The Committee will meet at 9.30 am in the Chamber, to consider the following agenda items:

1. **Items in Private**: The Committee will consider whether to take items 5, 6 and 7 in private.

2. **Water Industry (Scotland) Bill**: The Committee will consider the Bill at Stage 2 (Day 1).

3. **Subordinate Legislation**: The Committee will consider the following negative instrument—

   The Smoke Control Areas (Authorised Fuels) (Scotland) Regulations 2001, (SSI 2001/433)

4. **Public Petition**: The Committee will consider Petition PE357 by Aberdeen City Council on Investment Transport Infrastructure.

5. **Witness Expenses**: The Committee will consider whether to approve claims for expenses in relation to witnesses on its aquaculture inquiry.

6. **Committee Visits**: The Committee will consider possible visits by the Committee and the Committee’s reporters which would require approval by the Conveners’ Liaison Group.

7. **Aquaculture Research Co-ordinator**: The Committee will consider a paper by the Reporters on the proposed appointment of a research co-ordinator.
The following public papers are relevant for this meeting:

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<th>Paper Description</th>
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<td>Cover note on SSI 2001/433 (Agenda item 3)</td>
<td>TE/01/32/1</td>
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<tr>
<td>The Smoke Control Areas (Authorised Fuels) (Scotland) Regulations 2001, (SSI 2001/433) (Agenda item 3)</td>
<td>TE/01/32/2</td>
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<tr>
<td>Cover note on Petition PE357 by Aberdeen City Council, plus accompanying information (Agenda item 4)</td>
<td>TE/01/32/3</td>
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In addition to the above papers, the Water Industry (Scotland) Bill and Accompanying Documents are also relevant to this meeting. Copies of the Marshalled List of Amendments will be available from the Document Supply Centre on the morning of the meeting and will be available at the start of the meeting in the Chamber. A list of the groupings of amendments will also be available at the start of the meeting.
Subject: The Smoke Control Areas (Authorised Fuels) (Scotland) Regulations 2001, (SSI 2001/433)

Meeting No: 32nd Meeting

Date: 19 December 2001

Author: Note by the Assistant Clerk

Introduction and Background

1. The Smoke Control Areas (Authorised Fuels) (Scotland) Regulations 2001, (SSI 2001/433) was laid on 23 November 2001. The regulations come into force on 17 December 2001. The Transport and the Environment Committee has been designated as the lead committee for the consideration of this instrument. An Executive note accompanies the regulations.

2. The order was laid under a "negative procedure" which means that the Parliament has the power to annul the order by resolution within 40 days, excluding recess. The time limit for Parliamentary action expires on 13 January 2002.

3. Any MSP may lodge a motion to propose to the lead committee that the order be annulled. The Committee is required to report on the instrument by 7 January 2002. Should a motion for annulment be lodged, under Rule 10.4, the Transport and the Environment Committee must debate the issue and then report to the Parliament with its decision.

4. The timetable for considering the instrument is such that the only scheduled meeting at which a motion for annulment for the instrument can be taken is on 19 December 2001.

5. If any member has any questions on the instrument or wishes to have an aspect of the instrument clarified by the Scottish Executive, he or she should contact the Clerk by the end of Monday 17 December in order that an official from the Executive can be asked to attend the meeting on Wednesday, 19 December.

Purpose of the Instrument

6. The Regulations extending to Scotland consolidate the nine sets of regulations which have previously declared fuels to be authorised fuels for the purposes of the Clean Air Act 1993 and four additional fuels are authorised.

Subordinate Legislation Committee

7. The Subordinate Legislation Committee considered this instrument at its meeting on 4 December 2001. In its 43rd report the Committee determined that the attention of the Parliament need not be drawn to the instrument. In its report the
Committee also noted, with approval, that the Executive has chosen to consolidate the Regulations in making the instrument.

**Recommendation**

8. The Committee is invited to agree its report on the instrument.

Alastair Macfie  
Assistant Clerk to the Transport and the Environment Committee  
December 2001
Subject: Petition 357 – Petition by the Aberdeen City Council on investment in Transport Infrastructure

Meeting No: 32nd Meeting

Meeting Date: Wednesday 19 December 2001

Introduction

This paper asks the Committee to consider Petition PE 357 by Mr Douglas Paterson, Chief Executive of Aberdeen City Council. The Petition requests that the Parliament support calls for the necessary investment in transport infrastructure in the Aberdeen area to be provided as a matter of urgency. The following papers are attached for members’ information:

- the petition itself;
- the Official Report of the Public Petitions Committee consideration of the petition;
- a letter (dated 5 June) from the Scottish Executive to the PPC;
- a further submission from the Scottish Executive;
- a written submission from the petitioners;
- an extract from the Official Report of the Committee meeting of 9 November;
- a further submission containing additional information supplied subsequent to the Committee meeting of 9 November 2001.

Progress of the Petition

The Public Petitions Committee first considered the Petition on 8 May 2001. The PPC agreed to seek the views of the Scottish Executive on the issues raised and on the current status of talks with NESEDEP (North-East Scotland Economic Development Partnership, the predecessor organisation of NESTRANS) on these issues. The response from the Scottish Executive has previously been copied to the Petitioner. The PPC considered the response from the Executive at their meeting on 19 June and agreed to refer the petition to this Committee.

This Committee first considered the petition on 5 September, and agreed to take evidence from the North-East Scotland Transport Forum (NESTRANS) which comprises representatives of Aberdeen City Council, Aberdeenshire Council, the Aberdeen Chamber of Commerce, and Scottish Enterprise Grampian.

The Committee heard this evidence at their meeting in Aberdeen on 9 November 2001. After hearing this evidence the Committee noted that the witnesses had offered to provide supplementary written evidence to the Committee. The Committee agreed to defer consideration of its response to Petition PE357 until this evidence had been received.
The supplementary evidence requested by the Committee is attached, and this covers four main issues:

• Components and funding of the Modern Transport System (MTS)
• Traffic Flow Projections
• Critical path for the implementation of the MTS
• Outcomes from investment in the MTS

NESTRANS have also provided additional information regarding the proposed Western Peripheral Route, Public Transport and Freight and Land and Industry.

NESTRANS has specifically requested that the Committee:

a) acknowledges the transport problems of Aberdeen and the north east and the need for these to be addressed in the national economic interest;

b) recognises the need for upgrading of the strategic road network in the north east and the Executive’s responsibility for this;

c) undertakes a review of the Public Transport and Integrated Transport Funds to include measures which contribute to modal shift;

d) indicates support to the regional transport strategy set out in NESTRANS’ proposals for the Modern Transport System and as detailed through the Council’s Local Transport Strategies;

e) encourages the Executive to continue and enhance their national travel awareness campaigns working closely with regional interests such as NESTRANS; and

f) calls for significantly increased funding for transport in Scotland to meet the needs of regional transport strategies as demonstrated in Aberdeen and the north east.

Issues

The Executive has previously stated (in their letter of 5 June) that they are in regular contact with NESEDEP regarding the proposals for an integrated Modern Transport System (MTS). Some of the proposals in this scheme have already been taken forward, as can be seen from the most recent NESTRANS submission. On 14 March the Minister announced a £1.25 Million package to assist the MTS development. However, while the Executive has expressed support for the MTS, the petitioners are seeking further financial commitments from the Executive for the development of the MTS over the next 10 – 15 years.

The biggest area of contention is the development of the Aberdeen Western Peripheral bypass. The rationale for this development has been covered in previous evidence, and is summarised in the latest submission from NESTRANS, which also identifies a funding gap for this element of the MTS.

In relation to the specific requests made by NESTRANS, members will wish to consider the evidence put before them by the petitioners and the Scottish Executive. Members may wish to seek the views of the Executive on the matters raised by the petitioners prior to reaching a view on whether they support these requests.
The thrust of the NESTRANS submission is that the delivery of the MTS is an issue of strategic and national importance. In this regard, members should be aware that a Transport Delivery Plan is likely to be published in the next couple of months. The Committee may therefore wish to consider taking evidence from the Minister for Enterprise, Transport and Lifelong Learning on the transport delivery plan in due course. Such an evidence taking session would also allow the Committee to question the Minister on areas of concern outlined by NESTRANS and how the MTS envisaged by NESTRANS fits into this national plan.

The Committee has also previously agreed (during consideration of the budget) that it wishes to receive a briefing from Scottish Executive officials on the operation of the Scottish Transport Appraisal Guidance (STAG), which is designed to allow evaluation of schemes across different modes of transport. The Committee would also have the option of following up some of these issues and – should it so wish - the matters raised by the petitioners relating specifically to NESTRANS funding issues at Stage 1 consideration of the 2003/4 budget.

Options

Option A

The Committee may choose to conclude the petition by noting the contents of the petition, and agreeing to bear the points made by the petitioners in mind when considering transport and budgetary issues over the course of the parliamentary session.

Option B

Having considered the further evidence from the petitioners, members may wish to progress the petition by taking evidence from the Minister for Enterprise, Transport and Lifelong Learning raising the points that have emerged in evidence. The Committee could agree to schedule such an evidence session at a time that allows it to cover matters relating to the Transport Delivery Plan; the development of national transport priorities and issues arising from the petition.

In advance of such an evidence-taking session, members may wish to receive a briefing on the operation of STAG.

The Committee may of course take any other competent action it thinks appropriate.

Conclusion

The Committee is invited to consider the options above, or any other competent action they wish to take, and agree how to take forward consideration of the issues raised by the petition.

Tracey Hawe
Senior Assistant Clerk