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Dear Alison and Claudia

Thank you for your email of 21 January in relation to our response to your previous letter referenced 2020/0004071 regarding the Traffic Regulation Order (TRO) Review and Spaces for People (SfP).

I would like to thank you again for the points that you have raised within your letter following my previous response, which will also be fed into our review.

In relation to your question regarding the Redetermination Order procedure, the Scottish Government has changed their review process and now assesses each Order on a case by case basis. Previously there was a threshold regarding the number of unresolved objections remaining when it was referred for a Ministerial Decision. This ensures that the focus is on the actual content of each remaining objection rather than simply the number of objections.

I would like to emphasise that the TRO Review process which is currently ongoing was initially undertaken due to the concerns raised by some Local Authorities in feedback to the later stages of the Transport (Scotland) Act 2019. The review was not undertaken as a response to Covid-19 nor was it tasked at looking at ways to allow TTRO's to become permanent orders without the need for Local Authorities to consider objections. There is already a legislative framework in place for that which must be followed and Local Authorities have been advised that this is the case throughout implementation of SfP schemes.

Where the need to physically distance was the basis for a TTRO and that need is no longer required, then Local Authorities will need to take the measures they deem necessary under the current legislative framework.

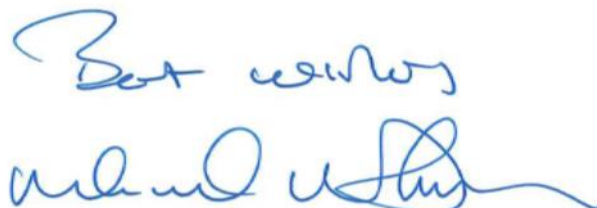
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The knowledge and feedback that has been received to any SfP TTRO's will of course give Local Authorities a good insight into what is working well and also which areas may receive objections when the statutory process to put in permanent measures are undertaken. It is key that proper consultation and discussions with objectors take place in order to seek removal of objections if at all possible. Where this is not possible then the current legislative procedures must be followed.

As stated in my previous letter, while the TRO Review may make recommendations for legislation which alters future procedures, developing subordinate legislation and bringing it before the Scottish Parliament will take time. Local authorities should continue to consider using all of the existing powers and functions available to them. We will, through the review process, continue to explore any additional measures we can take, which may assist Local Authorities in these existing processes.

In relation to funding, the active travel budget has increased significantly in recent years from £39.2 million in 2017/18 to a record £100.5 million in 2020-21. The Programme for Government announcement assures this investment in active travel for the next five years and enables our partners to have confidence to invest in large scale programmes including ambitious active travel infrastructure projects many of which span several years. Sustrans is currently undertaking a short review of Places for Everyone funding and has temporarily paused new applications to the fund; this will re-open on conclusion of the review and be open to all applications, including from those local authorities that wish to make Spaces for People schemes permanent.

I hope this helps to confirm our position.



**MICHAEL MATHESON**

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