the restrictions at the St James Park playing fields the railway could not be constructed along this route. While consents to alter public roads and for alterations of listed buildings and planning permission can be obtained through separate statutory processes, it is more convenient for the consents to be sought together with the principal powers to construct and maintain the works, and reduces the risk to the project of delays and potentially inconsistent consents.

Question 3: Can the Promoter confirm whether there are any powers or benefits already enjoyed by the Promoter that are nonetheless sought by the Promoter under the Bill and, if so, why is it seeking these powers or benefits if it has already has them?

5. There are no powers or benefits already enjoyed by the Promoter which it is seeking under the Bill. The Promoter could obtain powers to purchase land compulsorily by seeking authorisation from Scottish Ministers under paragraph 6 of Schedule 1 to the Transport (Scotland) Act 2005. That would be subject to a separate statutory process under the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947. However it seems preferable for the application for compulsory purchase powers to be
considered in the same process as the promotion of statutory authority for the project.

Question 4: What statutory powers enable the Promoter to promote a Private Bill?

6. The Promoter has powers under paragraph 10 of Schedule 1 to the Transport (Scotland) Act 2005 to promote private legislation in the Scottish Parliament. This includes the power to continue the promotion of private legislation in circumstances where the function in pursuance of which the legislation was first promoted was transferred to the Promoter (under section 10 of that Act) after the introduction of the private legislation. That applies in this case since the transport functions of Strathclyde Passenger Transport Executive (which was responsible for introducing the Bill) were transferred to the Promoter on 1 April 2006 under the transfer of functions from the Strathclyde Passenger Transport Authority and Strathclyde Passenger Transport Executive to the West of Scotland Transport Partnership Order 2006 (SSI 2006 No.106).

Question 5: Could the rail link be constructed without a Private Bill?

7. No. There is currently no other mechanism for obtaining statutory authority for a new railway (other than a light railway) in Scotland. It is possible that some of the works on the main railway line could be carried out under Network Rail’s existing statutory powers, but the scope of the powers and the permitted development rights which they attract is not completely clear and these powers are in any case available only to Network Rail and not to the Promoter.

Questions as Listed in Annex 3 with corresponding answers

The Notification Process

Question 1. What assurances can the Promoter give that all properties that should have been notified have actually been notified? You may wish to refer to the fact that a number of notified parties have, incorrectly, sent letters to the private bills unit rather than to the Promoter during the objection period.

147. The Promoter can assure the Committee that all properties that have been identified after reasonable and diligent enquiry as requiring notification have been notified, subject to the explanation below in respect of plot 135. In general, the Promoter’s land referencers, LandAspects, have erred on the side of caution and over notified.

148. As the Committee is aware, it is necessary to carry out land referencing enquiries to identify all persons with an interest in land which may be acquired or used, or who may be affected and to ensure that each of them
is properly notified. The land referencing accords with the determinations of the Presiding Officer and recommendations in Annex G of the Guidance on Private Bills. This specifies the various sources of information that should be accessed to ensure that reasonable enquiries have been made. Interested parties who require to be served notice, are those whose interests in heritable property are:

- registered in the Sasine Register held by Registers of Scotland; or
- registered in the Land Register; or
- entered in the latest version of the valuation roll;
- as ‘the owner’, ‘the lessee’ or, as the case may be, ‘the occupier’ of any land or buildings (other than the owners, lessees or occupiers who cannot be ascertained after reasonable inquiry).

149. All these sources of information were investigated.

150. Every property within the project scope was visited. Where possible, interviews with landowners and others were undertaken and the information provided was recorded. Interviewed parties were asked to confirm interests held or known about and indicate property boundaries. They were requested to sign completed Land Interest Questionnaires. Potential major landowners were also approached for details relating to their wider landed interests. These included Network Rail, Renfrewshire Council, Glasgow Council, Glasgow Housing Association and BAA. Follow-up enquiries were also carried out to cross check and complete ownership details.

151. In order to verify the referencing information prior to the service of notices, “Confirmation Schedules” were sent to all referenced individuals, companies and other parties detailing the information held about their land interests affected by the scheme and asking for confirmation that these details are up to date and accurate. These Confirmation Schedules were issued by Royal Mail Recorded Delivery to verify the accuracy of the land interest details and the service address to be used for the subsequent notices. This exercise took place in November 2005 and an excellent response was received.

152. In order to ensure that the Land Register information was up to date prior to the service of notices, LandAspects, with Registers of Scotland, put in place a methodology that provided for checks to be made to identify any updates to Titles that had previously been issued. A meeting with Registers of Scotland was held at the beginning of December 2005 to review the methodology. To identify updated and new interests in registered land, the final Bill limits were provided to the Registers, together with a spreadsheet containing a list of all title numbers previously issued to LandAspects. Registers of Scotland were able to compare this information against their system to retrieve all updated and new Land Titles falling within or touching the boundary limits. This ensured complete coverage. As further assurance, Registers of Scotland also searched for titles at a set
buffer (2-3 metres) beyond the boundary limits. Boundaries for the new and updated titles were then provided in digital format and all the accompanying title certificates and application records were provided in PDF format at the end of December 2005. These title certificates were then examined to determine changes to ownership and rights of affected parties.

153. Therefore, by following the above procedures, the Promoter can assure the Committee that, where practicable, all notices have been served to all relevant parties that are deemed affected by this Bill.

154. It is not strictly accurate to suggest that notified parties “incorrectly” sent letters to the Scottish Parliament’s Private Bills Unit (“PBU”). In these particular cases, notices were sent in respect of reputed affected interests both at Glasgow Airport and in respect of potential Statutory Undertakings. Before introduction of the Book of Reference the Promoter could not confirm that they were not affected by the project so the Promoter left them within the Book of Reference for prudence. It transpired that the notified parties were satisfied that they were not affected and chose logically to notify the PBU of this (given that this would have been the correct destination of any objection, had the notified parties taken a contrary view.)

155. With regard to plot 135, an unusual situation arose. The site referencing of the plot in question (which is a private access road to a nearby industrial estate over which the Promoter is seeking to acquire a right of access to the rail corridor) revealed Renfrewshire Council as the owner and Miranda Engineering as the tenant of a property (12 Wallneuk Road Paisley) lying adjacent to that plot. Both were notified as potentially having a right, either of access or ownership, over plot 135. This was made as a reasonable assumption. However, the Promoter’s enquiries of Registers of Scotland in respect of plot 135 did not reveal whether the owners of 12 Wallneuk Road have any relevant interest in plot 135. Moreover, examination of the title plan for 12 Wallneuk Road shows that the property actually lies approximately 10 metres away from plot 135, and outside the 2-3 metre parameter which was given to Registers of Scotland. The property therefore does not meet the criteria for an affected property which have been adopted for this project. It is not clear from an examination of the title to 12 Wallneuk Road whether the owners do actually have any specific right over the plot in question, but for the avoidance of doubt they were served with a notice on 23 March 2006, in order to make this consistent with the notice served on the tenant, who may not actually have any heritable right in terms of their lease to the private road but again were notified out of caution.

Question 2. In the light of the notification errors made during the course of the referencing for the Waverley Bill, what changes have the Promoter’s land referencers made to their approach to referencing and notification for this Bill?
The land referencing methodology for this Bill had already been amended since the referencing and notification approach undertaken on the Waverley Bill and the methodology was used successfully in the referencing and notification of Edinburgh Tram Line 2. The updated methodology incorporated the determinations by the Presiding Officer and recommendations in Annex G of the Guidance on Private Bills (noted in the Promoter’s response to Question 1), improved procedures with Registers of Scotland (detailed further in the Promoter’s response to Question 4) and quality procedures were amended to reduce the risk of non-notification (These procedures are detailed in the Promoter’s response to Question 3).

One of the areas highlighted by the Waverley Railway (Scotland) Bill Committee was in the uncertainty surrounding the interpretation of "affected party". Although the guidance and determinations are not conclusive in this area, the Promoter has applied a wide interpretation to the definition as follows:

- Persons with an interest in land abutting the route i.e sharing a common boundary with the railway or with land required for the proposed works;
- Persons with an interest in heritable property close to the route which, in terms of the Environmental Statement, may be subject to significant environmental impacts.

In all cases, rigorous quality procedures (detailed further in the Promoter’s response to Question 3) were employed to make sure that all ownership details that were collected were properly reflected in the Book of Reference (for property within the limits of the proposed scheme) or the affected party schedule (for all other interests) and served the correct notice, as far as practicable through reasonable and diligent enquiry.

**Question 3. What cross-checking or peer review has been carried out over the Promoter’s land referencing arrangements to reduce any risk of error?**

Cross-checking of information gathered by land referencers, is checked by the project manager and checked / reviewed by the project director. In addition a peer review of the land referencing data was undertaken as part of LandAspects quality assurance procedures. These procedures are undertaken at the commencement of the land referencing and are carried through to the delivery of the notices.

All ownership boundaries are drawn onto land ownership plans. These create control plans that record the progress of site enquiries and serve to highlight areas where further enquiries are needed. Ownership boundaries are also superimposed on digital background mapping and linked to the textual data using Computer Aided Design (CAD) / Geographical Information System (GIS) programs. The database system used by LandAspects allows them to link landownership information with the land ownership boundary in one common GIS database. This allows LandAspects to visually check progress of land referencing and ensure that
there are no gaps in information and also to ensure landownership information remains correctly associated to the relevant land boundaries throughout the progress of the scheme.

161. As part of a quality procedure, the land referencers undertook a Confirmation Schedule exercise as described above in the Promoter’s response to Question 1. Any schedules returned as undelivered, for whatever reason, result in further investigation of the details used and confirmation of ownership details.

162. The project team (parliamentary agents, engineers, environmental consultants and land referencers) led by the Promoter held monthly Bill working group meetings. These meetings were used to review parliamentary procedures, plans and sections, book of reference, affected party plans and schedule. Additional plans and sections review meetings were held specifically to concentrate on the cross-checks and the cross-reference between the plans and bill documentation. Reviews of the plans and sections and book of reference where also undertaken by the engineers and land referencers to cross-reference the documents with the engineering requirements.

163. Independent peer reviews of the land referencing data, land ownership plans, affected party plans, confirmation schedules, parliamentary plans, Book of Reference and Affected Party Schedule and resulting postal lists and notices were conducted by experienced staff in LandAspects’ Belfast and Euston Offices. These staff were external to the core GARL Project Team and provided a further level of independent check.

164. Notices were generated with their accompanying plan/s in the same print run and the notices were generated in alphabetical order of recipient to ensure that all the paperwork is presented in order for ease of checking.

165. As a final check to ensure that each Land Interest received the correct and complete set of Notices, Postal Lists were generated from the referencing database, producing a postal list relating to the different types of interest to be notified, whether within or outwith the limits.

166. The Landownership Schedule was cross-referenced with the Book of Reference and Affected Party Schedule to make sure that all interests were correctly shown. Each entry in the Book of Reference was cross checked against the relevant line in the Postal List to ensure that there was a notice for each interest, for each type of acquisition for each affected parcel. A similar exercise was undertaken for the Affected Party Schedule. At the end of this exercise a review was undertaken by the project manager and project director to ensure that there was a check mark along every entry in the Book of Reference, Affected Party Schedule and Postal list and there were no entries on either that were unchecked.
167. The Parliamentary plan limits were overlaid on the landownership plans and all abutting parcels were cross checked against the landownership schedule.

168. The checking procedure included a final visual check where the Postal Lists were compared with a set of the plans to ensure that none of the existing identified interests were missed out.

169. In addition, the Postal List of Interests within Limits was cross checked with the shoulder notes on the plans to ensure that the correct types of Notice had been identified for each Land Interest.

170. All Notices to land interests were sent by recorded delivery. Each receipt was then attached to the corresponding land interest entry on the Postal Lists and once complete and stamped by the Post Office, these formed a Postal Record that all Notices had been dispatched.

171. A “Track and Trace” facility offered by Royal Mail allows the tracing of the notices using the unique recorded delivery number. This is retained on the postal lists to track that it has been delivered. This exercise was carried out and enabled LandAspects to obtain confirmation that the notice was received or, if not, allow remedial action to be taken.

172. In addition, the Promoter independently took steps to verify the extent of the land ownership within the existing rail boundary. This involved working with Network Rail to obtain copies of their land plans and titles. These were checked with a view to confirming that the land within Network Rail boundaries coincided with the Parliamentary plans. The Promoter also carried out random title checks on the information provided by the land referencers, most notably along the branch line, where new interests in land are to be acquired by the Promoter, but also in assessing the extent of the parties to be notified as affected.

**Question 4. What discussions did the Promoter's land referencers have with the Registers of Scotland regarding their land referencing methodology?**

173. From the commencement of the land referencing exercise to the formal submission of the Bill, LandAspects and Registers of Scotland had many discussions and meetings to formalise a methodology (a methodology that has developed from use on the Edinburgh Tram Line projects) that provided land title information from both the Land Register and Sasine Register. Registers of Scotland commented thoroughly on the land referencing methodology and provided advice on areas where the Land Referencers should focus their procedures. These comments were taken on board by Land Aspects.

174. On a practical level, at the start of the Project, LandAspects contacted Registers of Scotland to obtain all land titles for the properties deemed affected by the project. LandAspects have established a number of processes with Registers of Scotland that enables them to conduct
175. To identify interests in registered land, a project boundary was provided to Registers of Scotland extending wider than the draft Bill limits and all properties within this boundary were included in the search request made to Registers of Scotland. Registers of Scotland were able to compare this information against their system to retrieve all Land Titles falling within or touching, the boundary limit. This ensured complete coverage. As further assurance, Registers of Scotland also searched for titles at a set buffer (2-3 metres) beyond the boundary limit. Title boundaries were then provided in digital format and all the accompanying title certificates provided in PDF format.

176. Title certificates were then examined to determine ownership and rights of affected parties. Title certificates were obtained for all registered land that required to be referenced.

177. In the case of land recorded in the Sasine Register, this was accessed after site investigations and electoral roll and valuation roll searches had been carried out to obtain full address and ownership details which were needed to make the necessary searches. A spreadsheet containing the full address and ownership details was provided to Registers of Scotland, who interrogated their system and provided the Sasine title information.

178. Finally, to further develop the referencing procedures, LandAspects, with Registers of Scotland, put in place a methodology that allowed checks to be made for any updates to Titles previously been issued to reflect the most up-to-date information. Shortly before formal notification was posted, Registers of Scotland were commissioned to carry out a check to ensure that changes to the registers could be incorporated by LandAspects. This exercise was carried out successfully.

Questions as listed in Annex 4 with corresponding answers

Question 1: The funding statement provided for a previous private bill (the Edinburgh Tram Line Two Bill) did not include inflation. Further, after submitting the statement, the Promoter of that Bill was subsequently required to include an indicative figure for “Optimism Bias”. Can the Promoter confirm whether these elements have been included in the estimate or whether they are likely to be required at a later date? Can the Promoter confirm whether there are any other factors that may result in the estimate requiring to be changed? Why are the figures presented calculated in 2004 (4th quarter) prices?

179. The Promoter confirms that Optimism Bias has been included within the Estimate of Expense at a value of £35 million Q4 2004 (fourth quarter of 2004). This excludes inflation. The Optimism Bias has been calculated in accordance with Office of Government Commerce Treasury guidelines and
Green book guidance as issued by HM Treasury. This has been discussed in detail with Transport Scotland, who state that they are satisfied that the Promoter has been robust in assessing the likely risks to the project at the various stages and in appraising the likelihood and impact of the risks. Furthermore Transport Scotland have stated that they are content that the Promoter has put in place a robust risk management strategy for the lifecycle of the project, thereby reducing the likelihood of the estimate requiring to be changed.

180. The figures presented were calculated in Q4 2004 (fourth quarter of 2004) as this was the time at which the original capital cost estimates were undertaken. The most up to date rates available at that time were used. This estimate has been recalculated using guidance received from Scottish Executive’s Major Projects Transport Programme on 15 March 2006 “Guidance for Adjustment of Prices in Construction Cost Estimates for Inflation and Changes in Market Conditions”. This guidance takes account of all relevant factors. Calculations show an estimated cost for the GARL project of up to £210 million to the point of completion of construction. (This is known as the “outturn cost”).

Question 2: It now appears unlikely that both the Edinburgh Trams will be built to the full extent envisaged in the respective Private Bills, at least initially, because of a funding shortfall. If GARL costs exceed estimates who will carry the risk? What arrangements have been made to limit any cost escalation falling on council tax payers or the Scottish Executive?

181. All endeavours will be made to ensure the avoidance of cost escalation falling on council taxpayers or the Scottish Executive. These will be minimised as a result of contract conditions and strategy for procurement, which takes account of risk. This requires that the terms of any future contract negotiated achieves optimal risk spread amongst participants in the project and allocated to the party best able to manage that risk. Wherever possible the transfer of risk and therefore cost will be away from the public sector.

Question 3: Is the full contingency likely to be required? How was the figure of £35,105,000 for contingencies calculated?

182. At this stage amount of contingency to be spent is not known in absolute terms. However, the amount required has been estimated to be the Optimism Bias figure calculated at £35,105,000. A detailed estimate and quantification of all project risks is a continuous process as the design develops. This means the amount of contingency required is regularly reviewed in a robust and methodical manner. At this stage of project development the Promoter considers that the project costs should allow for the full amount of contingency.

183. The amount was estimated by a risk analysis process where the Promoter, the Promoters professional advisers, Transport Scotland and other key stakeholders (namely BAA and Network Rail) identified, evaluated and
quantified the risks in the project. This analysis led to the result of applying a 28% addition to all project costs as a general allowance to deal with project risks and uncertainty. A 28% allowance translates to £35 million. All calculations have been in accordance with HM Treasury guidance.

Question 6: If one element of the funding - “TENS” funding - cannot be guaranteed even if the Bill is passed, why should the Committee and the Parliament approve this scheme?

185. Should TENs funding ultimately be unavailable, the Promoter expects this element of funding to be obtained from the Scottish Executive. In the event of TENs funding being unavailable this project should still be approved as it promotes Scottish Executive objectives as set out in the National Planning Framework for Scotland and Framework for Economic Development in Scotland. Airports are important economic development generators promoting greater competitiveness in the Global Economy and sustainable regional development.

186. The delivery of the project would also contribute to the successful implementation of the Scottish Executive Partnership Commitments as outlined in the Partnership Agreement of 2003.

Question 7: With reference to paragraph 204, can an explanation be given of what is meant by “a formal change to the Franchise Agreement” and when this is likely to take place? Are there indicative figures showing the breakdown between “ticket sources” and “other ancillary sources”? Please also explain what the other ancillary sources are.

187. The Franchise Agreement is the formal agreement between FirstScotrail, Transport Scotland and the Strategic Rail Authority on the operation of rail services in Scotland. (Note that the Strategic Rail Authority is in the course of being wound up and its functions and responsibilities for the Franchise Agreement were transferred to the Scottish Ministers (i.e. in practice Transport Scotland) with effect from 16 October 2005). The Franchise Agreement covers matters including service provision, levels of service, costs and payments. A formal change to the Franchise Agreement would require both FirstScotrail and Transport Scotland to enter into a further
formal agreement (or variation to the current agreement) authorising the changes to service provision, level of service and any cost implications and payments. Such an agreement or variation would require to be in place prior to rail services operating to Glasgow Airport.

188. Transport Scotland set the pricing strategy for the fares on the rail network, along with charges at station car parks. There is then the opportunity for the franchisee to acquire additional revenues through ancillary sources e.g. advertising. Transport Scotland would offset any revenue from the ancillary sources against the level of subsidy to be provided.

189. The other ancillary sources of funding anticipated by the Promoter are billboard advertising (conservatively estimated at approximately 6% of operating costs) and potential retail income (which has yet to be estimated and agreed). The Promoter does not anticipate station car parking revenue being a source of funding.

**Question 8:** What will be the level of fares, in comparison with the bus fare or a shared taxi fare? What is the fare revenue on a comparable service as a percentage of operating costs? How does this compare with the expectations for the Glasgow rail link?

190. A single taxi fare from Glasgow City Centre to Glasgow Airport is currently in the range of £18 to £24. A bus fare from Glasgow City Centre to Glasgow Airport is currently £3.30 single and £5 return.

191. As a conservative assumption in the economic appraisal the fare for the rail journey between Glasgow Central Station and Glasgow Airport was assumed to be the same as the bus fare i.e. £3.30 single and £5 return.

192. The only comparison that was possible to make for the GARL project in respect to the fare revenue as a percentage of operating costs is a broader comparison against the rest of the First Scotrail network. This comparison has shown that setting rail fares at the same level of bus fares would lead to a subsidy for GARL which is consistent with the rest of the network in Scotland on a per mile basis. However, the Promoter is conducting a number of operational costs and revenue sensitivities to assess an appropriate level of subsidy that would need to be drawn down within the regulatory framework for fare setting and hence the final fare to be applied to the GARL project. Table 2 below has been compiled to provide information on the services, journey times and fares for other UK airport rail links to assist in a comparison with GARL.

**Table 2**

<table>
<thead>
<tr>
<th>Airport</th>
<th>Destination</th>
<th>Frequency (no of trains per hour)</th>
<th>Journey Time to City centre</th>
<th>Single Fare</th>
<th>Return Fare</th>
</tr>
</thead>
<tbody>
<tr>
<td>London</td>
<td></td>
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<tr>
<td>Airports</td>
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</tr>
<tr>
<td>London Heathrow</td>
<td>Paddington</td>
<td>4</td>
<td>15 mins</td>
<td>£14.50</td>
<td>£27.00</td>
</tr>
<tr>
<td>London Gatwick</td>
<td>Victoria.</td>
<td>4</td>
<td>30 mins</td>
<td>£14.00</td>
<td>£25.00</td>
</tr>
<tr>
<td>London Stansted</td>
<td>Liverpool Street</td>
<td>4</td>
<td>45 mins</td>
<td>£15.00</td>
<td>£25.00</td>
</tr>
<tr>
<td>London Luton</td>
<td>Kings Cross Thameslink</td>
<td>6</td>
<td>25 mins</td>
<td>£11.20</td>
<td>£22.40</td>
</tr>
<tr>
<td></td>
<td>(additional 5 min bus</td>
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<td></td>
<td>journey from airport to</td>
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<td></td>
<td>Luton Parkway rail</td>
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<tr>
<td></td>
<td>station).</td>
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<tr>
<td>Regional Airports</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Manchester</td>
<td>Manchester Piccadilly.</td>
<td>4</td>
<td>20 mins</td>
<td>£3.25</td>
<td>£6.50</td>
</tr>
<tr>
<td>Birmingham</td>
<td>Birmingham New Street</td>
<td>7</td>
<td>15 mins (avg)</td>
<td>£2.80</td>
<td>£5.30</td>
</tr>
<tr>
<td></td>
<td>(additional 1.5 min</td>
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<td>journey for light rail</td>
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<td>link between terminals</td>
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<td></td>
<td>and Airport rail station)</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Newcastle</td>
<td>Newcastle Central</td>
<td>up to 6</td>
<td>20 mins</td>
<td>£2.60</td>
<td>£3.20</td>
</tr>
<tr>
<td></td>
<td>Station (light rail)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prestwick</td>
<td>Glasgow City Centre</td>
<td>2</td>
<td>45 mins</td>
<td>£5.40*</td>
<td>£9.55</td>
</tr>
</tbody>
</table>

*Note that a 50% discount is available on the standard fare to airline passengers (conditions apply)

**Question 9:** Can an explanation be provided of the purpose of the “project financial business case” and who is being referred to by the phrase “the key parties”?

193. The project Financial Business Case (FBC) is a more detailed development of the financial elements of the Economic case. The Economic Case is the overall case for the project in terms of an assessment of all benefits and costs, the results of which are that the benefits of the project outweigh the costs by a factor of 1.28.

194. The purpose of the FBC is to undertake a more detailed analysis of the financial elements to ensure that the Value for Money is achieved. This work is an iterative process that involves a detailed analysis of the various
procurement options, contracting strategy, risk assessments, operating costs and revenue analysis and funding. The ongoing development of the FBC is being undertaken fully in accordance with the HM Treasury Value for Money Guidance. 

195. The Value for Money approach adopted on the GARL project has been considered by the Scottish Executive’s Financial Partnership unit and they have confirmed the approach is in line with the guidance. Work will continue with the Scottish Executive’s Financial Partnership unit as the FBC is updated.

196. The key parties referred to are the Promoter; the Scottish Executive; Transport Scotland; BAA; the rail franchisee (currently First Scotrail) and Network Rail.

Question 10: Given the length of the Glasgow Airport Rail Link line (9 km of main line track to be upgraded; 2 km of branch line to be built) and the length of the Waverley line (49 km), why are the GARL costs 25% greater? (£129 million for Waverley; £160 million for Glasgow Airport Rail Link.)

197. The main reasons why the GARL project costs are greater than for the Waverley Line project is due to various factors, including:-

- The majority of the works required for the GARL project would require to be carried out on the operational rail network, whereas the Waverley line would be predominantly a “green field” project. Work on the operational rail network is intrinsically more complicated than work on a green field site as, for example, the area under possession (i.e. temporarily occupied for the purposes of carrying out the works) has to be fully reinstated at the end of the possession period. There are also significant costs in respect of getting personnel, plant and machinery backwards and forwards to the site of the work. There will therefore be higher possession costs on the GARL project due to the amount of work on the operational rail network;

- There will be higher compensation costs payable on the GARL project to the Train Operating Companies (TOC) and Freight Operating Companies (FOC) due to the amount of work on the operational rail network;

- There will be significant confined space working on the GARL Project;

- The GARL project will require a significant element to be built on a new viaduct, whilst the Waverley line would be largely at ground level or on existing bridge structures and embankments;

- On the GARL project there would be a bridge crossing across a key component of the trunk road network (the M8); and

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On the GARL project the authorised undertaker would have to re-provide significant facilities along its route, including at the airport e.g. Fuel Farm.

**Question 11: Annual running costs are given as £4.294m. How does this predicted cost compare with the actual annual running costs of comparable lengths of railway line?**

198. The annual predicted operating costs of £4.294 million are the result of discussions between the Promoter, its consultants Faber Maunsell, and the existing franchise holder, First Scotrail. Furthermore, Transport Scotland’s Franchise Management Team have advised that the rates used by the Promoter in compiling the estimate (rolling stock, energy costs, staff costs) are consistent with those within the existing Franchise Agreement (at Q4 2004 (fourth quarter of 2004) prices). The Promoter therefore believes that the estimated annual running cost of GARL is directly comparable to the cost of running an equivalent service elsewhere on the network.

199. The Promoter has sought to obtain actual running costs on comparable lengths of railway line. However, such a breakdown of operating costs on a per line basis has not been possible to obtain, as the specification of services within the franchise agreement is on a whole network basis rather than for each individual line. The Promoter is discussing this further with Transport Scotland to ascertain whether any further details can be provided to the Committee.
Question 12: How do the figures in this Estimate compare with those analysed by SKM in its economic appraisal summary?

200. The cost estimates provided in the SKM report were at 1Q 2002 (first quarter of 2002) prices, and totalled £140 million including Optimism Bias. The total estimate of capital cost in the "Estimate of Expense and Funding Statement" (EEFS) was £160 million including Optimism Bias, and this cost was at 4Q 2004 (fourth quarter of 2004) prices.

201. The Promoter identified three key areas of difference in the cost estimate as follows:

- the majority of change was related to inflation effects (approximately £12 million);
- the location of the station had changed from the SKM study, with a net cost increase; and
- the infrastructure improvements within the existing rail corridor associated with major junction alterations were more than originally estimated by SKM in terms of scope and construction complexity.

202. The operating costs in the EEFS (£4.294 million at fourth quarter of 2004 prices) are greater than the SKM estimate (£3.14 million at first quarter of 2002 prices). This is due in part to inflation, a different method of calculating track access charges, and a greater definition and understanding of the scheme as a whole for the EEFS estimate.

Question 13: Can the Promoter provide an explanation of the discrepancy between the estimated costs stated by the Minister for Transport and Telecommunications on 16 March 2006 and the “grand total” of £160 million provided in the Estimate of Funding and Expenses Statement?

203. The Promoter’s answer to Question 1 above sets out the estimated costs to take account of inflation and market conditions. The cost estimate is therefore consistent with the statement made on 16 March 2006 by Tavish Scott, Minister for Transport and Telecommunications, as being in the range of £170 million to £210 million.

Response from the promoter on the draft Environmental Statement

Review of the Draft Environmental Statement

Question 1: The Committee has now submitted a review of the draft Environmental Statement to the Promoter (14 March 2006). A brief summary of this review was issued by the Private Bills Unit to the Promoter in August 2005. The Committee has asked whether and how the comments on the draft Environmental Statement in that summary have been addressed by the Promoter in the final Environmental Statement. The Committee has also asked the Promoter to indicate where (if at all) the final Environmental Statement differs significantly from the version which was reviewed.
2. This note has been prepared in response to the request from the Committee for a response to the review summary undertaken by ArupScotland of the draft GARL Environmental Statement prepared by Faber Maunsell. Specifically, the Committee has requested written evidence on how the comments set out in the Review of the Draft Environmental Statement were addressed in the Final Environmental Statement. In addition, details of where the Final Environmental Statement differs significantly from the Draft Environmental Statement are required.

3. The Draft Environmental Statement was issued on 10 June 2005. This was reviewed by ArupScotland on behalf of the Private Bills Unit and the Promoter was provided with a condensed summary of the review report on 3 August 2005. This summary outlined the key points arising from the review. These comments were assessed and where appropriate were incorporated into the Final Environmental Statement which was lodged with the GARL Bill on 31 January 2006. The attached Table 1 briefly summarises how these key points are addressed in the Final Environmental Statement.

4. Following the appointment of the GARL Bill Committee, the Promoter was issued the full Review report on 14 March 2006. As this was not received until after the submission of the Final Environmental Statement on 31 January 2006, there was no opportunity to incorporate the detailed points contained within the report into the Final Environmental Statement. However, the Promoter is in the process of assessing the report and if required can provide the Committee with further information or evidence when this assessment has been completed.

5. The Final Environmental Statement of 31 January 2006 differs from the Draft Environmental Statement of June 2005 in a number of areas, which are summarised briefly below. The main changes were as a consequence of the additional time available for:

- Incorporating responses to consultation with interested parties and undertaking further consultation;
- The development of mitigation and other measures, particularly with regard to St James’ Park and the proposed Fuel Farm at Glasgow Airport; and
- Some development of the design, particularly with regard to possible construction activities, timing and other related issues.

6. These changes are most obvious in Chapters 2 and 3 of the Final Environmental Statement, which are summarised as follows:

- In Chapter 2, entitled ‘Scheme Description’, the provision of 20 league standard pitches at St James’ Park and 2 additional league
standard pitches elsewhere in Paisley is explicitly stated as a component of the GARP project. Proposed arrangements during construction works when temporary pitches will be provided are also set out in detail. In addition, greater detail on the design of the aviation fuel farm at Glasgow Airport is provided, which incorporate both mitigation measures and a description of proposed routes that will be used by vehicles taking materials to the main construction areas.


7. Subsequent assessment chapters of the Final Environmental Statement were consequently amended to take into account the above developments and other minor changes were incorporated throughout.
<table>
<thead>
<tr>
<th>No.</th>
<th>PBU Review Summary Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.0</td>
<td>Description of the Project</td>
<td></td>
</tr>
<tr>
<td>1.1</td>
<td>Raw materials used, energy needed and emissions created by construction, operation and decommission are currently addressed in general terms.</td>
<td>Where this more detailed information was available, amendments were made to the Final Environmental Statement generally to refine and to assess more precisely the impacts associated with these elements.</td>
</tr>
<tr>
<td>1.2</td>
<td>Off-site impact limited as Environmental Statement does not define source or quantities of construction materials or spoil.</td>
<td>Information on sources and quantities of construction materials was not available for the GARL Bill Environmental Statement as this will be dependent on the precise design and construction methods employed to deliver the GARL project, details of which will emerge through the detailed design and tendering stage of the project.</td>
</tr>
<tr>
<td>1.3</td>
<td>Waste disposal management strategy needs to be developed in the Environmental Management Plan (EMP).</td>
<td>The Final Environmental Statement now refers throughout to the Code of Construction Practice (CoCP) rather than an ‘EMP’, which are equivalent. The Draft CoCP includes a section (CoCP section 4.6) on waste management.</td>
</tr>
<tr>
<td>1.4</td>
<td>Additional services which may be needed (transport access, water sewerage, etc.) not yet identified fully.</td>
<td>Where this information was available, assessment of impacts associated with these elements were included generally throughout the Final Environmental Statement.</td>
</tr>
<tr>
<td>1.5</td>
<td>Further information on, and better identification of, key milestones needed.</td>
<td>The Draft Environmental Statement included an outline programme of works that included milestones where known (Chapter 2 Scheme Description, section 2.4 and also the Appendix to Chapter 2). However, further details on programming will be dependent on the precise design and construction methods employed to deliver the GARL project, details of which will emerge through the detailed design and tendering stage of the project.</td>
</tr>
<tr>
<td>No.</td>
<td>PBU Review Summary Comment</td>
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<tr>
<td>1.6</td>
<td>Only partial reference to cumulative effect on other existing or planned developments in the area.</td>
<td>The objective of the Environmental Impact Assessment was to assess the environmental impacts of the scheme going forward in the GARL Bill. This was undertaken with reference to the ‘baseline’ of existing developments in the area, e.g. urban environment, the existing railway infrastructure and services and Glasgow Airport; and where the scheme ‘added’ to existing impacts, such as with noise associated with current rail services, this was considered on the Final Environmental Statement. With regard to planned developments in the area and cumulative impact assessment, the normal approach is to take into account significant developments <em>that have planning consent</em>. Chapter 5 (Land Use) discusses current (at that time) planning applications and as no applications for major development were identified the cumulative impacts of the GARL project with regard to significant planned developments were discounted.</td>
</tr>
<tr>
<td>1.7</td>
<td>No description of materials to be used for visible structures.</td>
<td>This was not addressed in the Final Environmental Statement as the materials and finishes used for visible structures will be dependent on the precise design and construction methods employed to deliver the GARL project. These are details that will emerge through the detailed design and tendering stage of the project.</td>
</tr>
<tr>
<td>2.0</td>
<td>Consideration of Alternatives</td>
<td>The Draft and Final Environmental Statement devote approximately half of Chapter 2 Scheme Description to the consideration of alternatives (section 2.6, pages 2-8 to 2-16) and does go into considerable detail. Note that there is no requirement in the Environmental Impact Assessment (Scotland) Regulations 1999 to undertake an Environmental Impact Assessment of alternatives rejected.</td>
</tr>
<tr>
<td>2.1</td>
<td>Detail is limited but Environmental Statement makes provision for consideration of alternatives through STAG.</td>
<td></td>
</tr>
<tr>
<td>3.0</td>
<td>Description of the Environment Likely to be Affected by the Project</td>
<td></td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th>No.</th>
<th>PBU Review Summary Comment</th>
<th>Response</th>
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</thead>
<tbody>
<tr>
<td>3.1</td>
<td>There is no indication in the report if current land use, and ownership of land to be occupied by the project, is adequately addressed in the Environmental Statement.</td>
<td>Chapter 5 Land Use, included in the Draft Environmental Statement and Final Environmental Statement, discusses the impacts on land use in depth (pages 5-1 to 5-11). Ownership of land within the scheme limits, as listed in the Book of Reference, is also identified in this chapter.</td>
</tr>
<tr>
<td>3.2</td>
<td>Ecology and nature conservation studies information is limited. E.g. infers in text only single survey done on amphibians which does not satisfy regulatory framework.</td>
<td>We are unsure as to what is meant by 'regulatory framework', and in any case we do not agree that the survey work does not satisfy the requirements of current legislation relating to wildlife and habitats. Single surveys were undertaken for various protected species and where further survey work was identified, which should be undertaken prior to commencement of construction, this was identified in Chapter 9 Ecology and Nature Conservation of the Final Environmental Statement (e.g. section 9.4.2).</td>
</tr>
<tr>
<td>3.3</td>
<td>No geophysical/intrusive archaeological survey has been completed.</td>
<td>Results of a geophysical investigation are included in the Final Environmental Statement Chapter 11 Geology, Soils and Contamination (section 11.3.2). No intrusive archaeological investigation was undertaken for the EIA. However, measures for detailed archaeological field evaluation, including selective machine trenching and a watching brief during ground breaking generally are included amongst other detailed mitigation measures (section 8.5.3 of the Final Environmental Statement). These measures have been discussed and approved by the West of Scotland Archaeology Service (WoSAS).</td>
</tr>
<tr>
<td>3.4</td>
<td>Further detail on diversion of watercourses would be helpful.</td>
<td>The GARL project does not require the diversion of any watercourse.</td>
</tr>
<tr>
<td>No.</td>
<td>PBU Review Summary Comment</td>
<td>Response</td>
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<tr>
<td>3.5</td>
<td>Little consideration is given to loss of cycleways/footpaths.</td>
<td>Chapter 12 Traffic and Transport of the Final Environmental Statement provides further details and strengthened the mitigation measures for ensuring that cycleways and footpaths are not permanently lost as a result of the GARL (sections 12.4.2.5 and 12.4.3.4) and that alternative routes are provided during construction.</td>
</tr>
<tr>
<td>4.0</td>
<td>Description of the Likely Significant Effects of the Project</td>
<td>The impact assessment chapters (Chapters 5 to 14) within the GARL Final ES consider the “Construction” impacts and the “Permanent and Operational” impacts of the scheme, which we consider cover these topics adequately.</td>
</tr>
<tr>
<td>4.1</td>
<td>Temporary, short term, permanent and cumulative effects of the project on the environment are only partly described.</td>
<td></td>
</tr>
<tr>
<td>4.2</td>
<td>Health Impact Assessment not included.</td>
<td>There is no requirement in the Environmental Assessment (Scotland) Regulations 1999 for an Environmental Statement to consider health impacts of a scheme and therefore we did not include an HIA within the Final Environmental Statement.</td>
</tr>
<tr>
<td>4.3</td>
<td>Effects associated with non-standard operating conditions are not addressed in the Environmental Statement.</td>
<td>It was considered that environmental impacts non-standard operating conditions of the passenger service that would comprise the GARL project would not be significant and therefore this is not considered in the Final Environmental Statement. However, non-standard operating conditions associated with the proposed fuel farm are considered in the Final Environmental Statement, particularly with regard to the water environment (Chapter 10) and ecology (Chapter 9), and this is why further design details and operational requirements of the new fuel farm facility are discussed in Chapter 2, Scheme Description (section 2.3.11). These detailed parameters were developed in order to mitigate potential standard and non-standard operating conditions associated with this facility.</td>
</tr>
<tr>
<td>No.</td>
<td>PBU Review Summary Comment</td>
<td>Response</td>
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<tr>
<td>4.4</td>
<td>No attempt has been made to quantify levels of construction traffic.</td>
<td>Details of the likely numbers of vehicle movements relating to each access road / haul route required for construction of GARL are included in the Appendix to Chapter 2, Tables A2.1 and A2.2 of the Final Environmental Statement.</td>
</tr>
<tr>
<td>4.5</td>
<td>No indication of working hours of construction sites (potential for night time and weekend working as most of the route is alongside already used lines).</td>
<td>Proposed working hours, etc., are set out in Section 3.3 of the Draft CoCP.</td>
</tr>
<tr>
<td>4.6</td>
<td>No reference to Code of Construction Practice for the Scheme.</td>
<td>The CoCP is referred to throughout the Draft and Final ES.</td>
</tr>
<tr>
<td>4.7</td>
<td>Significant road closures are planned (including the M8) which are described in the Environmental Statement as having “minor negative” impact without evidence to support the assertion.</td>
<td>The impact of road closures was reassessed for the Final ES (see section 12.4.3.2) and more detail provided on justification for the level of impacts assessed. Details of the assessment methodology are set out in section 12.2.2. Note that the M8 closure will be on a single occasion and will be an overnight closure when traffic flows are likely to be at their lowest.</td>
</tr>
<tr>
<td>4.8</td>
<td>Significance criteria adopted for reaching assessment is not outlined, recommended that generic criteria are devised.</td>
<td>The significance criteria for each topic are clearly set out in each assessment chapter of the Draft and Final Environmental Statement.</td>
</tr>
<tr>
<td>4.9</td>
<td>Recommended a dedicated chapter addressing interaction and cumulative effects included prior to Environmental Statement release.</td>
<td>As discussed in the answer to point 1.6 above, cumulative impacts associated with existing development is discussed where relevant in specific chapters and as no significant approved planning developments were identified the cumulative impacts with planned development was discounted as part of the Environmental Statement.</td>
</tr>
<tr>
<td>5.0</td>
<td>Description of Mitigation</td>
<td></td>
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<tr>
<td>No.</td>
<td>PBU Review Summary Comment</td>
<td>Response</td>
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<tr>
<td>5.1</td>
<td>It is recognised that mitigation design is limited by the outline design stage of the scheme and has not been devised beyond an initial understanding. However, further evidence of the promoters [sic] commitment to implementation and funding of any mitigation measures is required.</td>
<td>In publishing mitigation measures within the Final Environmental Statement, the Promoter is in effect committing to implementing these measures. In addition, the Promoter, in seeking to meet with interested parties, is being proactive in seeking to agree appropriate mitigation measures with these parties. An example of this is the ongoing negotiations between the Promoter and Renfrewshire Council regarding the mitigation at St James' Park. In addition, we consider that an Environmental Statement is not appropriate document to discuss funding or other financial considerations when assessing environmental impacts and mitigation measures.</td>
</tr>
<tr>
<td>6.0</td>
<td>Non Technical Summary</td>
<td>On the grounds of keeping the Non Technical Summary (NTS) as succinct and 'non-technical' as possible it was decided that the Final NTS would not include an appreciation of the planning context or the inclusion of significance criteria. This approach is supported by Regulation 2(1) and Schedule 4, Part 2 of the Environmental Impact Assessment (Scotland) Regulations 1999, which set out the information to be included in an Environmental Statement and the NTS and which do not require that the NTS contains either of these elements.</td>
</tr>
<tr>
<td>7.0</td>
<td>Summary</td>
<td></td>
</tr>
<tr>
<td>7.1</td>
<td>ES make reference to an Environmental Management Plan, the inclusion of which would deal with the present vulnerability in the scheme.</td>
<td>This is now referred to as the Draft CoCP and this has been submitted to Parliament in support of the GARL Bill.</td>
</tr>
<tr>
<td>7.2</td>
<td>Overall the GARL Environmental Statement presents both adverse and beneficial impacts evenly and can be considered an objective presentation of the impacts.</td>
<td>Noted.</td>
</tr>
<tr>
<td>No.</td>
<td>PBU Review Summary Comment</td>
<td>Response</td>
</tr>
<tr>
<td>-----</td>
<td>----------------------------</td>
<td>----------</td>
</tr>
<tr>
<td>7.3</td>
<td>It is recommended that a web version is produced and hard copies made available at partner libraries to offset negative comments on cost.</td>
<td>This has been done.</td>
</tr>
</tbody>
</table>