

## 5 Consultation

### 5.1 Introduction

- 5.1.1 Under the EIA Regulations, it is a requirement for consultation to be undertaken with statutory agencies and interested bodies with regard to the scheme.
- 5.1.2 Consultation was carried out at the pre-planning stage to provide the public and stakeholder organisations with the opportunity to provide feedback and make suggestions on the scheme before the final option was chosen for detailed design.
- 5.1.3 This chapter describes the consultation process undertaken as part of the Stage 3 Environmental Impact Assessment (EIA). Consultation with stakeholders and members of the public provides an iterative and ongoing input to the progression of the scheme throughout the design process. Information on the purpose and benefits of the consultation are provided, followed by a description of the methods used to collect information from consultees. To conclude, details of consultees and key issues raised are highlighted and summarised in Table 5-1, with letters and responses included in Appendix 5.1.

### 5.2 Consultation

- 5.2.1 The purpose and benefits of consultation are to:
- Ensure that statutory consultees and other non-statutory bodies with a particular interest in the environment are informed of the scheme and are provided with an opportunity to comment, in line with the DMRB assessment guidelines;
  - Consult relevant bodies to obtain baseline information regarding existing environmental site conditions;
  - Actively encourage local groups to comment on the proposed design and highlight any problems which can be mitigated before they arise; and,
  - Establish key environmental issues and identify potential impacts to be considered during the environmental assessment.

### 5.3 Methodology

- 5.3.1 A list of consultees relevant to the proposed scheme was assembled by the project team environmental specialists, using guidelines provided within the relevant DMRB topics to identify statutory bodies with responsibilities or interests in the area and any local interests or charitable groups within the local area.

5.3.2 Consultees were contacted by letter in December 2017 as part of the stage 2 EAR and again in January 2019 as part of the DMRB stage 3 EIA. The letter at stage 2 provided information on the improvement scheme options and provided the consultees with an opportunity to provide comments relevant to the environmental assessment. Additional consultation in January 2019 provided information on the detailed design.

5.3.3 Where no response was obtained from the formal consultation letter, the consultee was contacted by email. If no response was obtained at this point, it was assumed the consultee had no comment. Full consultee responses are detailed within Appendix 5.1.

#### **5.4 Key Issues Raised by Consultees**

5.4.1 Table 5-1 provides details of all Stage 2 & 3 consultations undertaken and the main issues raised.

**Table 5-1 Summary of consultation responses**

Consultee	Date	Response	Relevant chapter(s)
<p>Aberdeenshire Council (Environmental Health, Planning &amp; Transportation)</p>	<p>21st December 2017 &amp; 19th February 2019</p>	<p>A detailed response was received from the Transportation Department at Aberdeenshire Council, which included comments from the various departments relative to EIA scoping.</p> <p>Stage 2 Ecology: No major ecological issues were highlighted.</p> <p>Water Environment: Advice was provided in relation to flood risk assessments and the design of any culverts. The need to consider appropriate surface water drainage/SuDS was also noted.</p> <p>Archaeology: There were no known archaeological sites impacted by the scheme, the nearest known site being the surviving West Lodge Gates for Johnston House (HER Ref No NO77SW0093 or NGR NO7104 7067) which lies circa 30m beyond the tie-in for the existing A937. The need for a programme of archaeological works ahead of ground-breaking was specified, due to the potential for previously unknown archaeological remains within the wider landscape</p> <p>Contaminated Land: No contaminated land issues were highlighted in relation to the proposed scheme.</p> <p>Roads Development: Several comments relating to design issues were raised, due to their relevance to the scope of the EIA, including: the provision of a pedestrian facility over the bridge over the Gaugers Burn; access to planning application sites adjacent to the existing A937; preservation of non-motorised user access to Denlethen Wood; lighting of the new junctions; speed limit strategy for the A937 tie-ins; and the roundabout junction tie-in with the B9120 road to Garvock.</p> <p>Transportation: Benefits to existing road users as a result of all proposed options were noted, with overall daily traffic flows unlikely to be altered significantly. However, potential impact on the traffic patterns, including composition of traffic, within Laurencekirk was highlighted.</p> <p>Consultation with local public transport operators was also encouraged.</p> <p>Planning: A review of the Aberdeenshire Local Development Plan 2017, as well as local planning history was advised, to establish any conflicts and issues on or adjacent to the proposed site.</p>	<p>Chapter 6 – Air Quality</p> <p>Chapter 7 - Cultural Heritage</p> <p>Chapter 8 - Landscape</p> <p>Chapter 9 – Noise</p> <p>Chapter 10 - Nature Conservation</p> <p>Chapter 11 - Water Environment</p> <p>Chapter 12 - People and Communities</p> <p>Chapter 13 - Geology and Soils</p>

Consultee	Date	Response	Relevant chapter(s)
		Stage 3 Archaeology: Trail-trenching was recommended in the footprint of the new road layout.	
Aberdeenshire Council Archaeology Service (ACAS)	7th December 2017	ACAS highlighted that the proposed scheme would require archaeological mitigation due to the potential for previously unrecorded archaeology to survive within the development area. Areas requiring an archaeological watching brief or monitoring were provided.  No response received at Stage 3.	Chapter 7 – Cultural Heritage
Amphibian and Reptile Conservation Trust (ARC)	N/A	No response received	Chapter 10 – Nature Conservation
Auchenblae Heritage Society (AHS)	16th February 2019 & 4th February 2019	Auchenblae Heritage Society commented that there does not appear to be a direct impact on the heritage of this area.  Further comment was also provided in relation to the potential for increased traffic through Laurencekirk, noting that as Laurencekirk is already a bottleneck any additional traffic may cause problems. Preference was noted for improved junctions to both the north and south of Laurencekirk.  With safety being paramount, Auchenblae Heritage society noted that any scheme which reduces the current dangers at the Laurencekirk Junction will be welcomed.  AHS had no further comments to add at Stage 3	Chapter 7 – Cultural Heritage
BEAR Scotland	19th December 2017	BEAR Scotland commented that the proposed scheme may result in larger areas of sterile land on the east side of the A90 due to the realignment of the local road.  No response received at Stage 3.	Chapter 8 - Landscape  Chapter 12 - People and Communities
British Geological Survey (BGS)	7th December 2017	BGS requested that if any extensive sections in bedrock are exposed during construction works, BGS is contacted to discuss whether a visit by a geologist may be required to record the information. No other comments were provided.  No response received at Stage 3.	Chapter 13 - Geology and Soils
British Horse Society (BHS)	26th February 2018	The BHS stated their desire that horse riders were able to cross the A90 at either end of Laurencekirk, preferably at the south.	Chapter 12 - People and Communities

Consultee	Date	Response	Relevant chapter(s)
		No response received at Stage 3.	
British Trust for Ornithology (BTO)	17th January 2018	At Stage 2, BTO advised that they are unable to comment on the proposals.  No response received at Stage 3.	Chapter 10 – Nature Conservation
Buglife	24th January 2018	Buglife advised that they do not have any comments in relation to the consultation.  No response received at Stage 3.	Chapter 10 – Nature Conservation
Cycle Touring Club (Scotland)	N/A	No response received	Chapter 12 - People and Communities
Forestry Commission	N/A	No response received	Chapter 8 - Landscape  Chapter 10 – Nature Conservation
Historic Environment Scotland (HES)	11th December 2017 & 18th February 2019	HES reviewed the details of the consultation in terms of their historic environment interest (covering world heritage sites, scheduled monuments and their settings, category A-listed buildings and their settings, inventory gardens and designated landscapes, inventory battlefields and historic marine protected areas).  HES stated that they have no further comments relevant to the environmental assessment	Chapter 7 – Cultural Heritage
Howe o' the Mearns Heritage Club	N/A	No response received	Chapter 7 – Cultural Heritage
Kincardine and Mearns Ranger Service	1st February 2018 & 14th March 2019	No comments to add	Chapter 10 – Nature Conservation
James Hutton Institute	18th December 2017	The James Hutton Institute commented that they support any action to improve road safety and create grade separated junctions at Laurencekirk.	Chapter 12 - People and Communities

Consultee	Date	Response	Relevant chapter(s)
Joint Nature Conservation Committee (JNCC)	17th January 2018	JNCC advised that they have no comments to add to the consultation as the A90/A937 development proposal is not located within the offshore area, does not have any potential offshore nature conservation issues and is not concerned with nature conservation at a UK-level.	Chapter 10 – Nature Conservation
Mearns Community Council	20th December 2017 & 26th February 2019	The main concerns of members were noted to be as follows: <ul style="list-style-type: none"> <li>• Environmental criteria (mitigation)</li> <li>• Economic development</li> <li>• Reduction of traffic movement through Laurencekirk.</li> </ul>	Chapter 12 - People and Communities
Laurencekirk Development Trust	14th March 2019	The Trust had concerns regarding; <p>The loss of access to the A90 as a result of the removal of the bridge at Abbeyton (north of Fordoun adjacent to A90)</p> <p>The long-term restrictions on the reduced access to the bridge over the railway at Fordoun (conversion to single carriageway and traffic lights)</p> <p>The Trust welcomed the possibility of further employment opportunities adjacent to the proposed junction at the southern border of Laurencekirk; and improved safe access to the A90 at the present B9120/A90 junction where the lack of "feeder" lanes and central reservation areas have been associated with a number of accidents.</p>	Chapter 7 – Cultural Heritage
North East Scotland Biological Records Centre (NESBReC)	30th November 2017 & 11th December 2017	NESBREC responded on 30th November to advise that they are able to offer data on species, habitats and sites of biological interest in the area of these improvements. <p>This information had been previously obtained by Amey. However, further correspondence on 11th December confirmed that NESBREC had no further comments on the consultation.</p>	Chapter 10 – Nature Conservation
Nestrans	17th January 2018 & 18th March 2019	Stage 2 <p>Nestrans advised that they previously commissioned a study to investigate whether there was a case for intervention at this location, which was undertaken in line with DMRB Stage 1 and STAG methodologies. Nestrans recommended that this previous work should be reviewed and updated for the options that are now being developed and to ensure that the information is up to date.</p>	Chapter 12 - People and Communities
Royal Society for the Protection of Birds (RSPB)	18th January 2018	Stage 3 <p>Nestrans do not have any comments to make and are supportive of the scheme.</p> <p>The RSPB are not aware of any ornithological interests at the site and therefore have no further comments to make on this proposal</p>	Chapter 10 – Nature Conservation

Consultee	Date	Response	Relevant chapter(s)
	& 8th February 2019		
Scottish Badgers	3rd December 2017	Scottish Badgers advised that there is considerable badger activity in the area to the east of the proposed work, meaning that all options may result in contact with badgers. Scottish Badgers recommend that a comprehensive survey of the area is undertaken.	Chapter 10 – Nature Conservation
Scottish Environmental Protection Agency (SEPA)	5th January 2018 & 15th March 2019	<p>Stage 2 A detailed response was received from SEPA at Stage 2 which contained advice based on the emerging scheme design.</p> <p>Stage 3 The end SuDS should be designed in accordance with the SuDS for Roads. The construction of the project should comply with SEPA's construction site guidance and may require a construction site licence if certain criteria are met.</p> <p>It was advised that if new outfalls serving the junction were included in the design, a surface water discharge simple licence may be required.</p> <p>SEPA requested to review the construction site pollution mitigation plan for the development and requested more detail on the SuDS ponds and any habitat enhancement the proposed SuDS may offer.</p>	Chapter 11 - Water Environment
Scottish Government Agriculture and Rural Economy	N/A	No response received	Chapter 8 – Landscape  Chapter 12 - People and Communities
Scottish Natural Heritage (SNH)	19th December 2017 & 13th February 2019	SNH do not consider there to be any connectivity with any protected area of either national or international importance, therefore, have no comments.	Chapter 8 - Landscape  Chapter 10 – Nature Conservation
Scottish Ornithologists' Club (SOC)	23rd January 2018 & 8th February 2019	Stage 2 A response was provided by a Bird Recorder for North-East Scotland. No specific comments were made regarding the scheme; it is in an area of North-East Scotland for which SOC have few specific bird records. However, it was noted that there will likely be some localised impact, through reduction in habitat for farmland bird species.	Chapter 10 – Nature Conservation

Consultee	Date	Response	Relevant chapter(s)
		<p>Stage 3 It was confirmed that there is not much in the scheme location of suitable habitat that birds rely on, nor are there large bird populations around the area. Therefore, the scheme is expected to have limited effect on the resident birdlife.</p>	
<p>Scottish Rights of Way and Access Society (ScotWays)</p>	<p>16th January 2018</p>	<p>Scotways advised that they are unable to comment at this time, although highlighted that consultation with the relevant Council's access team should be undertaken in relation to potential impacts on non-motorised users in the vicinity of the proposed scheme.</p>	<p>Chapter 12 - People and Communities</p>
<p>Scottish Wildlife Trust</p>	<p>16th January 2018</p>	<p>Scottish Wildlife Trust advised that they are unable to provide comment.</p>	<p>Chapter 12 - People and Communities</p>
<p>Sustrans</p>	<p>19th January 2018 &amp; 18th March 2019</p>	<p>Sustrans noted that there are no cycle routes in the vicinity of the scheme and as such have no comments in relation to the environmental assessment.</p>	<p>Chapter 12 - People and Communities</p>