

## 4 Consultations

### 4.1 Introduction

This chapter describes the consultation process that was undertaken as part of the Stage 3 DMRB assessment process. Consultations form the key element of environmental ‘scoping’ which is the initial stage of an environmental assessment where decisions are made on the relevant information and topics to be assessed. Scoping is an iterative process that continues throughout the detailed planning and design stages of the project.

A detailed description of all consultation responses is provided in Appendix 1.

### 4.2 Consultation Process

#### 4.2.1 Purpose of the Consultations

The purpose of the consultation exercise is to:

- Ensure that statutory consultees (i.e. those with responsibilities for protecting the environment and regulating any activities which may adversely affect existing environmental conditions) and other non-statutory bodies with a particular interest in the environment are informed of the proposed scheme and are provided with an opportunity to comment;
- Obtain baseline information regarding existing environmental site conditions;
- Establish key environmental issues and identify potential impacts to be considered during the environmental assessment;
- Identify those issues which are likely to require more detailed study and those which can be justifiably excluded from further assessment; and
- Provide a means of identifying the most appropriate methods of impact assessment.

All consultees listed within Table 4.1 were initially contacted by letter in March 2004 as part of the DMRB Stage 1 assessment. This provided each individual organisation with details of the proposed scheme route, requested that they provide any specific baseline information that they may hold and that they make any comments that they may have concerning the proposals. The information requested was tailored specifically for each consultee and a location plan showing the proposed section of road for improvement was provided.

Additional consultations were then undertaken during the DMRB Stage 2 assessment (June 2005) to confirm that: a) the information provided by the consultees at Stage 1 was still valid; b) to inform the consultees of the scheme options being considered during the Stage 2 assessment; and c) to request any additional information which they may hold or that may be available and relevant to the options.

As part of the DMRB Stage 3 assessment, consultations were repeated (June 2006) in order to obtain further comment on the preferred scheme option, to update the baseline knowledge of the existing environment (for example, with new survey data or newly designated areas). During the previous stages many consultees had indicated that they were happy not to be contacted again and therefore only key organisations with previous comments or further comment to make were consulted.

#### 4.2.2 List of Consultees

The statutory and non-statutory organisations consulted during Stages 1, 2 and 3 are listed in Table 4.1. At Stage 3, a total of ten organisations were consulted, of which eight responded. The organisations that chose not to respond were the CTC Scotland and the British Horse Society.

**Table 4.1. Organisations Consulted For Environmental DMRB Stages 1, 2 and 3.**

Consultee	DMRB Stage		
	Stage 1	Stage 2	Stage 3
<b>Statutory</b>			
Health and Safety Executive (HSE)	X	X	
Historic Scotland (HS)	X	X	X
Midlothian Council - Planning Officer	X	X	X
Midlothian Council - Biodiversity Officer	X	X	
Midlothian Council / East Lothian Council - Archaeologist	X	X	
Midlothian Council – Environmental Health	X	X	
Scottish Environment Protection Agency (SEPA)	X	X	X
Scottish Executive Development Department (SE)	X	X	X
Scottish Natural Heritage (SNH)	X	X	X
<b>Non Statutory</b>			
British Horse Society (BHS)	X		X
CTC Scotland (CTC)	X	X	X
Edinburgh and Lothians Badger Group (ELBG)	X	X	
Forest Enterprise (FE)	X		
Forestry Commission (FC)	X	X	
Forth Fisheries Foundation	X	X	
Lothian Bat Group		X	X
National Trust for Scotland (NTS)	X		
Royal Commission on the Ancient and Historic Monuments of Scotland	X		
Royal Fine Arts Commission for Scotland	X		
Royal Society for the Protection of Birds (RSPB)	X	X	
Scottish Badgers (SB)		X	X

Consultee	DMRB Stage		
	Stage 1	Stage 2	Stage 3
Scottish Wildlife Trust (SWT)	X	X	
Southern Uplands Partnership (SUP)	X		
SUSTRANS	X	X	X
The Coal Authority	X		

### 4.3 Key Issues Raised by Consultees

The key responses made by consultees during the assessment process are summarised below in Table 4.2. Further details of all consultation responses are included within Appendix 1. No new issues were raised during the Stage 3 consultations. In environmental terms, the main issues arising have been identified as:

- the impact and potential disruption / pollution to watercourses (particularly the Salter's Burn and Keith Water) and the need for appropriate authorisation;
- impacts to local badger populations / other protected species (including European protected species), requirement for detailed protected species surveys;
- protection of long established and semi-natural woodland and compensatory planting; and
- danger for cyclists, pedestrians and equestrians using and crossing the A68 and improved shared use facilities / maintenance of side road openings to cyclists.

All of the issues raised during the consultation process (Stages 1 to 3) have been considered during the EA process. Appropriate mitigation measures requiring incorporation into the scheme design to address specific issues of concern have been identified where relevant.

**Table 4.2. Key Consultee Responses.**

Consultee	Key Issues
CTC Scotland	<ul style="list-style-type: none"> <li>• Main issues relate to cyclists crossing the existing road and any sight line improvements would be welcomed.</li> </ul>
HS	<ul style="list-style-type: none"> <li>• Advised that there would be no adverse impacts on any known archaeological sites in the vicinity. No archaeological mitigation required if no major changes to the scheme are made.</li> </ul>
RSPB	<ul style="list-style-type: none"> <li>• There appears to be no important ornithological sites or bird populations likely to be affected by the proposals.</li> </ul>
Scottish Badgers	<ul style="list-style-type: none"> <li>• Confirmed that the A68 is among the worst roads in Scotland for badger fatalities. Requested detailed surveying of the adjacent badger populations and inclusion of appropriate mitigation.</li> </ul>

Consultee	Key Issues
SEPA	<ul style="list-style-type: none"> <li>• Excellent water quality in watercourses should be maintained. No objections to proposed drainage design as long as SUDS principles followed. CAR licensing will be required and this is likely to require a complex licence, with GBR level activities constructed by registration. Box culverts requested for upgrading of existing culverts / new culverts.</li> </ul>
Scottish Executive Wildlife & Habitats Division	<ul style="list-style-type: none"> <li>• Advised on the need to establish the species and location present on the site, through site survey work.</li> <li>• Advised that consultants and developers must be aware of legislation, and whether licences are required if disturbance is a possibility.</li> </ul>
Scottish Natural Heritage	<ul style="list-style-type: none"> <li>• Main concerns are any potential impact upon the significant badger population in Midlothian. A full badger survey is recommended. Otter and water vole surveying should also be carried out.</li> <li>• An area of long established woodland abuts the A68. Crichton Glen and Fala Moor SSSIs lie several kilometres outwith the area of search.</li> <li>• Provided advice on legal position and licensing re: European and UK protected species.</li> <li>• Provided advice on culvert alteration and protection/replanting of woodland.</li> </ul>
Sustrans	<ul style="list-style-type: none"> <li>• Recommended that any improvement works incorporate 1m strips to assist cyclists.</li> <li>• Recommend that appropriate safe crossing measures are considered to cross linkages for walkers, cyclists and horse riders and appropriate verge linking paths suitable for shared use.</li> </ul>