

## **APPENDIX B**

### **Consultation Responses Summary Table**

**APPENDIX B: CONSULTATION RESPONSES SUMMARY TABLE**

Consultee	Consultation Letters		Comments
	Date Sent	Reply Dated	
Cyclists' Touring Club Scotland	03/12/02	07/12/02	Need for accompanying cycling facilities as a safe and direct alternative to cycling on the A75.
DEFRA – Air and Environment Quality Division	03/12/03	11/12/02	Information on AQMA and associated data can be found on the Air Quality website.
Dumfries and Galloway Council, Planning and Environment	03/12/02	12/12/02	No records of ambient air quality within the study area, nor any AQMAs within Dumfries and Galloway.
Dumfries and Galloway Council, Planning and Environment	26/11/02	18/12/02	Council unable to supply any information in relation to contaminated land within the study area as it is still in the process of collecting such information for the region.
Dumfries and Galloway Council, Planning and Environment	13/12/02	13/01/03	Results of Council Sites and Monuments Record search (printout) inc: Recorded archaeological sites inc. SAMs Archaeologically Sensitive Areas Listed Buildings Conservation Areas Designed Landscapes Milestones not included in SMR and require to be taken into account.
Dumfries and Galloway Council, Planning and Environment	26/11/02	10/12/02	Contact SNH for copy of Dumfries & Galloway Landscape Character Assessment. Inventory of Gardens and Designed Landscapes from SNH and/or Historic Scotland. Further info from Garden History Society. Conservation Areas in designated Local Plans. HS can provide general area description

Consultee	Consultation Letters		Comments
	Date Sent	Reply Dated	
Dumfries and Galloway Badger Group/Bat Group/Bird Recorder/	01/12/06	No Response	Request made for specific protected species within the study area.
Dumfries and Galloway Council Combined Services	14/02/06	22/02/06	Comments on side road arrangements and specifically the U81 crossroads – more information required, however, there are ongoing discussions with the design team. Further discussion required regarding the future use of the stopped section of the A75.
Dumfries and Galloway Council Local Services	19/12/03	02/03/04 telephone conversation	Bob Maxwell (Group Manager, Local Services Wigtown) has no objections in principle. Some staff members have queries re. new access arrangements and speed limits.
Dumfries and Galloway Council Waste Policy and Assets	06/06/06	06/06/06	E-mail confirming that there are no sites within 2km which are registered under Part 2A of the Environmental Protection Act on the Dumfries and Galloway Council Contaminated Land Register.
Dumfries and Galloway Environmental Resources Centre	01/12/06	08/12/06 & 23/04/07	Data provision from the records centre relating to specific biological records associated with the site and surrounding area.
Forest Enterprise	03/12/02	06/12/02	Forest Enterprise (Galloway Forest District) have no land ownership in the Hardgrove to Kinmount projects
Historic Scotland	13/12/02	26/02/03	Historic Scotland unable to provide a detailed assessment until more detailed information on the proposed route is provided.
Historic Scotland	04/03/03	21/05/03	Identified possible disturbance of two prehistoric settlement sites at new access to Oakbank. Recommend a programme of archaeological field evaluation and sampling prior to road construction. Would require more detailed plans of precise areas of new land take before definitive advice could be given.
Historic Scotland	19/12/03	27/02/04	Earlier response of 21/05/03 to H.Fendl (Mouchel Parkman) still applies and constitutes Historic Scotland's formal comments.

Consultee	Consultation Letters		Comments
	Date Sent	Reply Dated	
Historic Scotland	14/02/06	17/03/06	Principles underlying the previously identified need for archaeological evaluation still apply in the case of the revised scheme now under consideration. As it (the revised scheme) now involves ca. 3km of off-line construction the level of archaeological evaluation will be proportionately greater than previously envisaged. It would generally involve a programme of archaeological field evaluation and sampling prior to road construction, undertaken along the areas of new land take. Depending on the results this may lead to a requirement for more detailed excavation and recording of specific sites uncovered. Archaeological work should be carried out by a suitably qualified archaeological contractor appointed and managed by Historic Scotland, on behalf of Transport Scotland. All formal archaeological work – both evaluation and any follow-on excavation – must be completed before the start of road construction.
Mr & Mrs J. Green (mammal survey specialists)	11/09/02	10/02	Report on otter and badger casualties on the A75 received (see Appendix X).
Mr & Mrs J. Green (mammal survey specialists)	08/03	09/03	A75 Hardgrove to Kinmount Otter, Badger and Water Vole Survey Report received (see Appendix X).
National Trust for Scotland	13/12/02	13/12/02	Unable to help – suggest contacting SNH and the Garden History Society.
RSPB Scotland	05/09/02	30/10/02	Do not foresee a significant adverse impact on wild birds
SEERAD	25/11/02	18/12/02	Advised to seek info on Agricultural Land Capability from the Macaulay Land Use Research Institute and geological info from SNH.
SEERAD	19/12/03	02/03/04 telephone conversation	Discussed proposals verbally with Paul Neison. SEERAD had no objectives on the basis of development discussed.
SEERAD	14/02/06	21/02/06	No observations or comments to make on the proposed works.

Consultee	Consultation Letters		Comments
	Date Sent	Reply Dated	
SEPA	26/11/02	12/12/02	Identified landfills, areas of potentially contaminated land and exempt scrap yard. Advised to contact Dumfries and Galloway Council regarding contaminated land.
SEPA	26/11/02	17/12/02	Principal watercourses identified as Back Burn, Pow Water and it's tributaries inc. Glen Burn. Solway firth is a SSSI, SPA and cSAC. Groundwater vulnerability map provided – nearest groundwater abstraction is Rhodia Chirex at Annan. Broom Fishery (NGR NY 165 657) used to abstract water from Back Burn – site is extremely sensitive to pollution. Chemical and biological data for the River Annan is available if required.
SEPA	N/A	24/12/02	Statement that it is essential that the environmental assessment deals with the treatment and disposal of silt-contaminated surface water run-off from the construction site. CIRIA guidance enclosed.
SEPA	19/12/03	15/01/04	Letter from Alan Macaskill confirming that SEPA has no additional comments on the proposed scheme.
SEPA	14/02/06	02/03/06	Reiteration of key issues: <ol style="list-style-type: none"> <li>1. A SUD system which will include appropriate containment facilities, e.g. ponds for oil spillage etc. into the road drainage system;</li> <li>2. Appropriate treatment for the silt-contaminated run-off during construction.</li> <li>3. Consultation with downstream users to ensure that their interests are fully considered before construction starts.</li> </ol> <p>Note that the Control of Pollution Act 1974 will be superseded on 1<sup>st</sup> April 2006 by the Water Environment (Controlled Activities) (Scotland) Regulations 2005.</p>
SNH	11/07/02	29/11/02	Don't hold any detailed information, however, SNH would expect an assessment of the impacts on habitats both positive and negative on the areas immediately adjacent and of any species which may be affected. Attention drawn to high densities of badgers and otters in the area.

Consultee	Consultation Letters		Comments
	Date Sent	Reply Dated	
SNH	25/11/02 & 26/11/02	20/12/02	GIS Maps indicating site sensitivities of which SHN is aware. – designated sites and other interests (inc. ancient woodland) and vegetation and habitats as described by LBAP categories. Main designated interests are Upper Solway Flats and Marshes SSSI, Solway Firth SAC and SPA, Royal Ordnance Powfoot SSSI and Kinmount Historic Garden and Designed Landscape. The other main non-designated interest is the Local Wildlife Site of Kelhead Flow. SNH report that there are no rare plant sensitivities for the area. The Geological Conservation Review site of Newbie is outwith the study area.
SNH	03/12/02	09/01/03	No geological SSSIs or Regionally Important Geological Sites and no special geological features that are of any significance in terms of the proposed works.
SNH	03/12/02	10/01/03	Hardgrove scheme is currently being dealt with at Dumfries office.
SNH	19/12/03	08/01/04	Comments received previously (29/07/2002 and 20/12/02) remain valid. Attention drawn to Inventory Woodland, badgers, otters and Kinmount designated landscape.

Consultee	Consultation Letters		Comments
	Date Sent	Reply Dated	
SNH	14/02/06	21/02/06	<p>Habitats involved are unlikely to hold specific natural heritage of particular significance, although no species data is held for this location. A survey of these habitats should be conducted to establish whether there are specific habitats and species of significance within the proposed road corridor.</p> <p>There is anecdotal information supported by the particular habitats at this location that the area supports badgers...Similarly the proposed route of the road crosses one small watercourse which may be used by otters. There is increasing concern nationally on the population of water voles which may also be present on the water courses adjacent to and crossed by the proposed route.</p> <p>Strongly recommended that a survey of otters is undertaken at the earliest opportunity. The type of survey which may be required would involve survey of the watercourses and ditches directly on the line of the route and on the adjacent areas within a 500m corridor of the road, for signs of otter activity and locations which may be used for resting or as shelter. A licence is required from SNH before undertaking some types of survey on European Protected Species.</p>
SWT	19/12/03	30/01/04	Julian Warman indicated presence of 2 local wildlife sites at Kelhead Flow (NY140700) and Kelhead Water (NY146 692). Records are held by Solway Heritage Trust
SWT	14/02/02	No Response	
The Garden History Society	13/12/02	30/12/02	Kinmount House designated landscape identified. Site includes Kinmount House (A-listed) and East Lodge (B-listed) and also associated gate piers. Non-inventory designated landscape at Denbie. Recommendation: 'it is essential that disturbance of the existing landscape be achieved by sensitive design and detailing. Historic Scotland's 'Memorandum of Guidance on Listed Buildings and Conservation Areas' (1998) should be consulted.
The Health and Safety Executive	14/02/02	No Response	

Consultee	Consultation Letters		Comments
	Date Sent	Reply Dated	
The Meteorological Office	03/12/02	06/12/02	Do not hold information requested.





Mr Rory O'Brien  
Mouchel Parkman  
Lanark Court  
Ellismuir Way  
Tannochside Park  
Uddingston  
GLASGOW G71 5PW

Your Ref: 144510WS11A/EIA/SNH/RO'B003ft

Our Ref: CNS TR AE A75 30838

Date: 21 February 2006

Dear Mr O'Brien

**A75 HARDGATE TO KINMOUNT TRUNK ROAD IMPROVEMENT SCHEME-  
ENVIRONMENTAL IMPACT ASSESSMENT**

Thank you for consulting Scottish Natural Heritage (SNH) with regards the revised proposals for overtaking improvements on the A75 at the above location.

The revised line would largely cross areas of improved permanent pasture and one small area of recently felled and restocked plantation. The habitats involved are unlikely to hold specific natural heritage interest of particular significance, although we do not hold species data for this location. A survey of these habitats should be conducted to establish whether there are specific habitats and species of significance within the proposed road corridor.

There is anecdotal information supported by the particular habitats at this location, that the area supports badgers which will use the adjacent woodland areas and open permanent pasture as foraging areas. Similarly the proposed route of the road crosses one small watercourse which may be used by otters.

Given the high density and distribution of both these species in Dumfries and Galloway and lower Annandale in particular, there is a strong possibility that both these species may be present in the area and the proposed construction and operation of the road improvements may have impacts on these species. There is increasing concern nationally on the population of water voles which may also be present on the water courses adjacent to and crossed by the proposed route.

Scottish Natural Heritage is obliged to inform developers about protected species, including 'European Protected Species' (EPS), which may be affected by certain proposals.



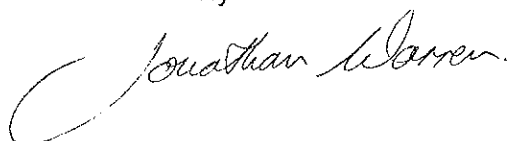
## SNH advice

To enable SNH to advise on impacts, we recommend strongly that a survey of otters be undertaken at the earliest opportunity. The type of survey which may be required would involve survey of the watercourses and ditches directly on the line of the route and on the adjacent areas within a 500m corridor of the road, for signs of otter activity and locations which may be used for resting or as shelter. SNH can advise further on this. A licence is required from SNH before undertaking some types of survey on EPS.

Details of the legal situation which applies to EPS are given in the appendix to this letter.

Please do not hesitate to contact me should you require further assistance.

Yours sincerely

A handwritten signature in cursive script that reads "Jonathan Warren". The signature is written in black ink and is positioned above the printed name.

JONATHAN WARREN  
Area Officer  
East Dumfriesshire

Enc.

## Appendix

### Legal Position

The Wildlife and Countryside Act 1981 (as amended) and The Nature Conservation (Scotland) Act 2004 provides full protection for certain animal and plant species. Some of these species are further protected as 'European Protected Species' under Regulations 39 and 43 of The Conservation (Natural Habitats &c.) Regulations 1994 and Regulations 10 and 13 of The Conservation (Natural Habitats &c.) Amendment (Scotland) Regulations 2004. The species identified above are European Protected Species.

This means it is illegal to:

- Deliberately or recklessly kill, injure, disturb or capture/take European Protected Species of animal or deliberately or recklessly harass any cetacean
- Damage or destroy the breeding sites or resting places of such animals
- Deliberately or recklessly pick, collect, cut, uproot or destroy European Protected Species of wild plant

Where it is proposed to carry out works which will affect European Protected Species or their shelter/breeding places, whether or not they are present in these refuges, a licence is required from the licensing authority (in this case likely to be Scottish Executive). It is strongly advised that you refer to the Scottish Executive information on the current interim licensing arrangements, which can be found in the document *European Protected Species, Development Sites and the Planning System: Interim Guidance for Local Authorities on Licensing Arrangements*, (October 2001) before applying for a licence. Copies of this are available at <http://www.scotland.gov.uk/library3/environment/epsg-00.asp> or by writing to the Species Licensing Team, Countryside & Natural Heritage Unit, 1 H South, Victoria Quay, Leith Edinburgh, EH6 6QQ or by telephoning 0131 244 7381.

As highlighted in the Interim Guidance, three tests must be satisfied before the licensing authority can issue a licence under Regulation 44(2) of the Conservation (Natural Habitats &c.) Regulations 1994 or Regulation 14 of The Conservation (Natural Habitats &c.) Amendment (Scotland) Regulations 2004 to permit otherwise prohibited acts. An application for a licence will fail unless all of the three tests are satisfied. The three tests involve the following considerations:

- Test 1 - The licence application must demonstrably relate to one of the purposes specified in Regulation 44(2) or Amendment Regulation 14. For development proposals, the relevant purpose is likely to be Regulation 44(2)(e) for which Scottish Executive is currently the licensing authority. This regulation states that licences may be granted by Scottish Executive only for the purpose of *"preserving public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment."*
- Test 2 - Regulation 44(3)(a) states that a licence may not be granted unless Scottish Executive is satisfied *"that there is no satisfactory alternative"*.

- Test 3 - Regulation 44(3)(b) states that a licence cannot be issued unless Scottish Executive is satisfied that the action proposed *"will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range"* (Scottish Executive will, however, seek the expert advice of Scottish Natural Heritage on this matter).

Consideration of European Protected Species must be included as part of the planning application process, not as an issue to be dealt with at a later stage. Any planning consent given without due consideration to these species is likely to breach European Directives with the possibility of consequential delays or the project being halted by the EC, as has happened previously.

Mouchel Parkman	
Register No.	3671
22 FEB 2006	
ROTB	144610



# SCOTTISH EXECUTIVE

## Environment and Rural Affairs Department

Southern Area Office  
161 Brooms Road  
Dumfries DG1 3ES

Rory O'Brien  
Mouchelparkman  
Lanark Court  
Ellismuir Way  
Tannochside Park  
Uddingston  
Glasgow  
G71 5PW

Telephone: 01387 274400  
Fax: 01387 274440  
Aitken.swan@scotland.gsi.gov.uk  
<http://www.scotland.gov.uk>

Your ref: 144510WS11A/EIA/SEERAD/RO'BO  
06

Our ref:

21 February 2006

Dear Mr O'Brien

### A75 Hardgrove to Kinmount – Trunk Road Improvement Scheme Environmental Impact Assessment

I refer to your letter dated 14 February 2006 in relation to the above.

This office has no observations or comments to make on the proposed works.

Yours faithfully,

Aitken F Swan  
For the Principal Agricultural Officer

<b>Mouchel Parkman</b>	
Register No 3676	
24 FEB 2006	
ROB	144510
Action	

Your Ref:  
1445IOWS11A/EIA/D&GC/RO'B004IT

Our Ref: A/RM//MF/KL

22 February 2006

Mouchel Parkman  
Lanark Court  
Ellismuir Way  
Tannochside Park  
Uddingston  
Glasgow  
G71 5PW

**Combined Services**

Harthill  
Glasgow Road  
LOCKERBIE  
DG11 2SE

Any enquiries please contact:-

**Michael Fawkes**

Tel : 01576 203113

Fax : 01576 203967

E-mail: combined.services.aande@dumgal.gov.uk.

Dear Sirs

**LOCAL SERVICES: TRUNK ROAD CORRESPONDENCE  
A75 HARDGROVE TO KINMOUNT - EIA**

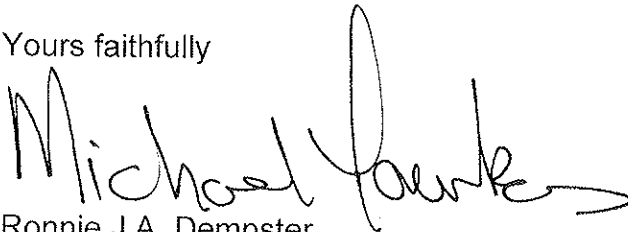
Thank you for your letter of 14 February 2006 regarding the above.

At this stage of the design my comments would only relate to the side roads arrangements. No detail is shown for the U81 Hardgrove crossroads and how that will impact. I have had very recent discussions with David Fraser from Mouchel Parkman about this scheme and certain aspects of the crossroads, but I assume that you are both part of the project team.

One other issue relates to the future use of the stopped section of A75. Further discussion will be required about what is envisaged with this section of road.

Should you require further information then please call Michael Fawkes at the above number.

Yours faithfully



*RP*  
Ronnie J.A. Dempster  
Group Manager, Annandale & Eskdale

Mouchel Parkman	
Reference No 2878	
27 FEB 2006	
CP	
Action	

\\cs-lockerbie\data\roads\_correspondence\maintenance\m6550 trunk road correspondence\letters\220206mfkl.doc

Ronnie J A Dempster, Group Manager Local Services, Annandale & Eskdale  
Geoff Lewis, Corporate Director





INVESTOR IN PEOPLE



Our Ref: IJ5/AMA/AMcG  
Your Ref:

Rory O'Brien  
Mouchel Parkman  
Lanark Court  
Ellismuir Way  
Tannochside Park  
Uddingston  
Glasgow  
G71 5PW

If telephoning ask for:  
Allan Macaskill

2 March 2006

Dear Mr O'Brien

**A75 HARDGROVE TO KINMOUNT – TRUNK ROAD IMPROVEMENT SCHEME – ENVIRONMENTAL IMPACT ASSESSMENT**

Thank you for your letter dated 14 February enclosing a scheme layout drawing.

I would re-iterate the key issues of concern for SEPA:

1. A SUD system which will include appropriate containment facilities, e.g. ponds, for oil spillage, etc, into the road drainage system;
2. Appropriate treatment for the silt-contaminated run-off during construction.
3. Consultation with downstream users to ensure that their interests are fully considered before construction starts.

You may be aware that the Control of Pollution Act 1974 will be superseded on 1 April by the Water Environment (Controlled Activities) (Scotland) Regulations 2006. Details are available on the SEPA website, [www.sepa.org.uk](http://www.sepa.org.uk).

Yours sincerely

Allan Macaskill  
Senior Environment Protection Officer



Chairman  
Sir Ken Collins

Chief Executive  
Dr Campbell Gemmill

**Dumfries Office**  
Rivers House, Irongray Road, Dumfries DG2 0JE  
tel 01387 720502 fax 01387 721154  
[www.sepa.org.uk](http://www.sepa.org.uk)

Helena Fendl  
Mouchel  
Albany Place  
Benwell Road  
London N7 7DH

21 May 03

Dear Ms Fendl

**A75 HARDMOUNT TO KINMOUNT  
A75 PLANNING END TO DRUMFLOWER  
A75 DUNRAGIT REALIGNMENT**

I refer to your letter of 4 March seeking comments on defined route options for the above three schemes. I can confirm that Historic Scotland is content that none of these scheme options, including the two options for Dunragit, raise any significant issues for any recorded historic environment sites. As such we have no adverse comments to offer on the options shown. There will however be some residual mitigation requirements for all three schemes, though with the exception of the Dunragit scheme, none of these are likely to be very extensive. The following provides more details.

**A75 Hardmount to Kinmount**

The on-line carriageway options themselves raise no issues, simply because they are on-line and involve no new land take.

We note that a number of alternative means of access are also proposed and that at least some of these will require new landtake involving previously undeveloped land. Areas of new landtake always have the potential to disturb archaeological remains, particularly if there are general indications from other sites in the vicinity that the area might generally be archaeologically sensitive. In this case the proposed new access at Oakbank lies close to two prehistoric settlement sites (sites DG7094 and 7095 in the information supplied previously by the Council Archaeological Service). Both sites have been revealed by aerial photography and will not be visible at ground surface level, but considerable buried archaeological evidence will survive below the ground surface. Archaeological experience has shown that features visible on aerial photographs are simply the tip of the iceberg and that the site is often more complex and of greater extent than the aerial photographic evidence suggests. There is thus a possibility that other features associated with these two sites will exist in the general Oakbank area and could be disturbed during road construction.

Although no other such sites are recorded close to the other proposed new access roads, the presence or absence of archaeological remains is always difficult to predict. For this reason we generally recommend, in mitigation, a programme of archaeological field evaluation and sampling prior to road construction in significant areas of new landtake. Depending on the results this may lead to a requirement for more detailed excavation and recording of specific sites uncovered. Thus a very limited programme of this nature is likely to be required for this



scheme. We would need to see more detailed plans of precise areas of new landtake required before we could advise more definitively.

#### **A75 Planting End to Drumflower**

Comments generally as above, though this scheme has generally less archaeological potential and any archaeological evaluation requirement would be restricted to the line of the new access road at Drumfower Hamlet/Little Genoch. (The other new access on this option, at Kirinnoch Cottage, passes through an area of existing forestry plantation where the archaeological potential will be so low that no further evaluation would be required). Again we would be able to provide a more definitive view on this once we have seen detailed plans.

#### **A75 Dunragit Realignment**

We are pleased to note that it has been possible to plan this realignment to avoid the very significant archaeological remains which lies to the south and west of Dunragit Village. We have no adverse comments to offer on either of the 2 options now proposed: neither would have any direct impact on any known archaeological sites and either would be acceptable to us. However as the whole of this route is substantially new-build across undeveloped land in an area which is known to be generally archaeologically sensitive, it would require a high level of prior archaeological evaluation. In this respect it is the most significant of the 3 schemes discussed here. In view of this I attach a more detailed archaeological report setting out the likely extent of this requirement.

I would be happy to clarify any of these points or provide further information as necessary.

Yours sincerely

Lily Linge



Rory O'Brien  
 Environmental Consultant  
 Mouchel Parkman  
 Lanark Court  
 Ellismuir Way  
 Tannochside Park  
 Uddingstone  
 Glasgow G71 5PW

Longmore House  
 Salisbury Place  
 Edinburgh  
 EH9 1SH

Direct Line: 0131 668 8660  
 Switchboard: 0131 668 8600  
 lily.linge@scotland.gsi.gov.uk

Our ref: AMN/3/2/27  
 Your ref:  
 144510WS11A/EIA/HS/RO'B007it  
 17 March 2006

Dear Mr O'Brien

**A75 HARDGROVE TO KINMOUNT  
 ENVIRONMENTAL IMPACT ASSESSMENT**

I refer to your letter of 14 February seeking comments on revised proposals for this scheme.

As you know our earlier response of 21 May 2003 identified a requirement for a limited programme of archaeological evaluation as mitigation for the small sections of the then largely on-line scheme which involved new land take. For ease of reference I enclose a further copy of that letter here. The principles underlying that identified need for archaeological evaluation still apply in the case of the revised scheme now under consideration. In addition as it now involves c3km of offline construction the level of archaeological evaluation will be proportionately greater than previously envisaged.

It would generally involve a programme of archaeological field evaluation and sampling prior to road construction, undertaken along the areas of new land take. Depending on the results this may lead to a requirement for more detailed excavation and recording of specific sites uncovered. This programme of archaeological work would be carried out by a suitably qualified archaeological contractor appointed and managed by Historic Scotland, on behalf of Transport Scotland. The contract for this work would be let through the normal competitive tendering system which applies to the archaeological evaluation of trunk road schemes: i.e. the detailed specification would be agreed between Transport Scotland and Historic Scotland, ideally after the full extent of required land take and compulsory purchase plans are available but well in advance of the letting of the road construction contract. All formal archaeological work - both evaluation and any follow-on excavation (see below) - must be completed before the start of road construction.

I hope this is of assistance.

Yours sincerely

Lily Linge

<b>Mouchel Parkman</b>	
Register No 3899	
<b>20 MAR 2006</b>	
<i>Rob</i>	144510
Action	

**From:** Marion Duff  
**To:** Daryl Fossett  
**Date:** 6/6/06 4:20PM  
**Subject:** Fwd: RE: Contmainated Land Enquiry

Marion Duff  
Graduate Engineering Geologist

For and on behalf of Mouchel Parkman

Building 3, 7 Luna Place,  
Dundee Technology Park  
Dundee DD2 1XF

Tel 01382 564240  
Fax 01382 564241

>>> "Cannon, Hazel" <Hazel.Cannon@dumgal.gov.uk> 06/06 3:52 pm >>>  
Dear Marion

Re: Proposed Upgrading of the Trunk Road between Carrutherstown and  
Uppermain on the A75 (O.S.  
311525,571180).

In respect of the above site, I can confirm that there are no sites within  
2km which are registered under Part 2A of the Environmental Protection Act  
currently on our Contaminated Land Register.

As a matter of curiosity, can I ask why no fee is applicable to Scottish  
Executive enquiries? We haven't come across this before, and wondered what  
the reason is.

Should you have any queries, please do not hesitate to contact me.

Regards

Hazel Cannon

-----Original Message-----

From: Marion Duff [<mailto:marion.duff@mouchelparkman.com>]  
Sent: 06 June 2006 10:42  
To: [Hazel.Cannon@dumgal.gov.uk](mailto:Hazel.Cannon@dumgal.gov.uk)  
Subject: RE: Contmainated Land Enquiry

Dear Hazel,

I must apologise for the delay in replying.

In fact the scheme is not for Dumfries & Galloway Council but Scottish

Executive and again apologise for misleading you.

I understand that as this is a scheme for the Scottish Executive a fee should not be payable.

Can you please advise if there are any sites within 2 km of the proposed site registered under Part 2A of the Environmental Protection Act on your Contaminated Land Register.

Should you have any queries, please do not hesitate to contact me as below.

Kindest Regards

Marion Duff  
Graduate Engineering Geologist

For and on behalf of Mouchel Parkman

Building 3, 7 Luna Place,  
Dundee Technology Park  
Dundee DD2 1XF

Tel 01382 564240  
Fax 01382 564241

>>> "Cannon, Hazel" <[Hazel.Cannon@dumgal.gov.uk](mailto:Hazel.Cannon@dumgal.gov.uk)> 05/03 5:09 pm >>>  
Dear Marion

Contaminated Land Information Request - Proposed Upgrading of the Trunk Road between Carrutherstown and Upper mains on the A75 (O.S. 311525,571180).

I refer to your e-mail of 26 April 2006 in relation to your contaminated land enquiry regarding the above site. We have consulted our Contaminated Land database and mapping system, and can provide a response to you for a fee of £50 + VAT. Please forward a cheque to Dumfries & Galloway Council for this sum, marked for my attention and I will send a response by return.

Should you have any queries, please do not hesitate to contact me as below.

Regards

Hazel Cannon

Hazel Cannon  
Contaminated Land Department  
Dumfries & Galloway Council  
Waste Policy & Assets  
Militia House  
English Street

Dumfries DG1 2HR  
Tel: 01387 260000 ext. 65061  
Fax: 01387 260386  
e-mail: [hazel.cannon@dumgal.gov.uk](mailto:hazel.cannon@dumgal.gov.uk)

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-----Original Message-----

From: Marion Duff [<mailto:marion.duff@mouchelparkman.com>]  
Sent: 26 April 2006 10:45  
To: [hazel.cannon@dumgal.gov.uk](mailto:hazel.cannon@dumgal.gov.uk)  
Subject: Contaminated Land Enquiry

Dear Miss Cannon,

On behalf of Dumfries and Galloway Council, Mouchel Parkman have been instructed to undertake a Geotechnical Desk Study for a proposed upgrading of the trunk road between Carrutherstown and Upper mains on the A75 (O.S. 311525,571180).

I have attached a diagram with showing the location of this proposed site.

Can you please advise if there are any sites within 2 km of the proposed site registered under Part 2A of the Environmental Protection Act on your Contaminated Land Register.

Many Thanks

Marion Duff  
Graduate Engineering Geologist

For and on behalf of Mouchel Parkman

Building 3, 7 Luna Place,  
Dundee Technology Park  
Dundee DD2 1XF

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**CC:** Rory OBrien

Your ref:

Our ref: 20061208\_beckyhillcovlet\_msp.doc

Rebecca Hill  
Mouchel Parkman  
93 Water Lane  
Leeds  
LS11 5QN

23 April 2007

Dear Rebecca

#### **DATA ENQUIRY FOR CARRUTHERSTOWN AREA**

As you requested, I have carried out a data search for species records held by the Dumfries and Galloway Environmental Resources Centre which fall within the study site. The study site was defined as using the map provided and a buffer of 1km added as requested. Information on these species records, along with maps showing broad habitat types/protected sites etc. for the area, have been sent by email. A copy of the Local Wildlife Site report for Kelhead Flow accompanies this letter.

As you will be aware from the metadata provided previously, and given that the Centre is still in its infancy, our records at present are still incomplete for many species and species groups. We have very little information, for example, on Badgers, birds and bats. I would therefore recommend you contact other people to find out further information, in particular the local SNH office who you have no doubt already been in touch with. The County Bird Recorder (Paul Collin) and Pete Dale (representative for local badger group) may also be useful contacts.

Please note that release of these data is in accordance with the terms and conditions of data release included with the Data Enquiry Form, and that permission to use the data expires after six months.

Finally, the Environmental Resources Centre would be very pleased to receive copies of any reports/records resultant from your any fieldwork undertaken part of this project when these are publicly available (as is outlined in the IEEM best practice guidelines) to enable this information to be made readily available for other purposes such as updating the Local Biodiversity Action Plan. Due to its large size and small population, Dumfries and Galloway suffers from under-recording of many species and the information from such studies can be valuable in helping with local atlas work etc. I hope you and your client will be able to contribute information to the Centre.

An invoice will be sent out shortly. Please do not hesitate to contact me if you require any further information.

Yours sincerely

**Mark Pollitt**  
**DGERC Manager**