TRANSPORT, INFRASTRUCTURE AND CLIMATE CHANGE COMMITTEE

AGENDA

9th Meeting, 2010 (Session 3)

Tuesday 13 April 2010

The Committee will meet at 2.00 pm in Committee Room 2.

1. **Inquiry into the relationship between transport and land use planning policies:** The Committee will take evidence from—

   Jonny Moran, Development Management Manager, Trunk Roads Network Management, Alison Irvine, Senior Transport Planner, Transport Scotland, Helen Wood, Principal Planner, Directorate for the Built Environment, and Graeme Purves, Assistant Chief Planner, Directorate for the Built Environment, Scottish Government.

2. **PE1181:** The Committee will consider a Petition by Helena Coxshall calling on the Scottish Parliament to urge the Scottish Government to make representations to the UK Government about the cost of fuel in the Western Isles and other rural areas of Scotland which are now amongst the most expensive places in the world to buy petrol or diesel; to highlight in particular the refusal of the UK Government to introduce measures similar to those operating in France which reduce the tax on fuel in very remote areas; to protest at the serious consequences which high fuel prices have for fishermen, motorists and businesses in island and rural areas and to request parity with mainland city prices.

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The papers for this meeting are as follows—

**Agenda item 1**

PRIVATE PAPER TIC/S3/10/9/1 (P)

Written evidence from the Scottish Government TIC/S3/10/9/2

**Agenda item 2**

Paper by the Clerk TIC/S3/10/9/3
Introduction

1. The TICC is currently examining the relationship between transport and land use planning policies. Evidence will be taken from officials in the Scottish Government Planning Directorate at the Committee’s meeting on 13 April 2010. Transport officials will also attend to give supporting evidence.

2. In order to help inform the Committee on the issues involved, the following short note sets out the legislative and policy background - from a Transport perspective - with regard to local and regional transport strategies, and their relationship to the land use planning process.

Local Transport Strategies

3. Local transport strategies have their statutory basis in the Transport (Scotland) Act 2001. Existing guidance on the preparation of Local Transport Strategies (LTS) was published in February 2005 and constituted guidance to local transport authorities for the purposes of section 79 (1) (d) of the Transport (Scotland) Act 2001. This followed publication of the then Government’s White Paper Scotland’s Transport Future, and set transport planning in the context of the new agency, Transport Scotland, and the proposed statutory Regional Transport Partnerships (RTPs).

4. Although now 5 years old, much of the existing guidance, remains relevant. It set LTSs in the context of the developing National Transport Strategy and the RTPs, and set out five broad elements to the strategy process. The first of these - Analysis - requires authorities to take account of planned developments, as well as the plans and strategies of neighbouring local authorities and community planning partners.

5. Paragraphs 1.38 and 1.39 of the LTS Guidance deal with links with development plans and specifically state that:

   “….local transport strategies should support land use planning by providing for appropriate transport infrastructure and services …. Local plans and local strategies should be co-ordinated and support one another’s objectives.”

6. The current guidance goes on to describe in detail how local transport authorities can translate national and regional transport objectives into a local context, and describes detailed options for delivering against these objectives.

7. As noted above, the guidance is now 5 years old, although much of it remains relevant. Nevertheless, a number of authorities, for example Glasgow City Council, have been reviewing the guidance for their own needs, as they are currently developing a revised LTS. The Scottish Government plans to undertake a refresh of the National Transport Strategy (NTS). Published in 2006, the NTS includes a commitment to review every 4 years, meaning that a review would be due towards the end of this year. We are considering how the LTS guidance might be reviewed in parallel.


Regional Transport Strategies

9. The statutory Regional Transport Partnerships (RTPs) were established under Part 1 of the Transport (Scotland) Act 2005. Sections 5 to 9 make provisions requiring each RTP to prepare a
strategy for transport within its region, and includes a requirement that an RTP consult its constituent councils before finalising its strategy. In addition, section 8 of the Act places a duty on each constituent council to perform its functions which relate to transport consistently with the strategy.

10. Guidance on the preparation of Regional Transport Strategies (RTSs) was published in March 2006. (Available at http://www.scotland.gov.uk/Publications/2006/03/06145237/0). As with the guidance for LTSs, this document makes it clear (paragraph 13) that:

   “All strategies should be based on .... Strong partnership working: between the members of the RTP, between the RTP and its constituent councils ....”

11. This partnership approach was reinforced by a letter, dated 16 December 2009, from the Scottish Government’s Chief Planner to Heads of Planning in local authorities, encouraging them to develop a more formal approach to consulting Regional Transport Partnerships on specific, significant development applications. A copy of this letter is attached for reference. This most recent initiative has been warmly welcomed by the RTPs, and has already led to closer working relationships in a number of areas across Scotland.

12. Section C of the RTS guidance - Context - includes detailed sections (paragraphs 49 to 58 inclusive) on the links between transport and land use planning, referencing in particular the National Planning Framework, extant Planning guidance and the then proposals for modernising the planning system.

13. The 7 RTSs were approved by Ministers in summer 2008. Under the current guidance, it is suggested that Strategies be reviewed every 4 years. As with the LTS guidance, officials are currently considering how the RTS guidance might be reviewed and updated in the context of a refreshed National Transport Strategy.

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Scottish Government Transport Directorate
Transport Strategy Division
April 2010
16 December 2009

Dear Colleague

CONSULTING REGIONAL TRANSPORT PARTNERSHIPS ON PLANNING APPLICATIONS

We are keen to encourage focussed and targeted consultation on both development plans and development management, complementing the consultation required by legislation.

As you will know, Regional Transport Partnerships are key agencies in the development planning process, and are statutory members of Community Planning Partnerships. While they are not statutory consultees in the development management process, they may provide useful and relevant information to the decision making process for developments which may raise significant regional transport issues. Given this, there may be benefits in agreeing an approach whereby your Regional Transport Partnerships are consulted on a specific and limited number of development applications.

The approach taken to this additional consultation is a matter for planning authorities to agree with the relevant RTP. I would encourage you to discuss with your local RTP the possibility of agreeing an approach to consultation on certain planning applications.

Yours sincerely

JAMES G MACKINNON
TRANSPORT, INFRASTRUCTURE AND CLIMATE CHANGE COMMITTEE

NOTE ON PETITION PE1181
13 April 2010

Introduction

1. This note asks the Committee to consider for the third time the following petition which was lodged on 25 August 2008:

   *Petition by Helena Coxshall calling on the Scottish Parliament to urge the Scottish Government to make representations to the UK Government about the cost of fuel in the Western Isles and other rural areas of Scotland which are now amongst the most expensive places in the world to buy petrol or diesel; to highlight in particular the refusal of the UK Government to introduce measures similar to those operating in France which reduce the tax on fuel in very remote areas; to protest at the serious consequences which high fuel prices have for fishermen, motorists and businesses in island and rural areas and to request parity with mainland city prices.*

Background

2. The Public Petitions Committee (PPC) considered the petition on two previous occasions and the PPC and the Scottish Government wrote to each other on numerous occasions regarding the contents of this petition. Copies of these letters are available from the Clerk.

Action taken by the Committee

3. The TICC Committee has considered this petition at its meetings on 24 November 2009 and 24 February 2009. For further background information see papers TIC/S3/09/26/4 and TIC/S3/09/7/3.

4. Following both considerations, the Committee wrote to the Cabinet Secretary for Finance and Sustainable Growth on issues raised during discussion. A copy of the latest letter and the Cabinet Secretary’s response is attached at Annex A to this paper. An extract from the Official Report from the Committee’s most recent consideration is attached at Annex B to this paper. Copies of previous correspondence are available from the Clerk.

5. The Committee has repeatedly expressed its concern regarding rural fuel prices and the UK Government’s refusal to consider this issue further. The Committee has also written to the Scottish Government with various suggestions on how to take forward the issues raised in the petition which are not reserved. The Committee also agreed not to close the petition until a response was received from the Scottish Government to its latest letter.
6. **Response from the Scottish Government**

10. In March 2010, the Cabinet Secretary responded to the Committee stating that he had once again written to the Chancellor on this matter and will continue to pursue a reduction in fuel duty in remote and rural Scotland in any related correspondence with Her Majesty’s Treasury.

11. In the response, the Cabinet Secretary also outlined what is being done to support the requirement for fuel by reducing demand and providing alternative power options. He stated that the Energy Efficiency Action Plan will be published in the Spring 2010. In addition, the letter invites suggestions from island communities on mitigating the costs of transporting fuels to the islands and whether there is a role for the Scottish Government in facilitating any mitigation measures.

**Recommended Action**

12. The Committee is invited to:

- Note the most recent response from the Scottish Government;
- Agree to send the response to the petitioner highlighting that the Scottish Government would welcome suggestions from island communities on ways in which transportation costs could be mitigated and whether the Scottish Government could help facilitate this and close the petition.

Steve Farrell

Clerk to the Transport, Infrastructure and Climate Change Committee

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CONSIDERATION OF PETITION PE1181: FOLLOW UP

I refer to your letter of 8 January regarding Petition PE1181 on rural fuel costs, in which the Transport Infrastructure and Climate Change Committee asked the Scottish Government to:

- continue its discussions with the UK Government;
- consider what can be done to further support the requirement for fuel, either by reducing the demand or providing alternative power options; and
- what mitigating measures can be taken to reduce the cost of transporting fuel to the islands, for example, increasing the negotiating power of island communities through Government organised cooperatives.

I share the Committee’s frustration with the lack of movement on this issue by the UK Government. This is one of the areas we highlighted in the White Paper on a National Conversation - ‘Your Scotland, Your Voice’. Here we suggest that with responsibility for fuel duty, Scotland could press the European Union for a derogation to apply a lower rate of fuel duty in rural areas, recognising accessibility and price disadvantages faced by Scotland’s remote and island communities. The Commission on Scottish Devolution acknowledged the case for the Scottish and United Kingdom Governments ‘to pursue a derogation limited to the outlying parts of the Highlands and Islands’.

I have written once again to the Chancellor to raise the issue of the cost of fuel in rural areas of Scotland.

The Scottish Government is investing significantly in reducing demand for fuel and increasing the proportion of fuel which comes from renewable resources. We will publish our Energy Efficiency Action Plan in the Spring, giving greater emphasis on demand reduction across all of its policy areas. The Plan will set out a comprehensive approach to energy efficiency by the Scottish Government and the public sector in Scotland, focusing on its impact on energy and economic development, housing and transport, and on the role it can play in delivering climate change targets.

As I noted in my letter of 9 November, there are a number of reasons why costs are greater on the islands. Mitigating these costs is not simple, and I would welcome suggestions from island communities on ways in which this could be done, and whether the Scottish Government needs to help to facilitate this.

I hope that this letter addresses the points raised in your letter. Please do not hesitate to contact me should you require any clarification.

JOHN SWINNEY
Annexe B

Petition

Rural Fuel Prices (PE1181)

The Convener: Item 4 is consideration of a petition. I draw members’ attention to the paper that accompanies PE1181, which notes that the United Kingdom Government has stated clearly that it does not intend to pursue the reduction of fuel duty in remote and rural Scotland as called for by the petitioner, who asks us to urge the Scottish Government to make further representations to the UK Government. The Scottish Government has undertaken to continue to pursue the issue with the UK Government and we have been provided with the Scottish Government's response. I welcome Alasdair Allan, who has joined us for this item. Do members have any comments on the petition?

Rob Gibson: The committee needs to take forward the issue in some way, because the evidence from throughout Europe shows that we have the highest tax and one of the lowest before-tax costs for diesel, for example. We must find a way of investigating how it might be possible to put people in Scotland at less of a disadvantage. However, I would rather hear what other members have to say first because fuel prices are a huge problem in the area that I represent.

Cathy Peattie: I understand that the issue of fuel prices is a huge problem for people in the area that Rob Gibson represents, as it is for people in other areas and for various industries. However, what the petition calls for is not something that the Scottish Parliament can do. The petition has been considered and we have asked the Scottish Government to do something, perhaps through lobbying, but we have no power to insist that the UK Government does anything about the issue. I appreciate where people are coming from, but I cannot see what else we can do with the petition.

The Convener: As Cathy Peattie said, there are limits to what the Scottish Parliament or the Scottish Government can do, however much we might want to take a view that is different from that of the UK Government.

It seems to me that there are three aspects on which we could write to the Scottish Government. First, we could simply restate our expectation that the Government will continue to raise the issue with the UK Government, including with ministers who are subsequently appointed as a result of a general election or the ministerial changeovers that happen from time to time. A new perspective in the UK Government might make it open to looking again at the issue.

We could also ask the Scottish Government to consider a couple of matters that are within its remit, which could reduce the burden. The second aspect about which we could write to the Government is how we support demand reduction in relation to heating or fuel for diesel generators—many remote communities still use diesel generators. If there were more support for demand reduction for heating and electric power in homes and businesses, costs could be reduced.

The third aspect is the cost of transportation of fuel, which was noted as a secondary cause of increased prices. People’s reduced negotiating power when they buy in smaller volumes could be considered by the Scottish Government, which might facilitate co-operatives, or cooperation on a larger scale, to enable remote areas to pool and increase their negotiating and buying power. There is action that the Scottish Government can take in its devolved remit to start to reduce additional financial burdens.

Alison McInnes: I am interested in what you said and I support your suggestions. There is no doubt that in rural Scotland the cost of fuel is a significant issue. I have long supported calls for a derogation of the sort that is proposed in the petition. However, I accept that on the
whole the matter is reserved, as Cathy Peattie said. The committee should focus on recommending action that the Government in Scotland could take to make a difference. I have no problem with asking the Government to continue to make representations to the UK Government, but we cannot pursue that angle much longer.

**Alasdair Allan (Western Isles) (SNP):** Convener, thank you for giving me the opportunity to speak. The petitioners would have attended the meeting but it was too expensive for them to come. They have indicated that they are happy for me to say something.

The petitioners have made it clear that they appreciate that tax is a reserved matter. If the committee is to do anything, they would like it to acknowledge the problems that are faced by people in remote places such as Scotland's island communities and to align itself with the view that the UK Government should do something about that.

Tax is an important factor. I filled up my tank yesterday in Harris at a cost of £1.19 per litre—that was at one of the cheaper places; in parts of Uist the cost was £1.22 or £1.23, compared with £1.08 on the mainland. It is clear that tax is part of the issue. However, as the convener said, another part of the issue concerns suppliers. When a company that supplies fuel to Lewis was threatened with competition, the threat brought down the price of petrol by several pence in one day. However, that has not happened in other islands, where a monopoly still applies. It is interesting that the company to which I refer was not able to provide representatives to speak to the Scottish Government about the matter.

The issue has very human consequences. People have told me at my surgeries that they are caught in a benefits trap because they cannot afford to drive to work. Whether or not the matter is reserved, I think that the petitioners are keen for the committee to acknowledge that there is an issue and to state its view.

**The Convener:** Do you want to come back in, Rob?

**Rob Gibson:** I do indeed.

On the question of volumes, which the convener raised, I think that the petition raises certain issues that we could investigate or which the Government could be asked to look into. Diesel for fishing boats has been dispensed by Highland Council at its Lochinver office, and the bulk buying of that fuel, which I suppose was meant to ensure that the west coast ports were used, was a way of keeping down costs. Why could that model of local authorities acting, if you will, as wholesalers not be applied in other areas? Obviously, questions about storage would arise, but I think that we should take a very serious look at bulk supplies. After all, if it is proving difficult to have competition in certain places, having bulk storage would at least be a way of cutting initial costs, but we need to know whether such a move would be possible within the law. In any case, I do not see why we should not ask the question now.

**The Convener:** First, do members agree to write as a matter of courtesy to the petitioner with the correspondence that has been received to date?

Members indicated agreement.

**The Convener:** I suggest that we write again to the Scottish Government. I think that it is fair enough to express our grave concern at the on-going situation and one particular company's apparent inability to make available representatives even to discuss the matter. We should also reiterate our expectation that the Government will continue to raise the matter with the UK Government and ask what has been done to explore options that might exist under devolved powers to reduce demand for fuel for electricity and heating in domestic and business premises or to find renewable transport options through biofuels, electric vehicles and so on. Obviously, that latter option will not apply to fishing boats, but many other businesses might be able to cut their costs with such an approach. We should also ask about
opportunities for increasing negotiating power through local authorities, co-operatives or some other vehicle. Is that a reasonable course of action?

Members indicated agreement.

The Convener: Do you have anything to add, Alasdair?

Alasdair Allan: Perhaps a bigger issue than the inability to deal with large volumes is the unavailability of competition in some places. However, I want to put on record that tax is definitely a factor. The situation is having very human consequences in areas that do not have any viable public transport alternatives. As much as I support such alternatives, the fact is that they are simply not there.

The Convener: Indeed.

In agreeing to write to the Scottish Government on the basis that I have outlined, do members also agree to close the petition?

Rob Gibson: I do not think that we should. If we are seeking answers from the Government, we should bring its responses back to the committee for further discussion. I do not think that the issues raised in the petition have been answered. It is certainly not dead; in fact, the proposals that you have outlined open up a whole new area that needs to be developed.

Marilyn Glen: I have no problem with keeping the petition open but, as an ex-member of the Public Petitions Committee, I have to say that I have a problem with raising expectations that we cannot meet. I take Rob Gibson's point and acknowledge the difficulties of this situation; however, the tax issue that Alasdair Allan has highlighted does not fall within the committee's remit and it does not help anyone to suggest that we go down that road. I am always a bit concerned for petitioners whose petitions are kept open when it looks like there might be no solution to them.

As I said, I am not saying that we should definitely close our consideration of this petition. I suggest that we keep it open but tell the petitioners that we do not wish to raise any false expectations that anything will happen quickly.

The Convener: I thank Marlyn Glen for that comment. Although the petitioners have not been able to make it to this meeting, I am sure that they are watching us or will read the Official Report.

Alasdair Allan: They are definitely watching us.

The Convener: It is also probably fair to assume that they are well aware that the tax system is reserved and that, even if the will was there, there are limits to what the Parliament or the Scottish Government can do about such issues.

Given that we are writing again to the Scottish Government, it would be reasonable to consider the reply on the agenda as part of our consideration of the petition. We should therefore keep the petition open until we have received the Government's response but I must point out that, at that stage, we will have to recognise that we cannot do anything else about the tax issue and that we should expect to close the petition. Are members agreed?

Members indicated agreement.