

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

### **A9 DUALLING PROGRAMME: GLEN GARRY TO DALWHINNIE**

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

THE SCOTTISH MINISTERS give notice that they have decided to proceed with a project in connection with improving and constructing new lengths of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road between Glen Garry and Dalwhinnie in the County of Perth-shire and the County of Inverness-shire by widening and reconstructing the existing single carriageway to form a new dual carriageway section (“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 will provide additional lengths of trunk road and slip roads to form part of the existing trunk road between Glen Garry and Dalwhinnie in Perth-shire and Inverness-shire.

The Scottish Ministers determined that the Project falls within Annex II of 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 Directive 2014/52/EU). Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC as amended by Council Directive 97/11/EC, Directive 2003/35/EC of the European Parliament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. They prepared an Environmental Statement which was published on 19 December 2017.

Objections to the Project and Orders required for the Project were received by Ministers. A Public Local Inquiry was planned to be held to consider those objections, however the PLI was subsequently cancelled. The Reporter issued his report on 28 February 2019.

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) all of the written evidence provided to the Reporter in relation to the Project, including the Reporter’s conclusions and recommendations;
- (c) the objectives of the Project to improve the operational performance by reducing journey times and improving journey time reliability, improve safety for motorised and non-motorised users by reducing accident severity and reducing driver stress, facilitating active travel within the corridor, and improve integration with public transport facilities; and
- (d) the information provided in the Environmental Statement.

The Scottish Ministers have considered the proposal for the construction of the Project, the temporary and permanent effects on the environment, the mitigation measures proposed in the Environmental Statement (including, but not limited to, those listed below) together with the written comments received from consultees. Taking these into account, the Ministers have determined that the measures proposed within the Environmental Statement will be sufficient to mitigate significant adverse impacts on the environment.

The following requirements will be adhered to during the works –

- A Construction Environmental Management Plan (CEMP) will be prepared by the Contractor. The CEMP will include, but not be limited to, subsidiary plans relating to: land (including a specific Soil Management Plan), geology and land contamination; surface water and groundwater (including a Flood Response and Pollution Incident Response Plan); ecology (Ecological Management Plan which will include specific Species Protection Plans and Habitat Management Plans); landscape, cultural heritage, air quality and noise and vibration;
- Access to/ from residential, commercial and industrial and agricultural, forestry and sporting assets will be maintained throughout the construction period. Diversions and alternative provision for the national cycle route will be arranged by the contractor;
- A suitably qualified (or team of suitably qualified) and experienced Environmental Clerk of Works shall oversee implementation of mitigation and monitoring. A suitably qualified and experienced Ecological Clerk of Works shall oversee and provide specific inputs to the implementation of proposed mitigation and monitoring;
- In relation to authorisations under Controlled Activities Regulations (CAR), the Contractor will be required to provide a detailed Construction Method Statement which will include proposed mitigation measures for specific activities including any requirements identified through the pre-CAR application consultation process;
- Good practice construction site and runoff control measures will minimise potential impacts to the water environment.
- Pre-construction surveys will be undertaken to verify and, where required, update the baseline ecological conditions set out in the Environmental Statement;
- The construction programme will be kept to the minimum practicable time to reduce the duration of any landscape and visual impacts and areas will be cleared for construction as close as possible to works commencing and top soiling, reseeding and planting shall be undertaken as soon as practicable after sections of work are complete. As far as practicable, plant and material storage areas will be appropriately sited to minimise their landscape and visual impact. Construction sites will be kept tidy. Work during hours of darkness will be avoided as far as practicable;
- The Contractor will consult with the relevant local authority and Transport Scotland's historic environment advisor should any archaeological or cultural heritage finds or sites be discovered or revealed during construction to enable appropriate measures to be implemented to mitigate potential impacts. To mitigate potential impacts on previously unknown archaeological remains, archaeological works and recording shall be implemented. The areas defined as requiring an archaeological watching brief shall be determined in consultation with The Highland Council Historic Environment Team and Perth and Kinross Heritage Trust;
- Measures will be implemented to reduce fugitive dust emissions from earthworks, material storage and concrete batching. Measures will be implemented to reduce dust from vehicle movements within the site. Measures will be implemented to reduce potential of dust from public roads;
- Mitigation measures for noise during construction will be put into place to reduce impacts, including implementation of best practice and community liaison, with working time restrictions where required.
- A Site Waste Management Plan (SWMP) will be developed as part of the CEMP to set out how all construction phase materials will be managed.

Further details of the measures which will be taken to avoid, reduce and, if possible, offset any major adverse effects of the Project are as set out in the Environmental Statement available on

Transport Scotland's website at <https://www.transport.gov.scot/projects/a9-dualling-perth-to-inverness/a9-glen-garry-to-dalwhinnie/>.

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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