THE FORTH CROSSING BILL

OBJECTION NO 66 – QUEENSFERRY BUSINESS ASSOCIATION

We, The Queensferry Business Association wish to object to the above Bill. Our Objection is set out below.

Our Objection is to the parts of the Bill as set out below, and is not an objection to the whole Bill.

Introduction to this objection:
This objection is to the supporting Environmental Statement, Section 6, ‘Consultation and Scoping’, which is inaccurate for reasons set out below.
Recommendation: As this Statement forms the basis of many of the core aspects of the Bill we ask that the Pre-Introduction Stage of the Bill is extended to allow for meaningful consultation to take place with our members and others, and that then in the light of this consultation the scheme design is reviewed and the content of the Bill is revised accordingly.

1.0 Inaccuracies in Forth Replacement Crossing: Environmental Statement (ES)
We contest that the following statements contained within this document are not entirely true, for reasons set out in sections 2 and 3 below:

1.1 Section 6.1.1 which states that: ‘Consultation has provided an iterative and ongoing input to the progression of the proposed scheme throughout the EIA and design process.’
1.2 Section 6.1.3 which states that: ‘...statutory consultees, other bodies with a particular interest in the environment, and members of the public were informed of the proposals and provided with an opportunity to comment.’

2.0 Opportunity to Comment
This section describes the supply of information to our members during the Pre-Introduction stage of the Bill, and how our members were denied adequate opportunity to comment on the proposed scheme and how it might adversely impact upon their businesses. It illustrates that the ‘Consultation’ has not been ‘iterative’ nor ‘ongoing’ (as stated in section 6.1.1 of the Environmental Statement), nor has the ‘Engagement’ encouraged ‘substantive deliberation’ (contrary to the statement in section 6.1.3 of the Environmental Statement) and that therefore our members have not been provided with an opportunity to comment on the scheme as proposed in the Bill resulting potential adverse impact of the proposed scheme upon our members.

2.1 Public Exhibitions were held in January 2009, on which extensive comments were returned by us on behalf of our members. The scheme presented at these exhibitions was extensively reconfigured before being presented to the public in a series of exhibitions at the end of November 09. Some of these changes are noted in the Environmental Statement in section 6.3.7. These changes include the relocation for the South Queensferry Junction and complete reconfiguration of public transport access to the existing Forth Bridge. In effect these changes add up to a very different proposed scheme with fresh
potential impacts upon our members (See section 4 below with respect to these impacts).

As the dates of the second Public Exhibition were after the Introduction of Bill our members did not have any opportunity to make comments on the new scheme before the Bill was introduced.

2.2 **Display Panels** showing aspects of the revised scheme were erected in South Queensferry Library in August 2009 – as set out section 6.1.17 of the Environmental Statement. The information displayed was limited and there was inadequate advertising of this event, meaning that most of our members were unaware of it. The limited opening hours of South Queensferry Library also meant that some of our members were unable to gain access when not at work. Furthermore, as this display was unmanned there was no opportunity for posing questions or gaining clarification of the proposals, nor was there the chance for this display to capture any meaningful feedback to inform an iterative consultation process. In effect this display contributed nothing to a consultation process as it is set out in the Environmental Statement, nor as recognised by PAN 81 (the Scottish Government’s Planning Advice Note 81: Community Engagement, Planning with People).

2.3 **Consultation Meetings** were undertaken with statutory consultees in spring 2009, as set out in section 6.2 of the Environmental Statement. This included a meeting with Queensferry and District Community Council which includes a formal representative of the Queensferry Business Association. The revised proposals for the proposed South Queensferry infrastructure were presented to the QDCC and our representative at a meeting in April 2009. It was explicitly stated by Transport Scotland at this meeting that those present were not to inform anyone outside the meeting that proposals had been substantially revised. It was also noted by Transport Scotland that those present had a maximum of seven days to respond to them with any feedback. This denied our members from commenting on the revised proposals. It also denied our representative on the QDCC any opportunity to comment as they themselves would have needed to gather the views of our members to do this. Therefore this meeting provided no opportunity for meaningful comment on the revised scheme. The seven days imposition also ran counter to Transport Scotland’s requirement, set out in section 6.2.20 of the Environmental Statement to ‘provide at least 28 days for consultees to issue a written response to the consultation material.’ It is understood that Queensferry and District Community Council is a Statutory Consultee to which this condition applies.

3.0 **Misleading and Inaccurate Information during Consultation**

The quality of display material during the Pre-Introduction period has been poor, inaccurate and misleading. This has denied our members the opportunity for meaningful and fully informed comment on the proposals, as set out in section 6 of the Environmental Statement.

3.1 **Inaccurate Display Material in January Exhibition**

The Transport Scotland imagery displayed below, shown in the January 2009 exhibitions, was incorrect and contradictory. This and other imagery were also of low quality and misleading in that landscaping proposals were incorrect and incomplete, maps and photo montages show the South Queensferry Junction in
different locations (showing cuttings where embankments were actually proposed), and also in that traffic, lighting and overhead gantries were not illustrated.

Below: Figure 1: Transport Scotland map from Transport Scotland January Exhibitions showing proposed roads configuration at South Queensferry.
Below: Figure 2a: Transport Scotland photo montage from Transport Scotland January 2009 Exhibitions showing proposed roads configuration at South Queensferry.

Below: Figure 2b: Figure 2a corrected by Objector to show location of junction as illustrated on Transport Scotland Maps and to show correct extent of embankments and cuttings (in grey). Note TS visuals exaggerate extent of cutting proposed on TS maps and underplay the extent of the embankments proposed on TS maps.
Below: Figure 3a: Transport Scotland photo montage from Transport Scotland January 2009 Exhibitions showing proposed roads configuration at South Queensferry.

Below, Figure 3b: Figure 3a corrected by Objector to show location of junction as illustrated on Transport Scotland Maps (TS maps show black highlighted junction location, TS visuals show red highlighted location) and to show correct extent of embankments and cuttings as shown on TS maps (in grey). Note the extent of embankments in visuals is considerably less than on maps.
3.2 Inaccurate Display Material in November Exhibition
The more detailed Transport Scotland imagery displayed below, shown in the November 2009 exhibitions, was also incorrect and contradictory. Trees are shown growing on top and across Builyeon Road (the current A904). The accuracy of the entire computer model therefore comes into question.
4.0 Summary

4.1 Adverse affect on the objector of the inadequate consultation process:

The examples cited in sections 2 and 3 above illustrate that the statements in the Environmental Statement cited in Section 1 are incorrect, and that our members have been denied the opportunity to make meaningful comment on the scheme as now proposed in the Bill, and therefore assess the impact of the proposals upon their businesses. This has also caused great uncertainty in the future infrastructure and physical environment of South Queensferry, meaning our members have been unable to plan strategies to adapt to the potential changes that would ensue with implementation of the proposed scheme. For example businesses that rely on the passing trade to the current Forth Bridge whose customers will be drawn away, businesses that sit in or close to the direct path of the works and will be affected by the construction works. This will ultimately have a financial cost to our members business and may even threaten the viability of some of our member’s businesses. This poor consultation is also in breach of our members rights under sections and clauses of the Aarhus Convention cited below:

Article 5, Collection and Dissemination of Environmental Information
Clause 8, which states that
“Each Party shall develop mechanisms with a view to ensuring that sufficient product information is made available to the public in a manner which enables consumers to make informed environmental choices.”

Article 6, Public Participation in Decisions on Specific Activities
Clause 2, which states that:
“The public concerned shall be informed, either by public notice or individually as appropriate, early in an environmental decision-making procedure, and in an adequate, timely and effective manner, inter alia, of:
(a) The proposed activity and the application on which a decision will be taken;
(b) The nature of possible decisions or the draft decision;”

Clause 3 which states that:
“The public participation procedures shall include reasonable time-frames for the different phases, allowing sufficient time for informing the public in accordance with paragraph 2 above and for the public to prepare and participate effectively during the environmental decision-making.”

Clause 4 which states that:
“Each Party shall provide for early public participation, when all options are open and effective public participation can take place.”

4.2 Adverse Affect on the objector of the inadequate design proposals:
The inadequate level of Consultation through the pre Introduction Stage of the Bill cited in this objection has resulted in inadequate proposals for which the impact upon our members businesses has not been properly assessed. Amongst other issues we are extremely concerned that the physical environment and amenity value of South Queensferry will be diminished by:
a) The projected increase in vehicle numbers crossing the forth in the vicinity of South Queensferry cited in The Design Manual for Roads and Bridges, Stage 3 Report, Figures 5.7, 6.1 & 6.2.
b) The increase in vehicles travelling through South Queensferry cited in the Environmental Statement, Chapter 4, figure 4.3b
c) Blight during Construction Works and blight through the sheer physical size of the proposals illustrated in the Design manual for Roads and Bridges.

Many of our members rely on the high quality of the current physical environment of South Queensferry to attract their customers, many of whom are tourists and visitors. Our members also rely on this high quality of local environment to attract high quality employees to work outside the centre of Edinburgh. The sections of the Bill cited at a) and b) above indicate that the quality of this physical environment will be diminished by the current scheme’s proposals through increased atmospheric and noise pollution and increased traffic numbers through South Queensferry. Consequently our members will suffer loss of business, difficulties in attracting high quality employees, lowering property values and consequent financial hardship.

Increased congestion on the roads through and around Queensferry will be caused:

- During the construction works through the disruption of the existing roads infrastructure.
- After completion of the proposed FRC through the increases in vehicles travelling through South Queensferry as cited above.

This increased congestion will further diminish the quality of the physical environment of South Queensferry, and restrict access to and from our members’ businesses. Again this will lead to our members suffering loss of business, difficulties in attracting high quality employees, lowering property values and consequent financial hardship.

About The Queensferry Business Association
The Queensferry Business Association is a dynamic, diverse membership organisation representing around 50 businesses in South Queensferry, Dalmeny and Kirkliston. Our focus is to be actively opening the door to business opportunities critical to maintaining a strong and healthy economy.

Signed: DJG Flett, Chair, for and behalf of The Queensferry Business Association
William Tunnell, for and on behalf of The Queensferry Business Association

Date: 20th January 2010