



The Scottish Parliament  
Pàrlamaid na h-Alba

## TRANSPORT, INFRASTRUCTURE AND CLIMATE CHANGE COMMITTEE

### AGENDA

5th Meeting, 2011 (Session 3)

Tuesday 8 March 2011

The Committee will meet at 2.00 pm in Committee Room 1.

1. **Transport issues related to recent severe weather conditions:** The Committee will take evidence from—

David Lister, Airside and Autonomy Director, BAA Scotland;

Ralph Roberts, Chairman, and George Mair, Director, Confederation of Passenger Transport Scotland;

Steve Montgomery, Managing Director, First ScotRail;

Ron McAulay, Director, Scotland, and David Simpson, Route Director, Network Rail;

and then

(not before 3.00pm)

from—

Keith Brown MSP, Minister for Transport and Infrastructure, Jim Barton, Chief Road Engineer and Director of Trunk Road and Bus Operations, Transport Scotland, and Frances Duffy, Director, Rail, Scottish Government.

2. **Transport issues:** The Committee will take evidence on major transport issues from—

Keith Brown MSP, Minister for Transport and Infrastructure, Jim Barton, Chief Road Engineer and Director of Trunk Road and Bus Operations, Transport Scotland, and Frances Duffy, Director, Rail, Scottish Government.

3. **Subordinate legislation:** The Committee will consider the following negative instruments—

the Ayr Road Route (M77) (Speed Limit) Amendment Regulations 2011 (SSI 2011/67);  
the M8 Motorway (Junction 10 Westerhouse Slip Roads) (Speed Limit) Regulations 2011 (SSI 2011/68);  
the Glasgow Renfrew Motorway (Stages I and II) (Speed Limit) Amendment Regulations 2011 (SSI 2011/69);  
the Disabled Persons (Badges for Motor Vehicles) (Scotland) Amendment Regulations 2011 (SSI 2011/89);  
the Road Works (Inspection Fees) (Scotland) Amendment Regulations 2011 (SSI 2011/91);  
the Road Works (Fixed Penalty) (Scotland) Amendment Regulations 2011 (SSI 2011/92);  
the Roads (Scotland) Act 1984 (Fixed Penalty) Amendment Regulations 2011 (SSI 2011/98);  
the British Waterways Board (Forth and Clyde and Union Canals) (Reclassification) Order 2011 (SSI 2011/118);  
the Edinburgh Tram (Line One) Act 2006 (Extension of Time for Land Acquisition) Order 2011 (SSI 2011/126);  
the Edinburgh Tram (Line Two) Act 2006 (Extension of Time for Land Acquisition) Order 2011 (SSI 2011/127);  
the CRC Energy Efficiency Scheme (Amendment) Order 2011 (SI 2011/234).

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The papers for this meeting are as follows—

**Agenda item 1**

PRIVATE PAPER

TIC/S3/11/5/1 (P)

**Agenda item 2**

PRIVATE PAPER

TIC/S3/11/5/2 (P)

**Agenda item 3**

Cover note

TIC/S3/11/5/3

[The Ayr Road Route \(M77\) \(Speed Limit\) Amendment Regulations 2011 \(SSI 2011/67\)](#)

[The M8 Motorway \(Junction 10 Westerhouse Slip Roads\) \(Speed Limit\) Regulations 2011 \(SSI 2011/68\)](#)

[The Glasgow Renfrew Motorway \(Stages I and II\) \(Speed Limit\) Amendment Regulations 2011 \(SSI 2011/69\)](#)

[The Disabled Persons \(Badges for Motor Vehicles\) \(Scotland\) Amendment Regulations 2011 \(SSI 2011/89\)](#)

[The Road Works \(Inspection Fees\) \(Scotland\) Amendment Regulations 2011 \(SSI 2011/91\)](#)

[The Road Works \(Fixed Penalty\) \(Scotland\) Amendment Regulations 2011 \(SSI 2011/92\)](#)

[The Roads \(Scotland\) Act 1984 \(Fixed Penalty\) Amendment Regulations 2011 \(SSI 2011/98\)](#)

[The British Waterways Board \(Forth and Clyde and Union Canals\) \(Reclassification\) Order 2011 \(SSI 2011/118\)](#)

[The Edinburgh Tram \(Line One\) Act 2006 \(Extension of Time for Land Acquisition\) Order 2011 \(SSI 2011/126\)](#)

[The Edinburgh Tram \(Line Two\) Act 2006 \(Extension of Time for Land Acquisition\) Order 2011 \(SSI 2011/127\)](#)

Cover note

TIC/S3/11/5/4

[The CRC Energy Efficiency Scheme \(Amendment\) Order 2011 \(SI 2011/234\)](#)

## TRANSPORT, INFRASTRUCTURE AND CLIMATE CHANGE COMMITTEE

## 5th Meeting, 2011 (Session 3)

Tuesday 8 March 2011

## Subordinate Legislation Cover Note

<b>Title of Instruments</b>	<p>The Ayr Road Route (M77) (Speed Limit) Amendment Regulations 2011 (SSI 2011/67);</p> <p>The M8 Motorway (Junction 10 Westerhouse Slip Roads) (Speed Limit) Regulations 2011 (SSI 2011/68);</p> <p>The Glasgow Renfrew Motorway (Stages I and II) (Speed Limit) Amendment Regulations 2011 (SSI 2011/69);</p> <p>The Disabled Persons (Badges for Motor Vehicles) (Scotland) Amendment Regulations 2011 (SSI 2011/89);</p> <p>The Road Works (Inspection Fees) (Scotland) Amendment Regulations 2011 (SSI 2011/91);</p> <p>The Road Works (Fixed Penalty) (Scotland) Amendment Regulations 2011 (SSI 2011/92);</p> <p>The Roads (Scotland) Act 1984 (Fixed Penalty) Amendment Regulations 2011 (SSI 2011/98);</p> <p>The British Waterways Board (Forth and Clyde and Union Canals) (Reclassification) Order 2011 (SSI 2011/118);</p> <p>The Edinburgh Tram (Line One) Act 2006 (Extension of Time for Land Acquisition) Order 2011 (SSI 2011/126);</p> <p>The Edinburgh Tram (Line Two) Act 2006 (Extension of Time for Land Acquisition) Order 2011 (SSI 2011/127).</p>
<b>Type of Instruments</b>	Negative
<b>Laid Date</b>	<p>10 February 2011</p> <p>14 February 2011</p> <p>21 February 2011</p>
<b>Circulated to Members</b>	3 March 2011
<b>Meeting Date</b>	8 March 2011
<b>Minister to attend the meeting</b>	No
<b>SSI drawn to the Parliament's attention by Subordinate</b>	No with the exception of SSI 2011/91

<b>Legislation Committee</b>	
<b>Reporting Deadline</b>	14 March 2011

## Purpose

### **The Ayr Road Route (M77) (Speed Limit) Amendment Regulations 2011 (SSI 2011/67);**

1 These Regulations amend the Ayr Road Route (M77) (Speed Limit) Regulations 1996 which regulate the speed on the M77 Motorway between Junction 1 (Drumbreck) and Junction 4 (Crookfur).

### **The M8 Motorway (Junction 10 Westerhouse Slip Roads) (Speed Limit) Regulations 2011 (SSI 2011/68)**

2 These Regulations introduce a speed limit of 30mph on the slip roads at Junction 10 of the M8 Motorway which were constructed as a consequence of the 'Glasgow Fort' retail development.

### **The Glasgow Renfrew Motorway (Stages I and II) (Speed Limit) Amendment Regulations 2011 (SSI 2011/69)**

3 These Regulations amend the Glasgow Renfrew Motorway (Stages I and II) (Speed Limit) Regulations 1976 and partially revoke the Glasgow Renfrew Motorway (Stages I and II) (Speed Limit) Amendment Regulations 1980.

### **The Disabled Persons (Badges for Motor Vehicles) (Scotland) Amendment Regulations 2011 (SSI 2011/89)**

4 These Regulations amend the Disabled Persons (Badges for Motor Vehicles) (Scotland) Regulations 2000.

### **The Road Works (Inspection Fees) (Scotland) Amendment Regulations 2011 (SSI 2011/91)**

5 These Regulations provide for an increase to £32.00 (previously £31.00) in the fee payable by undertakers for inspections of their work by road works authorities in Scotland under regulation 3(1) of the Road Works (Inspection Fees) (Scotland) Regulations 2003.

### **The Road Works (Fixed Penalty) (Scotland) Amendment Regulations 2011 (SSI 2011/92)**

6 These Regulations provide for an increase in the time period for giving a fixed penalty notice from 60 days to 91 days under regulation 6 of the Road Works (Fixed Penalty) (Scotland) Regulations 2008.

**The Roads (Scotland) Act 1984 (Fixed Penalty) Amendment Regulations 2011 (SSI 2011/98)**

7 These Regulations provide for an increase in the time period for giving a fixed penalty notice from 60 days to 91 days under regulation 5 of the Roads (Scotland) Act 1984 (Fixed Penalty) Regulations 2008.

**The British Waterways Board (Forth and Clyde and Union Canals) (Reclassification) Order 2011 (SSI 2011/118)**

8 This Instrument adds the Union Canal and the Forth and Clyde Canal to Part II of Schedule 12 of the Transport Act 1968 reclassifying them as cruising waterways.

**The Edinburgh Tram (Line One) Act 2006 (Extension of Time for Land Acquisition) Order 2011 (SSI 2011/126)**

9 This Order is made under section 41 of the Edinburgh Tram (Line One) Act 2006 on the application of the City of Edinburgh Council as authorised undertaker for the purposes of sections 23, 24 and 41 of the Act.

**The Edinburgh Tram (Line Two) Act 2006 (Extension of Time for Land Acquisition) Order 2011 (SSI 2011/127)**

10 This Order is made under section 41 of the Edinburgh Tram (Line Two) Act 2006 on the application of the City of Edinburgh as authorised undertaker for the purposes of sections 23, 24 and 41 of the Act.

**Subordinate Legislation Committee Report**

11 The Subordinate Legislation Committee had no comments to make on the majority of these instruments, with the exception of the Road Works (Inspection Fees) (Scotland) Amendment Regulations 2011 (SSI 2011/91) in which a minor drafting error was noted. The following extract from the Subordinate Legislation Committee's 19<sup>th</sup> Report 2011 explains the error:

“Regulation 3 does not specify which instrument is being amended. It is clear from the heading to regulations 2 and 3 that the intention was to amend the same instrument referred to in regulation 2. However, headings are not part of the instrument and the Committee considers that it is appropriate to provide clear directions for the location of textual amendments.

The Committee agrees that it is unlikely that there will be any confusion about what is intended and that in the event of any challenge the instrument would be given proper effect. As a result of the changes made some redundant definitions have been overlooked. The Scottish Government has agreed to remove these at the next opportunity.”

12 The Committee welcomed the Scottish Government's guarantee that it would take the next available opportunity to correct the error.

**Instruments and accompanying documents**

13 The SSIs and their accompanying documents are available on the OPSI website: <http://www.legislation.gov.uk/ssi/2011> and are linked to the agenda.

**Recommendation**

14 **The Committee is invited to consider any issues which it wishes to raise in reporting to the Parliament on these instruments.**

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**TRANSPORT, INFRASTRUCTURE AND CLIMATE CHANGE COMMITTEE**

**5th Meeting, 2011 (Session 3)**

**Tuesday 8 March 2011**

**Subordinate Legislation Cover Note**

<b>Title of Instruments</b>	The CRC Energy Efficiency Scheme (Amendment) Order 2011 (SI 2011/234)
<b>Type of Instruments</b>	Negative
<b>Laid Date</b>	16 February 2011
<b>Circulated to Members</b>	3 March 2011
<b>Meeting Date</b>	8 March 2011
<b>Minister to attend the meeting</b>	No
<b>SSI drawn to the Parliament's attention by Subordinate Legislation Committee</b>	No
<b>Reporting Deadline</b>	14 March 2011

**Purpose**

1 This Order amends the CRC Energy Efficiency Scheme Order 2010 and comes into force on 1st April 2011.

**Policy Objectives**

2 The CRC Energy Efficiency Scheme ("CRC") is a domestic climate change policy developed in partnership with the UK Government and the devolved authorities in Scotland, Northern Ireland and Wales, referred here after as "Government". This instrument applies to all of the United Kingdom. The definition of the extent of the United Kingdom in regards to this instrument is set out in article 89 of the Climate Change Act 2008.

3 This Order is primarily being introduced to postpone the second phase of the CRC and to action initial simplification measures to the scheme. Government is taking the opportunity presented by the instrument to update reference errors and action technical fixes from the CRC Energy Efficiency Scheme Order 2010.



## **Subordinate Legislation Committee Report**

4 The Subordinate Legislation Committee had no comments to make on this instrument.

3. The SI and accompanying documents are available on the OPSI website: <http://www.legislation.gov.uk/ssi/2011> and are linked to the agenda.

### **Recommendation**

**4. The Committee is invited to consider any issues which it wishes to raise in reporting to the Parliament on this instrument.**

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