

## **ROADS (SCOTLAND) ACT 1984**

### **THE A737/A738 TRUNK ROAD (IMPROVEMENTS AT BEITH)**

#### **ENVIRONMENTAL STATEMENT - DECISION TO PROCEED WITH PROJECT**

THE SCOTTISH MINISTERS give notice that they have decided to proceed with a project for the improvement and construction of new lengths of road in relation to the A737/A738 St James Interchange – Kilwinning – Hawkhill Trunk Road in the vicinity of Beith (“the Project”) and that they have complied with their obligations under paragraph 7(1A) of Schedule 1 to the Roads (Scotland) Act 1984.

The general effect of the Project is to construct a realigned and improved section of carriageway link road on the A737 Trunk Road by-passing Beith, the scheme will introduce two roundabouts, de-trunk sections of trunk road and provide new associated junctions.

The Scottish Ministers determined that the Project is a relevant project within the meaning of sections 20A(9) and 55A(7) of the Roads (Scotland) Act 1984, and falls within Annex II of Council Directive 2011/92/EU of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment (as relevantly amended by Council Directive 2014/52/EU). Council Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC as amended by Council Directive 97/11/EC and Council Directive 2003/35/EC of the European Parliament and of the Council and Directive 2009/31/EC of the European Parliament and of the Council, and, having regard to the selection criteria contained in Annex III of the relevant Directive, that it should be made subject to an environmental impact assessment. Accordingly, an Environmental Statement was published on 2 November 2016.

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

- (a) all objections to the draft Project and Orders including all opinions on the Environmental Statement expressed in writing by the consultation bodies and any other persons;
- (b) the objectives of the Project to improve the operational performance and level of service and safety on the A737 by reducing the effects of driver stress and journey times, improve journey time reliability, maintain the asset value of the A737, ensure that facilities are fully compliant with the requirements of the Disability Discrimination Act 2005, through application of Transport Scotland’s “Roads for All” guidance as amended or updated; achieve good value for money for both taxpayers and transport users; develop Engineering solutions for the proposed infrastructure in line with the requirements of the Design Manual for Roads and Bridges (DMRB); improve sustainability in design and construction; and
- (c) the information provided in the Environmental Statement, including the temporary and permanent effects on the environment from the construction of the Project, and the proposed mitigation measures.

To minimise impacts of the Project the following requirements will be adhered to during the works –

- the contractor will undertake pre-construction consultation with local residents to ensure access to properties and land is maintained during the works;

- measures will be put in place by the contractor to control dust generated during construction;
- an archaeological pre-construction survey will be undertaken to mitigate impacts on cultural heritage;
- mitigation measures for ecology and nature conservation include a pre-construction survey to ensure that impacts on bats are avoided;
- detention basins are proposed to store and treat drainage from the proposed roads during times of rainfall. This will help prevent flooding and improve water quality;
- watercourse diversionary works and measures to control sediment mobilisation, surface water discharges and spillages will be carried out in accordance with guidance from the Scottish Environment Protection Agency (SEPA);
- measures will be implemented to protect the local community from noise impacts during and after construction;
- the contractor shall produce and adhere to a Construction Environmental Management Plan (CEMP) prior to work on site;
- the appointed contractor shall produce a Traffic Management Plan and temporary traffic management measures shall be advertised in advance;
- the risk of impacts on material resources and waste disposal facilities will be managed and reduced through the development and application of plans addressing different aspects of construction site management, such as a CEMP and a Site Waste Management Plan;
- new footpaths and shared footway/cycleways will be provided to mitigate impacts on non-motorised users and provide safer access;
- exchange land will be provided to mitigate the loss of open space; and
- suitable mitigation planting will be incorporated as part of the Project to reduce landscape and visual impacts in the local area. The landscape proposals have been designed to benefit the character of the local landscape.

Further details of the measures which will be taken to avoid, reduce and, if possible, offset any significant adverse effects of the Project are as set out in the Environmental Statement available on Transport Scotland's website at [www.transportscotland.gov.uk](http://www.transportscotland.gov.uk).

ANY PERSON or GROUP who desires to challenge the validity of the decision 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.



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