



**TRANSPORT
SCOTLAND**

An agency of  **The Scottish Government**

M8 M73 M74 MOTORWAY IMPROVEMENTS

DBFO AGREEMENT

Schedule 2 - New Works Requirements

Part 8: Liaison Procedure

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SCHEDULE 2 - NEW WORKS REQUIREMENTS

PART 8: LIAISON PROCEDUES

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SCHEDULE 2 - NEW WORKS REQUIREMENTS
PART 8: LIAISON PROCEDURES

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1 General Principles

1.1 Where under these New Works Requirements there is a requirement to liaise, a Liaison Procedure shall be developed by the Company.

The following principles shall be reflected in any such Liaison Procedures:

1.1.1 there should be full consultation and co-operation between the involved parties so far as possible;

1.1.2 matters should be prepared on a joint basis so far as possible;

1.1.3 each party should be given a reasonable opportunity to consider matters, and where information is supplied it shall include, or be accompanied by, sufficient explanatory or other material to enable the information to be properly considered; and

1.1.4 so far as practical, points arising should be discussed immediately between those concerned so that where in any Liaison Procedures there is reference to any material being sent for comment, this shall be a reference to the final form of material the substance of which has previously been discussed between the parties.

1.2 The Liaison Procedures shall be kept under review.

1.3 Where a particular Liaison Procedure involves the Company and the Scottish Ministers and either Party is dissatisfied with the operation of such Liaison Procedure and/or considers that it should be amended in any way, the following provisions shall apply:

1.3.1 the Parties shall discuss in good faith the reason for such dissatisfaction and endeavour to agree amendments to the Liaison Procedure;

1.3.2 if such dissatisfaction is not resolved the matter shall be referred to counsel for the Scottish Ministers and counsel for the Company who shall be asked to produce joint advice;

1.3.3 where the Parties are still unable to resolve the matter giving such consideration to such joint advice the matter should be referred to the Dispute Resolution Procedure and the provisions of Schedule 8 shall apply.

2 New Works

2.1 The Liaison Procedures shall be developed pursuant to completion of the New Works in accordance with the New Works Requirements and shall include, but shall not be limited to:

2.1.1 agreement by the Company and the Scottish Ministers and, as appropriate, with the Police and emergency services, Undertakers, Relevant Authorities, South East Management Unit, South West Management Unit and other organisations responsible for roads adjoining the New Works Site, interest groups, public transport operators and NNCC;

2.1.2 provision for periodic meetings between the persons referred to in paragraph 2.1.1 above to discuss issues affecting traffic management;

2.1.3 establish procedures with the persons referred to in paragraph 2.1.1 above for the imposition of temporary speed limits or lane restrictions to accommodate poor visibility, adverse weather conditions, incidents and accidents;

- 2.1.4 establish procedures for the handling of any emergency, including without limitation access procedures and routes for the emergency services (police, fire and ambulance);
- 2.1.5 provision, if necessary, for the issuance of any licence or consent necessary for the Company or any person for which it is responsible to stop on the New Works Site in accordance with this Agreement;
- 2.1.6 provision by the Company of a responsible person for each section of the Project Roads which may be affected by the Operations, and who shall liaise with both the Scottish Ministers and the other persons referred to in paragraph 2.1.1 above in accordance with these Liaison Procedures; and
- 2.1.7 provision by the Company for liaison with the public in accordance with the requirements of paragraph 14 to Part 1 of these New Works Requirements.

3 Liaison Officer

- 3.1 The Company shall appoint a Liaison Officer throughout the New Works who shall be suitably qualified.
- 3.2 The Liaison Officer shall manage the liaison and coordination requirement referred to in these New Works Requirements.
- 3.3 The person appointed as Liaison Officer shall be subject to the written consent of the Scottish Ministers.
- 3.4 The Company shall provide the contact name and telephone number of the Liaison Officer to all relevant parties.
- 3.5 Notification shall be given, and public advertisements made, in all circumstances where disruption or concern shall be likely to be caused, including, but not limited to, the commencement of any New Works, notable changes in working routines, the introduction of new traffic management systems (whether temporary or permanent), noisy operations and out-of-hours working. All adjacent land owners and tenants shall be notified prior to works commencing in their vicinity.
- 3.6 Duties of the Liaison Officer shall include, but shall not be limited to:
 - 3.6.1 responsibility for establishing, developing and maintaining liaison arrangements and protocols as required to ensure the obligations of the Company under this Agreement are being fulfilled;
 - 3.6.2 responsibility for ensuring that the Company undertakes all appropriate consultation and liaison to assist the Scottish Ministers in complying with their community planning obligations as set out in Part 2 of the Local Government in Scotland Act 2003;
 - 3.6.3 representing or ensuring representation by other appropriate members of the Company's staff at all liaison meetings with organisations listed in paragraph 2.1.1;
 - 3.6.4 ensuring that the minutes of all liaison meetings called by the Company shall be prepared and copies issued to the Scottish Ministers within 5 Business Days of the meeting taking place;
 - 3.6.5 ensuring that the issues arising from the liaison meetings shall be managed in accordance with the requirements of this Agreement and that any actions required from the Company shall be completed within the agreed or required timescales;

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- 3.6.6 establishing liaison arrangements with any other organisations relevant to the Operations where required; and
- 3.6.7 providing a monthly report to the Scottish Ministers not later than the 15th day of each calendar month listing:
- (i) liaison meetings held;
 - (ii) issues arising from such liaison meetings;
 - (iii) actions taken or to be taken arising from such liaison meetings; and
 - (iv) action plans agreed between the Company and any consultee.
- 3.7 The Company shall ensure that a written record shall be maintained of all consultation, liaison and co-ordination.
- 3.8 In all respects, the Liaison Officer shall work with the Community Liaison Team described in Part 1 of this Schedule 2 to ensure consistent messaging and approach to communications throughout the New Works Period.
- 4 Landowner Liaison Officer**
- 4.1 The Company shall appoint a Landowner Liaison Officer throughout the New Works who shall be suitably qualified.
- 4.2 The Landowner Liaison Officer shall manage the liaison and coordination requirement with any landowners who may be affected by the New Works and the O&M Works.
- 4.3 The person appointed as Landowner Liaison Officer shall be subject to the written consent of the Scottish Ministers.
- 4.4 The Company shall provide the contact name and telephone number of the Landowner Liaison Officer to all relevant landowners whose land may be affected by the New Works.
- 4.5 Duties of the Landowner Liaison Officer shall include, but shall not be limited to:
- 4.5.1 responsibility for establishing, developing and maintaining liaison arrangements with all landowners whose and may be affected by the New Works and the O&M Works;
 - 4.5.2 providing a contact point for all landowners whose land may be affected by the New Works and the O&M Works;
 - 4.5.3 ensuring that the issues arising from landowners shall be managed in accordance with the requirements of this Agreement and that any actions required from the Company shall be completed within the agreed or required timescales;
 - 4.5.4 providing a monthly report to the Scottish Ministers not later than the 15th day of each calendar month listing:
 - (i) landowner liaison meetings held;
 - (ii) issues arising from such landowner liaison meetings;
 - (iii) actions taken or to be taken arising from such landowner liaison meetings; and
 - (iv) action plans agreed between the Company and any landowner.
- 4.6 The Company shall ensure that a written record shall be maintained of all consultation, liaison and co-ordination.
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- 4.7 In all respects, the Landowner Liaison Officer shall work with the Community Liaison Team described in Part 1 of this Schedule 2 to ensure consistent messaging and approach to communications throughout the New Works Period.