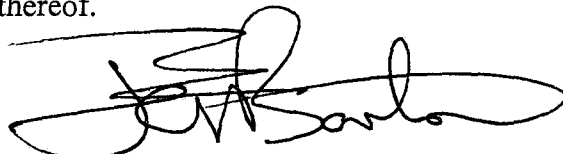


ROADS (SCOTLAND) ACT 1984

THE M8 (JUNCTION 4A AT WHITBURN CONNECTING ROADS)

ENVIRONMENTAL STATEMENT – DECISION TO PROCEED WITH PROJECT

THE SCOTTISH MINISTERS, give notice that in terms of paragraph 13(1B) of Schedule 1 to the Roads (Scotland) Act 1984 they have decided to proceed with the M8 (Junction 4a at Whitburn Connecting Roads) project in relation to which an environmental impact assessment has been made, and that they have complied with their obligations under paragraph 13(1A) thereof.

A handwritten signature in black ink, appearing to read 'J G Barton', with a large, sweeping flourish at the end.

J G BARTON
A member of staff of the Scottish Ministers

Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF
12th January 2009

ROADS (SCOTLAND) ACT 1984

THE M8 (JUNCTION 4A AT WHITBURN CONNECTING ROADS)

ENVIRONMENTAL STATEMENT - DECISION TO PROCEED WITH PROJECT

THE SCOTTISH MINISTERS, give notice that they have decided to proceed with a project for the construction of a grade separated junction near Whitburn between the existing M8 Motorway Junctions 4 and 5. The junction will connect the Trunk Road Network with the Heartland Development area which is a residential, commercial and leisure development south of the M8 Motorway. The junction will consist of on and off slip roads connected by an overbridge spanning the Motorway. The removal of an existing overbridge serving the adjacent Balgornie Farm and diversion of the River Almond for a length of approximately 200 metres is required to construct the junction. The route of a right of way which uses the existing bridge and the banks of the River Almond will be diverted over the new structure and re-aligned watercourse.

The new junction will be located approximately 3 kilometres west of junction 4 and 6.5 kilometres east of junction 5. The length of the River Almond diversion is within the River Almond Area of Special Landscape Control.

In accordance with sections 20A and 55A of the Roads (Scotland) Act 1984 the Ministers determined that the project falls within Annex II to EU Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment. In accordance with sections 20A and 55A, they have prepared an Environmental Statement which was published on 29 July 2008 and have complied with all other provisions of sections 20A and 55A of that Act.

In reaching the decision to proceed with the scheme the Scottish Ministers have considered -

- i) the Environmental Statement and
- ii) the opinions expressed in writing by the consultation bodies, Scottish Natural Heritage, West Lothian Council and Historic Scotland; no representations having been received from the general public.

The Heartlands development project, is highly complementary to a number of aspirations contained in the current national Policy Objectives and emerging local plans, most notably the desire to rehabilitate and develop derelict land such as that associated with the former Polkemnet Colliery. Moreover, the Cowhill area is currently allocated in the Bathgate Area Local Plan (1998) as an employment site.

The interchange will provide direct access to the proposed Cowhill Business Park and will connect directly to the main distributor road leading through the business park site. In addition to providing access into the development, the interchange will provide access to an integrated park and ride facility and public transport interchange, which is proposed to be located adjacent to the interchange. It will also increase the accessibility of Whitburn to the national road network.

The provisions of Section 20B and 55B of that Act, relating to proposals having a possible environmental effect on other Member States of the EEA do not apply to this project.

Accordingly, the Scottish Ministers have complied with paragraph 13(1A) of Part II of Schedule 1 to Roads (Scotland) Act 1984.

The Ministers have considered the proposal for the construction of the junction, the temporary and permanent effects on the environment, the mitigation measures proposed in the Environmental Statement together with the written comments received from consultees. Taking these factors into account, the Ministers have determined that the measures proposed within the Environmental Statement will be sufficient to mitigate significant adverse effects on the environment. The Ministers have further determined that issues raised by consultees can be readily dealt with as the junction construction works proceed. In this latter regard the following requirements must be adhered to during the works –

- wildlife surveys will be undertaken prior to site works commencing and advice obtained on these findings;
- areas affected by the construction of the junction, site compound areas and the like shall be sensitively reinstated;
- measures will be adopted by the appointed contractor to safeguard badgers and other wildlife;
- the appointed contractor shall produce and adhere to a Construction Environmental Management Plan;
- existing rights of way will be maintained throughout the period of the works by means of diversions;
- river diversionary works will be carried out in accordance with guidance from Scottish Environment Protection Agency, Scottish Natural Heritage and the River Restoration Centre.

ANY PERSON aggrieved by the decision to proceed with the project and who desires to challenge the validity thereof on the grounds that it is not within the powers of the Roads (Scotland) Act 1984, may make an application as regards that validity to the Court of Session, within such time period as that Court may in its discretion allow.

A COPY of this decision is available for inspection on Transport Scotland's website at www.transportscotland.gov.uk



J G BARTON
A member of staff of the Scottish Ministers

Transport Scotland
Buchanan House
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12th January 2009