
3. Consultation

3.1. Introduction

3.1.1. This chapter describes the consultation process undertaken as part of the Environmental Impact Assessment process. Consultation with relevant statutory and non-statutory organisations has been undertaken as a key element of this assessment. The methods used to collect information from consultees are provided, followed by information on the purpose and benefits of the consultation process. To conclude details of all consultees involved and key issues raised are highlighted.

3.2. Methodology

3.2.1. Organisations consulted are detailed in Table 3.1. Three consultation methods were used to gain information from relevant consultees:

- Site visit;
- Meetings; and,
- Letters.

3.2.2. If no response was obtained from the formal consultation letter and later communications it was assumed the consultee had no comment to make.

3.3. Consultation Process

3.3.1. The purpose and benefits of the consultation process are as follows:

- Ensure statutory bodies are informed in line with Design Manual for Roads and Bridges (DMRB) assessment guidelines;
- Consulting relevant bodies helps to gather baseline environmental data;
- Data gathered through the consultation process can often be more detailed as members of these organisations are experts in certain fields and are likely to have detailed local knowledge;
- Actively encouraging local groups to comment on the proposed design can highlight problems and complaints which can then be mitigated before they arise; and,
- Engaging with all stakeholders including the public is an important part in sustainable development.

3.4. Public Exhibition

3.4.1. A public exhibition was held in Maybole on 18th January 2013 to publicise the proposed scheme for the A77 trunk road at Maybole. To ensure a high volume of attendees, the following:

- **Invitees** - Letters inviting Elected Officials and landowners were sent out prior to the exhibition;
- **Advertising** - Press releases were published in Ayrshire Series, including the Ayrshire Post, Kilmarnock Standard, Irvine Herald and Carrick Gazette;
- **Posters** - Approximately 100 posters publicising the event were distributed to local businesses and the Maybole Bypass Action Group informing the public of the exhibition;
- **Exhibition Boards** - After the exhibition, PDFs of the exhibition boards were posted on-line on Transport Scotland's project page for the scheme (<http://www.transportscotland.gov.uk/road/projects/a77-maybole-bypass>) enabling individuals who were unable to attend the exhibition to view the information that had been displayed; and,
- **Brochure** - Brochures were produced and each member of the public who attended the exhibition received a copy for their information and retention.

3.4.2. The exhibition was attended by 329 members of the public which included landowners and residents directly and indirectly affected by the scheme. These attendees were asked to complete a comment form asking their opinion on the proposed scheme.

3.4.3. A total of 65 results forms were completed during the exhibition and the results are summarised in Table 3.1.

Table 3.1 Results from Public Exhibition		
Positive Comments	Concerns Expressed	Negative Comments
50%	30%	20%

3.4.4. Some positive results which were received are as follows:

- Can't come quick enough;
- Sooner its built the better; and,
- Long overdue - Maybole has waited 50 years for this bypass.

3.4.5. Although a minority of negative comments were received, many respondents raised concerns which included:

- Increase noise, air and light pollution as a result of the proposed route affecting adjacent properties;
- Visual intrusion of the proposed route on adjacent properties; and,
- Distance of the proposed route to surrounding properties.



3.5. Key Issues Raised by Consultees

3.5.1. Table 3.2 Environmental Statement Consultees, provides details of all consultation undertaken and the main issues discussed.

Table 3.2 Environmental Statement - Consultees			
Consultee	Date & Method of Response	Response	Action Required
South Ayrshire Council: Sustainable Development		No response received	
South Ayrshire Council: Environmental Health	15/05/2013 Email	The route of the road does not affect any private water supplies and does not pass through any areas of potentially contaminated land.	No action required
South Ayrshire Council: Development and Environment	24/05/2013 Letter	<p style="text-align: center;">Biodiversity</p> <p>Although the proposed site is not affected by any national or international natural conservation designations, the ES should include a survey and assessment of the short and long term impacts of the development upon species of flora and fauna, protected under EC Directive 92/43/EEC. The ES should state the significance of the site for protected species, both in terms of the abundance and disruptions of populations, frequency of use, and identification and significance of important sites.</p> <p style="text-align: center;">Built and Cultural Heritage Resources</p> <p>The ES should assess the direct and indirect impacts of the proposed development upon heritage resources and their settings including scheduled monuments, unscheduled archaeological sites, listed buildings, conservation areas, gardens and designated landscapes/ The proposed route will have a direct influence upon a small number of designations including the B-listed East Enoch and the B-listed Nether Culzean. Nonetheless,</p>	Considered within all chapters of the ES.



Table 3.2 Environmental Statement - Consultees			
Consultee	Date & Method of Response	Response	Action Required
		<p>the assessment should give consideration to all of the built heritage designations within the study area.</p> <p>Tourism/Recreation and Public Access Resources</p> <p>The ES should address the consequences of the development for users of the countryside and its direct and indirect impacts on tourism and recreational interests and resources in the vicinity.</p> <p>Water</p> <p>The proposed development will result in an increase in hard surfacing within the area and will therefore increase the risk of flooding. The ES should fully assess any potential flooding issues arising as a result of the proposed development (in line with Scottish Planning Policy and the advice of SEPA), ensuring that appropriate mitigation measures are in place to deal with any adverse effects. It is noted that part of the route would be located upon an identified flood risk site at Bankend Bridge.</p> <p>If a flood risk is identified as would appear to be the case with this proposal, a flood risk assessment should be carried out. Of particular relevance is the potential for flooding outwith the boundaries of the site as a result of the proposal. The ES should contain details of how run-off will be addressed, providing details of any SUDS used.</p> <p>Traffic and Transportation</p> <p>The ES should assess the impact of the construction and operational phases of the proposed development on the public road network in terms of the effects of the additional vehicular traffic generated, particularly heavy good vehicles and abnormal loads, on traffic management, road safety, road layout and road condition.</p>	



Table 3.2 Environmental Statement - Consultees			
Consultee	Date & Method of Response	Response	Action Required
		<p style="text-align: center;">Landscape and Visual Effects</p> <p>Although none of the proposed development site is located within any sites designated for their landscape value, it will have an impact upon the locally designated scenic area and it is therefore necessary to consider the visual impacts which the proposal would have upon the designation. A range of viewpoints should be agreed prior to the commencement of the assessment, ensuring that all locally valued and important viewpoints are included within the assessment. The ES should detail any mitigation measures which can be used to minimise the visual effects of the proposal.</p> <p style="text-align: center;">Population</p> <p>Given the nature of the proposed development, there could be significant implications for some local residents through increased noise levels, vibrations and loss of land which is necessary for their livelihood. There will also be increased level of dust within the atmosphere, particularly during the construction phase. Access to properties may also be affected during the construction phase.</p> <p>The ES should include prediction of noise levels from the proposed development site and routes to the site during the construction phase. The ES should contain an assessment of noise impacts upon nearby residential properties. The ES should contain a plan clearly identifying the extent of the study area. It is recommended that a Construction Method Statement (CMS) should show how the developer will minimise the impact of construction activity on the amenity of the area. It should include details of mitigation measures to control noise, dust, construction traffic and include hours of construction work.</p>	

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Consultee	Date & Method of Response	Response	Action Required
		<p style="text-align: center;">Air</p> <p>The construction works will inevitably result in a high level of dust being released into the atmosphere. The ES should include an assessment of the dust arising, its impacts upon surrounding residential properties and the mitigation measures which will reduce the extent of any impacts.</p> <p style="text-align: center;">Soil</p> <p>The ES should fully consider the impact upon soils given that the majority of the proposed route is located upon existing agricultural land. It is noted that only a small section of the route will pass through an area of prime quality agricultural land.</p>	
SEPA	20/05/2013 Letter	There will be no objection to this proposal from SEPA. Run off from the road must be treated via suitably designed SuDS system. The EIA should assess the impact of the construction and operation of the road on the Water Environment including ground water. This should include the impact of the run off from the road and of engineering activities such culverts, burn diversions etc.	Continual consultation with SEPA throughout design.
Scottish Natural Heritage	05/07/2013 Letter	<p style="text-align: center;">Protected Sites</p> <p>I can confirm that the proposed alignment will not have direct or indirect impacts on any specially protected natural heritage sites.</p> <p style="text-align: center;">Badgers</p> <p>I note the concerns you raise regarding the potential impact on Badgers. As we discussed in our telephone conversation, the destruction of the outlying badger sett will require to go through the licensing process laid out on our website.</p> <p>It would be useful for the officer assessing the application (and for the design of the roads environmental protection measures) if there was a clearer understanding about the use of this sett.</p>	Considered within the Ecology and Nature Conservation and Landscape Effects chapters.



Table 3.2 Environmental Statement - Consultees			
Consultee	Date & Method of Response	Response	Action Required
		<p>Primarily I think we will need to understand which main sett this outlier is associated with. This should provide useful information on the directions that the badgers are moving and possibly more information on the levels of use.</p> <p style="text-align: center;"><u>European Protected Species</u></p> <p style="text-align: center;">Bats</p> <p>While the route is largely through an open pastoral landscape, it will cut through hedge networks and require the felling of several mature hedge-row trees. There is therefore potential for the alignment to have an impact on bats and their roosts. It would be useful to carry out survey work at an early stage in order that the results can be used to fine tune the design of both the cut and fill and the landscape proposals. A survey which records patterns of bat movement over the alignment and the locations of associated roosts would highlight areas where bats crossing the traffic may be at risk of collision. This could then be used to develop mitigation to deflect or modify the bat movements away from the traffic.</p> <p style="text-align: center;">Otter</p> <p>There are only a few minor water courses which cross the proposed alignment. However there is a probability that these will occasionally be used by otter foraging across the catchment. Appropriate culvert design should be considered. It is also likely that SuDS arrangements may prove to be attractive to otter and this should also be addressed in the design of environmental measures.</p> <p style="text-align: center;">Landscape</p> <p>We would recommend that some early consideration is given to the visual impacts of the road and that mitigation should be taken into account in the development of the cut and fill where possible.</p>	



Table 3.2 Environmental Statement - Consultees			
Consultee	Date & Method of Response	Response	Action Required
		SNH will be happy to make further comments as the plans develop.	
Historic Scotland	21.05.2013 Letter	In this case I can confirm that the preferred alignment does not appear likely to have a direct impact on the sites within our remit. The significance of the impact of the proposed development on the setting of the designated heritage assets in its vicinity is not clear from the level of information provided. We would be happy to provide further information for these effects as your assessment progresses. However you must also seek comments from SAC archaeology and conservation advisors. They will be able to provide information and advice on matters including unscheduled archaeology and the potential for as yet unknown archaeology in the area indicated on your map.	South Ayrshire Council have received further consultation. Further consultation has been sought from SAC archaeological advisor.
Ayrshire Bat Group		No response received	
Ayrshire Fisheries Trust	28/05/2013 Letter	I would like to confirm on behalf of the Ayrshire Rivers Trust, that we have no issue with the position of the proposed A77 Maybole Bypass. ART would advise that any necessary precautions are taken where work falls near a watercourse to ensure that the risk of pollution is minimised. Furthermore it would be preferable for future monitoring of the nearby fish populations to be included so as to allow any potential resultant issue to be highlighted. ART would be able to design and implement a monitoring plan should Amey desire.	Considered within the road drainage and water environment chapter.
British Trust for Ornithology		No response received	

Table 3.2 Environmental Statement - Consultees			
Consultee	Date & Method of Response	Response	Action Required
British Horse Society	31/05/2013 Email	<p>I am posting the maps to our local representative Elaine and she will email you a locally based response in due course.</p> <p>Meanwhile I know enough to be able to say categorically that this is a very horsey area and that horse riders will be affected by the new bypass. In reality please make all facilities for non-motorised traffic multi-use and make sure any access controls used are horse friendly, all crossings and underpasses will potentially be used by horse riders.</p>	Considered within the pedestrians, cyclists, equestrians and community facilities chapter.
	26/06/2013 Email	<p>The BHS sent an email around all its members in Ayrshire and I only received one response saying that they had no real concerns about the by-pass providing that any over and under-passes are suitable for horses to use, especially the one on the road marked with green dots which I assume relates to the cycle route, as this is the main way the riders concerned come into the town. I would also reinforce what Helene said to please make all facilities for non-motorised traffic multi-use and make sure any access controls used are horse friendly, all crossings and underpasses will potentially be used by horse riders.</p>	
British Geological Survey	24/05/2013 Email	<p>Thank you for the opportunity to comment on the above road improvement proposal at Maybole.</p> <p>We have looked at the preferred route on the map you supplied and note that the route is underlain by Devonian Swanshaw Formation sandstone covered by glacial till, hummocky glacial deposits and alluvium. We are not aware of any geological features of interest along this route.</p> <p>However, we would be grateful for any site investigation information that may be generated by this scheme.</p>	Considered within the geology and soils chapter.

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Consultee	Date & Method of Response	Response	Action Required
Cycling Touring Club Scotland		No response Received	
Macauley Land Use Research Institute		No response received	
Maybole Community Council		No response received	
Milestone Society	25/07/2013 Letter	<p>Two existing milestones will be at primary risk of loss and/or damage</p> <p>MSS ref AYS_GVMBA11 on the A77 1 mile south of Maybole at OS grid ref NS 287 093</p> <p>MSS ref AYS_AYMBB08 on the B7024 0.5 miles north of Maybole at OS grid ref NS 3045 1070</p> <p>Three further milestones will be at secondary risk of loss and/or damage</p> <p>MSS ref AYS_AYMBA06A on the A77 3 miles north of Maybole at OS grid ref NS 326 133</p> <p>MSS ref AYS_AYMBA07A on the A77 2 miles north of Maybole at OS grid ref NS 3215 1175</p> <p>The two milestones at primary risk are located at points where physical construction works will take place, and appropriate accommodation works should be specified in the contract to protect these milestones for the duration of the physical works,</p>	Considered within the cultural heritage chapter.

Table 3.2 Environmental Statement - Consultees			
Consultee	Date & Method of Response	Response	Action Required
		<p>preferably designing the works to allow them to remain safely in situ</p> <p>The three milestones at secondary risk are located at points where diverted and/or construction traffic may increase significantly during the works, and appropriate accommodation works should be specified in the contract to protect these milestones preferably in situ for the duration of the physical works</p>	
RSPB Scotland		No response received	
Scottish Ornithologist Club		No response received	
Scottish Raptor Study Group		No response received	
Scotways	17/05/2013 Letter	<p>The National Catalogue of Rights of Way does not show any rights of way affected by the area outlined on your plan. However, as there is no definitive record of rights of way in Scotland, there may be other routes that meet the criteria to be rights of way but have not been recorded because they have not yet come to our notice. You will no doubt be aware that there may now be general access rights over any property under the terms of the Land Reform (Scotland) Act 2003. It is also worth bearing in mind Core Paths Plans, prepared by local authorities as part of their duties under this Act.</p>	N/A
Scottish Wildlife Trust		No response received	



Table 3.2 Environmental Statement - Consultees			
Consultee	Date & Method of Response	Response	Action Required
Scottish Badgers	14/05/2012 Letter	<p>We would strongly recommend that as part of the environmental assessment that a badger survey be carried out to identify the presence/absence of badger setts from the proposed route.</p> <p>This survey should be carried out at an appropriate time of year. Whilst we do not appear to have any sett records for this area we do have a number of records relating to badgers being killed on the existing road. We would recommend the survey should be at least 500 metres either side of the proposed line of the route.</p> <p>Should field surveys reveal the presence of badgers then consideration should be given to road crossings and the use of appropriate fencing to separate the badgers from traffic and reduce the risk to road users coming into contact with badgers resulting in road traffic accidents.</p>	<p>Surveys were carried out by Amey Ecologists in March/April 2013. Details are found within Appendix D4.</p>
Sustrans		No response received	
West of Scotland Archaeology Service		No response received	