

6 Consultation and Scoping

6.1 Introduction

- 6.1.1 This chapter describes the consultation undertaken with statutory consultees, other relevant bodies/organisations, and members of the public in relation to the environmental aspects of the proposed Scheme. A summary of the key issues raised and how these have been taken into account throughout the Design Manual for Roads and Bridges (DMRB) Stage 3 Environmental Impact Assessment (EIA) and design process is also provided.
- 6.1.2 The consultation described within this chapter builds upon that undertaken for the DMRB Stage 2 assessment. Further details of this consultation are provided in the DMRB Stage 2 Scheme Assessment Report (Jacobs 2014). Although this chapter focuses on the consultation undertaken in relation to the environmental aspects of the proposed Scheme, it should be noted that the wider project team and Transport Scotland are also undertaking separate consultations throughout the progression of the project.
- 6.1.3 This chapter is supported by the following appendices which are cross referenced where relevant:
- Appendix A6.1 (Consultees)
 - Appendix A6.2 (Summary of Consultation Responses)

6.2 Approach and Methods

- 6.2.1 Consultation has been undertaken according to the guidance provided in Planning Advice Note (PAN) 1/2013: Environmental Impact Assessment (Scottish Government 2013). Cognisance has also been taken of PAN 81/2007: Community Engagement (Scottish Executive 2007), PAN 3/2010 Community Engagement (Scottish Government 2010), the National Standards for Community Engagement (Communities Scotland 2005) and A96 Dualling Inverness to Aberdeen Engaging with Communities (Transport Scotland 2015).
- 6.2.2 The main aims of the consultation undertaken during the EIA process were to:
- ensure 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;
 - collate baseline information regarding existing environmental site conditions;
 - obtain input to the identification of potential impacts and the development of appropriate mitigation;
 - inform the scope of the environmental assessment and Environmental Statement (ES) reporting; and
 - seek consultee input to the design.

Identification of Consultees

- 6.2.3 Consultees relevant to the proposed Scheme were identified as follows:
- review of consultees involved on other major and recent road projects and previous studies undertaken for the proposed Scheme;
 - review of the list of consultees involved in Strategic Transport Projects Review (STPR) (Jacobs, Faber Maunsell, Grant Thornton and Tribal Consulting 2008);
 - review of the list of consultees involved in the A96 Dualling Programme Strategic Environmental Assessment (SEA) (CH2M 2015) and A96 Dualling DMRB Stage 1 Assessment Report (Jacobs 2015a);
 - identification by the project team environmental specialists of organisations and local environmental groups of importance to their area of expertise; and

- consideration of the scale, size and potential impact of the proposed Scheme to identify those directly affected (e.g. landowners) and those outside of the direct area (e.g. nearby communities) of influence.

- 6.2.4 A large number of consultees were identified through this process, as listed in Appendix A6.1 (Consultees). A summary of the relevant information provided by the consultees is detailed in Appendix A6.2 (Summary of Consultation Responses).
- 6.2.5 Landowner consultation has been undertaken throughout the assessment process and has informed the proposed Scheme design. Information gathered through landowner consultation has also been utilised in the land use assessment in Chapter 15 (People and Communities: Community and Private Assets).

Key Stages of EIA Consultation

- 6.2.6 The key stages of consultation that have been undertaken as part of the DMRB Stage 3 EIA are set out below. It should be noted that consultation is an iterative and on-going feature of the project, so will also continue beyond that reported within this ES.

Screening and Scoping Report

- 6.2.7 As described in Chapter 5 (Overview of the Assessment Process), the Environmental Screening and Scoping report (Jacobs 2015b) was issued to the statutory consultees in November 2015 to request their comments on the proposed scope and approach to the assessment. Their comments were taken into consideration and incorporated into the design and assessment process, where appropriate. The responses received are summarised in Appendix A6.2 (Summary of Consultation Responses).

Request for Data and Comments

- 6.2.8 Following on from the consultation undertaken at DMRB Stage 2 a number of consultation letters were sent out in December 2015 and January 2016. These provided consultees with details of the DMRB Stage 2 preferred option and requested relevant information to be taken into account in the environmental assessment. The responses received are summarised in Appendix A6.2 (Summary of Consultation Responses).

Public Exhibitions

- 6.2.9 The ongoing assessment work for the proposed Scheme includes a rolling programme of regular engagement with local communities and other stakeholders, which started with the public exhibitions held in February 2012 and November 2013. The DMRB Stage 2 assessment culminated in public exhibitions in October 2014 to present the preferred option for the A96 Dualling Inverness to Nairn (including Nairn Bypass) scheme.
- 6.2.10 On 26 and 27 August 2015 two 'Meet the Team' events were held in Culloden and Nairn. Representatives from Transport Scotland's A96 Dualling team and the appointed project team, including the Stakeholder Co-ordinator, were available to answer questions on the design and assessment work being carried out as part of DMRB Stage 3 design development process.
- 6.2.11 In February 2016 a series of drop-in sessions were held in in Culloden and Nairn with over 750 people attending. The dates and locations of these sessions were:
- 3 February, Culloden (189 attendees);
 - 4 February, Nairn (337 attendees); and
 - 5 February, Nairn (233 attendees).
- 6.2.12 All sessions were hosted by Transport Scotland with support from members of the project team. These sessions provided an update on the proposed Scheme, which included a number of proposed changes to the DMRB Stage 2 preferred option following ongoing design development

work and feedback as part of the ongoing consultation process. Drop-in session visitors had the opportunity to provide their comments via a comments sheet or by post or email, and this feedback was provided to the project team. Verbal comments and queries were also captured by the teams.

- 6.2.13 The primary areas of concern identified from the Drop-in session feedback were in relation to the proposed Scheme design at the Balloch Junction, Gollanfield and the Nairn East Junction. The public raised concerns over the potential environmental impacts at these locations including potential visual, noise and air quality impacts. There were also a significant number of positive responses in relation to the Non-Motorised User (NMU) shared use path proposals.

On-going EIA Consultation

Stakeholder Forums

- 6.2.14 Four stakeholder forums have been used throughout the DMRB assessment process, which aim to bring together groups with similar interests and facilitate a two-way flow of information regarding the proposed Scheme and the wider A96 Dualling Programme. The forums have met throughout the design and assessment process and will continue to meet going forward.
- 6.2.15 The forums are the Community Council Forum, the Non-Motorised User (NMU) Forum, the Environmental Steering Group (ESG) and the Local Authorities and Regional Transport Partnerships Forum. Details of the meetings held with these forums for the DMRB Stage 3 assessment are provided in Table 6.4.

Community Councils Forum

- 6.2.16 This forum was set up as part of the DMRB Stage 2 assessment with the purpose of providing regular updates on the proposed Scheme to the community councils along the route and to give members an opportunity to provide a local perspective. Table 6.1 sets out the members of the forum.

Table 6.1: Community Councils Forum Members

Community Councils	
Ardersier and Petty Community Council	Nairn River Community Council
Auldearn Community Council	Nairn West and Suburban Community Council
Balloch Community Council	Raigmore Community Council
Cawdor and West Nairnshire Community Council	Smithton and Culloden Community Council
Croy Community Council	Westhill Community Council
East Nairnshire Community Council	

Non-Motorised User (NMU) Forum

- 6.2.17 This forum was set up as part of the A96 Dualling Programme with the purpose of providing regular updates on the emerging design proposals and an opportunity for members to highlight issues they consider relevant and provide advice on appropriate facilities for NMUs. The NMU Forum addressed comments from members on both the proposed Scheme and the wider A96 Dualling Programme. Table 6.2 sets out the members of the forum.

Table 6.2: NMU Forum Members

NMU Forum Member	
Aberdeen City Council	Highlands and Islands Transport Partnership (HITRANS)
Aberdeen Cycle Forum	Nestrans
Aberdeenshire Council	Ramblers Scotland
British Horse Society (BHS)	Scottish Natural Heritage (SNH)
Cycle Scotland	Scottish Rights Of Way & Access Society (Scotways)

NMU Forum Member	
Cycling UK in Scotland (formerly Cycle Touring Club (CTC) Scotland)	Sustrans Scotland
Forestry Commission	The Highland Council
Highland Cycle Campaign	The Moray Council

Environmental Steering Group (ESG)

- 6.2.18 The ESG was set up as part of the proposed Scheme and the wider A96 Dualling Programme to provide a forum for the statutory environmental stakeholders to meet with the relevant members of the project team and receive updates on the proposed Scheme. The members of the group is made up of Transport Scotland and their advisers for each section of the dualling programme, together with Scottish Natural Heritage (SNH), the Scottish Environment Protection Agency (SEPA) and Historic Environment Scotland (HES).

Local Authorities and Regional Transport Partnerships Forum

- 6.2.19 This forum was set up as part of the wider A9 and A96 dualling programmes to provide a means for Transport Scotland to provide regular updates to organisations with a strategic regional transport function and offer a platform for debate on the information presented.

Table 6.3: Local Authority and Regional Transport Partnerships Forum Members

Local Authority and Regional Transport Partnerships Forum Members	
Aberdeen City Council	Perth and Kinross Council*
Aberdeenshire Council	Tayside and Central Scotland Transport Partnership (Tactrans)*
Highland and Islands Transport Partnership (HITRANS)	The Highland Council
North East of Scotland Transport Partnership (Nestrans)	The Moray Council

*A separate forum for the wider A96 Dualling Programme has been established where Perth and Kinross Council and TACTRAN are not required to attend.

Landowner Consultation

- 6.2.20 Discussions with potentially affected landowners were also undertaken throughout the DMRB Stage 3 design development process, and where possible requirements were incorporated into the design. This included consideration of aspects such as the alignment of the dual carriageway and land-take, and revised access arrangements to land and properties. Further details of landowner consultation are provided in Chapter 15 (People and Communities: Community and Private Assets).

6.3 Consultation Summary

- 6.3.1 Table 6.4 presents a summary of the consultation meetings held as part of the DMRB Stage 3 EIA from 2014 to 2016. This is intended to record the key meetings only, and not all of the on-going consultation undertaken as part of the DMRB Stage 3 EIA.

Table 6.4: Summary of EIA Consultation Meetings

Consultee	Topic/Purpose	Date
Statutory		
Historic Environment Scotland (HES)	Meetings as part of the ESG to provide an update on the progress of the DMRB Stage 3 assessment, with specific reference to the individual environmental topics (e.g. cultural heritage).	September 2015 February 2016 June 2016 September 2016

Consultee	Topic/Purpose	Date
Scottish Environment Protection Agency (SEPA)	Meetings as part of the ESG to provide an update on the progress of the DMRB Stage 3 assessment, with specific reference to the individual environmental topics (e.g. water quality, fluvial geomorphology and flood risk).	September 2015 February 2016 June 2016 September 2016
	Meeting to discuss the approach to EIA consultation with SEPA as the assessment progresses and information for future technical calls.	May 2016
	Technical discussion around the proposed Scheme drainage design and water quality assessment results.	May 2016
	Technical discussion around the flood risk modelling results.	June 2016
Scottish Natural Heritage (SNH)	Meetings as part of the ESG to provide an update on the progress of the DMRB Stage 3 assessment, with specific reference to the individual environmental topics (e.g. habitats and biodiversity, landscape and visual and effects on all travellers).	September 2015 February 2016 June 2016 September 2016
	Meeting to update SNH on the Habitat Regulations Assessment (HRA) progress and badger mitigation proposals along the proposed Scheme.	January 2016
	Meeting to discuss bat presence along the proposed Scheme and agree approach to bat mitigation.	May 2016
The Highland Council	Meeting to discuss the screening and scoping comments received back from The Highland Council and to clarify the approach going forward.	March 2016
	Discussion around committed development throughout The Highland Council region.	May 2016
Non-Statutory		
Community Councils	Community Council forum meeting to provide update on design development work and discuss feedback from Community Councils.	March 2016
Non-Motorised User Forum	Update on progress of the proposed Scheme and NMU facilities. Provided an opportunity to comment on the NMU proposals.	December 2015
Local Authority and Regional Transport Partnerships Forum	Update on the A96 Inverness to Nairn (including Nairn Bypass) scheme provided at forums. Discussion of wider A96 Dualling Programme strategies (e.g. NMU Strategy).	October 2014 April 2015 August 2016
Inverness Airport	Meeting to discuss the landscape mitigation proposals and potential safeguarding issues resulting from construction of the proposed Scheme.	April 2016

6.3.2 As noted in paragraph 6.2.6 consultation is an iterative and on-going feature of the project, so will also continue beyond that reported within this ES.

6.4 Key Issues Raised by Consultees

6.4.1 Table 6.5 provides a matrix of the input from consultees throughout the DMRB Stage 3 EIA consultation process, in the context of each environmental parameter reported in this ES. Table 6.5 also includes a list of consultees from whom no response was received or no comments were raised in response to the EIA consultation. Further details of the key input provided by consultees in relation to environmental issues are provided in Appendix A6.2 (Summary of Consultation Responses).

Table 6.5: Matrix of Key Consultee Responses to EIA Scoping Consultation

Area of Response Consultee	General	Air Quality	Noise and Vibration	Landscape and Visual	Habitats and Biodiversity	Geology, Soils, Contaminated Land and Groundwater	Road Drainage and the Water Environment	Cultural Heritage	People and Communities - Community and Private Assets	People and Communities - Effects on All Travellers	Materials	Policies and Plans	No Comments or Issues Raised
	Statutory Consultees												
Health & Safety Executive (HSE)													x
Historic Environment Scotland (HES)				x				x					
Marine Scotland													x
Scottish Environment Protection Agency (SEPA)	x					x	x						
Scottish Natural Heritage (SNH)				x	x								
The Highland Council	x	x	x	x	x	x		x		x			
The Moray Council													x
Non-Statutory Consultees													
Access panel - Nairn										x			
British Deer Society													x
British Horse Society (BHS) /Horse Society Scotland										x			
British Trust for Ornithology (BTO)													x
Botanical Society of Britain and Ireland (BSBI)					x								
Cairngorms Amphibian and Reptile Group													x
Centre for Ecology and Hydrology (CEH)					x								
Council for Scottish Archaeology													x
Cycling Scotland										x			
Cycling UK in Scotland (formerly Cycle Touring Club (CTC) Scotland)													x
Findhorn, Nairn and Lossie District Salmon Fishery Boards													x
Findhorn, Nairn and Lossie Fisheries Trust					x								
Forestry Commission					x				x				
Highland Cycle Campaign													x
Highland and Islands Regional Transport Partnership (HITRANS)													x
Inverness Airport (Highlands and Islands Airports)	x			x			x						
Inverness Orienteering Club													x
John Muir Trust (JMT)													x
National Access Forum (NAF)										x			
National Farmers Union of Scotland (NFUS)													x
National Trust for Scotland													x

Consultee	Area of Response												
	General	Air Quality	Noise and Vibration	Landscape and Visual	Habitats and Biodiversity	Geology, Soils, Contaminated Land and Groundwater	Road Drainage and the Water Environment	Cultural Heritage	People and Communities - Community and Private Assets	People and Communities - Effects on All Travellers	Materials	Policies and Plans	No Comments or Issues Raised
Paths for All										x			
Ramblers Scotland													x
Royal Society for the Protection of Birds (RSPB)					x								
Scottish Badgers					x								
Scottish Battlefields Trust								x					
Scottish Disability Equality Forum													x
Scottish Gamekeepers Association													x
Scottish Land and Estates									x				
Scottish Outdoor Access Network (SOAN)													x
Scottish Raptor Study Group													x
Scottish Rights of Way and Access Society (ScotWays)										x			
Scottish Wildcat Association					x								
Scottish Wildlife Trust													x
Sustrans Scotland										x			
The Architectural and Heritage Society of Scotland													x
The Scottish Civic Trust													x
Visit Scotland													x
Wild Things					x								

6.5 References

CH2M (*on behalf of Transport Scotland*) (2015). A96 Dualling Programme: Strategic Environmental Assessment - Tier 2 Environmental Report.

Communities Scotland (2005). National Standards for Community Engagement.

Jacobs, Faber Maunsell, Grant Thornton and Tribal Consulting (*on behalf of Transport Scotland*) (2008). Strategic Transport Projects Review.

Jacobs (*on behalf of Transport Scotland*) (2014). A96 Dualling Inverness to Nairn (including Nairn Bypass): DMRB Stage 2 Scheme Assessment Report.

Jacobs (*on behalf of Transport Scotland*) (2015a). A96 Dualling Inverness to Aberdeen. DMRB Stage 1 Assessment Report.

Jacobs (*on behalf of Transport Scotland*) (2015b). A96 Dualling Inverness to Nairn (including Nairn Bypass), DMRB Stage 3: Environmental Impact Assessment - Screening and Scoping Report [Unpublished].

Scottish Executive (2007). Planning Advice Note (PAN) 81/2007: Community Engagement – Planning With People.

Scottish Government (2010). PAN 3/2010 Community Engagement.

Scottish Government (2013). Planning Advice Note (PAN) 1/2013: Environmental Impact Assessment.

Transport Scotland (2015). A96 Dualling Inverness to Aberdeen: Engaging with Communities.