

ROADS (SCOTLAND) ACT 1984

THE A9 TRUNK ROAD (TAY CROSSING TO BALLINLUIG)

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 Tay Crossing and Ballinluig in the County of Perthshire 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 Order is to construct and improve junctions and side roads and form new and improved connections in relation to the trunk road between Tay Crossing and Ballinluig in the County of Perthshire.

The Scottish Ministers determined that the Project falls within Annex II to 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 Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC as amended by Council Directive 97/11/EC, Directive 2003/35/EC of the European Parliament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 and the Project was subject to an environmental impact assessment. Accordingly, an Environmental Statement was published on 31 July 2018.

Objections to the Project and Orders required for the Project were received by the Ministers. Written evidence on those objections were submitted for consideration to the Reporter. The Reporter issued his report on 15 July 2020.

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, facilitate 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 factors into account, the

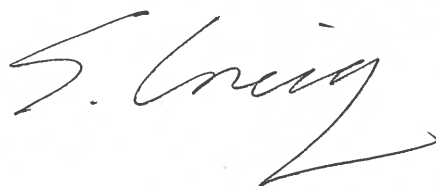
Ministers have determined that the measures proposed within the Environmental Statement will be sufficient to mitigate significant adverse effects on the environment.

The following requirements will be adhered to during the works –

- Land take has been limited in the vicinity of designated areas including the River Tay Special Area of Conservation and Ancient Woodland Inventory sites to avoid or reduce effects. Further temporary land requirements for site compounds will be avoided in those areas.
- The Contractor will produce a Construction Environmental Management Plan (CEMP) to include best practice in the control of dust, noise and vibration, general pollution control, and minimising disturbance to watercourses and ecological habitats and will otherwise take all reasonable steps to avoid, reduce or mitigate construction impacts on the environment and surrounding community.
- Construction will be phased to maintain access to and from residential, commercial and industrial and agricultural, forestry and sporting assets.
- Occupation of the existing A9 by the Contractor during the works will be minimised to minimise disruption during construction.
- The Contractor shall produce a Traffic Management Plan that will include measures to avoid or reduce disruption to the road traffic.
- New footpaths, crossings and footways/cycleways will be provided to mitigate impacts on non-motorised users and provide safer passage across the A9.
- A Sustainable Drainage System (SuDS) will be constructed to improve the quality of road runoff prior to its discharge into the environment.
- Planting of compensation woodland, environmental and ecological mitigation planting will be undertaken to reduce effects on habitats and the landscape.
- The construction works will be phased to avoid sensitive periods for ecological habitats where required.
- The Project design has sought to avoid and minimise environmental impacts on sensitive receptors in the area and has considered: community and private assets; pedestrians, cyclists and equestrians; geology and soils; road drainage and the water environment; ecology and nature conservation; landscape and visual; cultural heritage; air quality; noise and vibration; materials; and cumulative impacts.

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 published on 31 July 2018 and available on Transport Scotland's website at: <https://www.transport.gov.scot/projects/a9-dualling-perth-to-inverness/a9-tay-crossing-to-ballinluig/>

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.

A handwritten signature in black ink, appearing to read 'S. Greig', with a long, sweeping underline.

S. GREIG

A member of the staff of the Scottish Ministers

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