

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 effect 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 (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 at the DMRB Stage 2 assessment (September 2004) to confirm that the information provided by consultees at Stage 1 was still valid, to inform the consultees of the scheme options being considered during

the Stage 2 assessment and 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 (August 2005) 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). At Stage 2, many consultees 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.

In July 2007, a further consultation stage was completed with key organisations (Table 4.1) to inform them of a revision to the preferred scheme (addition of new side road) initially consulted upon at Stage 3.

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 nine organisations were consulted, of which six responded. The organisations that chose not to respond were the Cyclist Touring Club, SBC (Economic Development & Environmental Planning) and Scottish Badgers.

Table 4.1. Organisations Consulted During Stages 1, 2 and 3 (marked with a cross).

Consultee	DMRB Stage			
	Stage 1	Stage 2	Stage 3	Stage 3 Revised
Statutory				
Scottish Borders Council (Environmental Health; Planning and Environment; Transport)	X	X	X	X
Health and Safety Executive	X	X	-	-
Historic Scotland	X	X	X	X
Scottish Executive Development Department Planning Division	X	X	X	-
Scottish Natural Heritage	X	X	X	X
Scottish Environment Protection Agency (SEPA)	X	X	X	X
Scottish Executive Enterprise & Rural Affairs Department (SEERAD)	X	X	-	-
Non-statutory				
British Horse Society	X	X	-	-
Borders Bat Group	-	X	-	-
The Coal Authority	X	X	-	-
Cyclist Touring Club	X	X	X	-
Forestry Commission Scotland	X	X	-	-
Forest Enterprise	X	X	-	-

Consultee	DMRB Stage			
	1	2	3	4
National Trust for Scotland	X	X	-	-
Royal Commission on the Ancient and Historic Monuments of Scotland	X	X	-	-
Royal Society for the Protection of Birds	X	X	-	-
Scottish Badgers	X	X	X	-
Scottish Borders Biological Records Centre	X	X	-	-
Scottish Ornithologists Club	-	X	-	-
Scottish Wildlife Trust	X	X	-	-
Southern Uplands Partnership	X	-	-	-
Sustrans Scotland	X	X	X	-
Tweed Foundation/River Tweed Commissioners	X	X	X	X

4.2.3 Key Issues Raised by Consultees

The key issues raised by specific consultees during Stage 3 are summarised in Table 4.2. In environmental terms, the main issues arising are:

- archaeological evaluation / trial trenching;
- the impact / potential disruption and pollution to watercourses, particularly the River Tweed SAC (and the Headshaw Burn / Leader Water / Mountmill Burn tributaries);
- concerns with habitat preservation / passage for otter, salmon, lamprey and for *Ranunculion fluitantis* and *Callitricho-Betrachion* communities; and
- protection of woodland and use of semi-native species for landscape planting and seeding.

Table 4.2. Key Consultee Issues at Stage 3.

Consultee	Key Issues
Historic Scotland	<p>The scheme will be subject to a programme of archaeological evaluation of new land take prior to construction, particularly the Hillhouse Farm bypass (no longer under consideration) and the widening of the existing A68.</p> <p>This work (evaluation and follow-on excavation) must be completed prior to the start of road construction.</p> <p>For the new link road, archaeological topsoil monitoring will be required for new land take.</p>

Consultee	Key Issues
SEPA	<p>Consultation with SEPA / SNH / River Tweed Commissioner required for Annfield Bridge Extension. This may require an on-site meeting to discuss the work methods of temporarily restricting the watercourse. In addition, a 'River Works Application Form – Simple Licence' needs to be completed.</p> <p>Drainage design satisfactory, but request further opportunity to comment on detailed proposals.</p>
Scottish Executive Development Department – Air Climate & Engineering Unit	<p>Ensure that there is no impact upon the water environment. Method Statements produced for all aspects of site work that may impact on the environment.</p> <p>Adherence to Mineral Extraction Guidance and Water Environment (Controlled Activities) Regulations, 2005.</p> <p>Safe and appropriate storage and handling of harmful substances. Application of SUDS where applicable.</p>
Scottish Natural Heritage	<p>Concern over the Annfield Bridge extension (addressed through further consultation, site visit and meetings. Concern of impacts upon water quality from pollution. Advise that, with respect to Appropriate Assessment, the matrix submitted is acceptable and significant effects can be avoided through various proposal amendments (list provided) and by producing a construction method statement.</p> <p>Provision of otter fencing, completion of badger survey / provision of badger mitigation, completion of a water vole survey.</p> <p>Planting and seeding completed using semi-natural species mix and vegetation.</p> <p>For the new side road, a protected species survey will be required one month before work starts and the appropriate assessment will have to cover the new bridge and associated link road construction.</p>
Sustrans	Recommend provision of underpass at Carfrae Junction.
Tweed Foundation / River Tweed Commissioners	Fish rescue required for any section of Headshaw Burn that is to be dried out. Appropriate methodology and timing of bridge extension works.

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 (primarily related to the River Tweed SAC) have been identified where relevant.