

7 Consultation and Scoping

7.1 Introduction

7.1.1 This chapter explains the following closely linked elements of the EIA process:

- *consultation* with statutory consultees, other relevant bodies/organisations, and members of the public; and
- *scoping* to determine the appropriate assessment approach and technical content of the ES.

7.1.2 Further information on Transport Scotland's public engagement and consultation activities for the A9 can be found in A9 Dualling Programme: Engaging with Communities (Summer, 2016), which is provided as Appendix A7.1 of this ES.

Consultation

7.1.3 Consultation has provided an iterative and on-going input to the progression of the proposed scheme throughout the EIA and design process. This chapter summarises consultation undertaken and provides a summary of the key issues raised and how these have been taken into account. Appendix A7.2 (Summary of Consultation Responses) provides a summary of consultation responses.

7.1.4 The chapter describes the consultation activities undertaken as part of the EIA, which commenced in April 2016, and includes both the initial review of the DMRB Stage 2 findings (Jacobs, 2016a and Jacobs 2016b), and the DMRB Stage 3 assessment of the proposed scheme as reported within this ES.

7.1.5 As explained in Chapter 2 (Need for the Scheme), an SEA was undertaken to enable an A9 dualling programme-level consideration of the potential impacts of the full A9 dualling from Perth to Inverness (Transport Scotland, 2013). The SEA involved extensive consultation, the outputs from which have been reviewed and taken into account in both the design and environmental assessment of the proposed scheme, as referred to where relevant in this ES.

7.1.6 The main aims of consultation during the EIA process were to:

- ensure that statutory consultees, other bodies with a particular interest in the environment, and members of the public were informed of the proposals and provided with an opportunity to comment;
- collate baseline information regarding existing environmental site conditions;
- obtain input to the identification of potential impacts and the development of appropriate mitigation;
- inform the scope of the environmental assessment and ES reporting; and
- seek consultee input to the design.

Screening

7.1.7 A Record of Determination (RoD) confirmed the need for an EIA in line with Regulation 49(3) of the 1999 EIA Regulations and DMRB HD 47/08 (Highways Agency et al. 2008) which provides guidance on the screening process for trunk road projects. The RoD provided a summary of the baseline and potential impacts outlined in the DMRB Stage 2 environmental assessments (Jacobs, 2016). A copy of the RoD is provided in Appendix A7.3.

7.1.8 As outlined in Chapter 1 (Introduction) the EIA Directive has recently been updated and a new EU Directive (2014/52/EU) was transposed into UK legislation on 16 May 2017. However, as this project was subject to a scoping procedure prior to 16 May 2017, the Environmental Impact Assessment (Scotland) Regulations 1999 (as amended) have been followed. This is in line with the transitional arrangements described in the 2014/52/EU Directive.

Scoping

- 7.1.9 As explained in Chapter 6 (Overview of Assessment Process), the scope of EIA for the proposed scheme was defined taking into account DMRB assessment guidance. However, the scope was also informed by the consultation process described in this chapter; through meetings with consultees, review of information received and issues raised, and by a range of technical discussions on detailed methodologies with Transport Scotland and the design consultants commissioned to progress other projects of the A9 dualling programme (Section 1.2, Chapter 1: Introduction).
- 7.1.10 A scoping report was completed and submitted to Transport Scotland and statutory consultees in July 2016 (AMJV, 2016). This set out the scope of the EIA and proposed structure of the ES. The specific aims of EIA scoping were to:
- identify key environmental issues to be considered as part of the EIA; and
 - agree appropriate detailed methodologies for technical assessments with statutory consultees, such as SNH and SEPA.
- 7.1.11 Following submission of the Scoping Report to statutory consultees, it was discussed at the August and September ESG meetings. No amendments to the scope of the EIA were required.

7.2 Approach and Methods

- 7.2.1 The approach to consultation and scoping for the proposed scheme is described below.

Identification of Consultees

- 7.2.2 The process undertaken to identify relevant consultees for the proposed scheme aimed to ensure that all relevant consultees were engaged. This involved the following stages:
- Review of consultees involved on other major and recent highways projects and previous studies undertaken for the proposed scheme. The list of consultees involved in Strategic Transport Projects Review (Transport Scotland, 2009) and the A9 Dualling: Luncarty to Pass of Birnam project (Jacobs, 2014) was also reviewed and used to identify consultees for the proposed scheme.
 - Input from the project team environmental specialists. The project team reviewed and updated the initial list of consultees with organisations and local environmental groups of importance to their area of expertise (e.g. Tayside Geodiversity, Tay District Salmon Fisheries Board).
 - Consideration of scale, size and potential impact of the proposed scheme. In addition to those directly affected by the proposed scheme (e.g. landowners), communities outwith the direct area of influence were considered for the potential for the proposed scheme to affect them.
 - Stakeholder mapping exercise in consultation with Transport Scotland.
- 7.2.3 A large number of consultees were identified through this process. The organisations consulted and the information they provided relevant to the EIA are listed in Appendix A7.2 (Summary of Consultation Responses) and summarised in Table 7.3 below.
- 7.2.4 Landowner consultation has been undertaken throughout the assessment process and has informed the proposed scheme design as detailed in Chapter 4 (Iterative Design Development). Consultation with landowners has particularly informed the land use assessment in Chapter 8 (People and Communities - Community and Private Assets).

Key Stages of EIA Consultation

- 7.2.5 The EIA consultation carried out is described below.

DMRB Stage 2 Consultation (May 2015 to May 2016)

7.2.6 While this chapter describes the consultation activities undertaken as part of the EIA, which commenced in April 2016, consultation outputs from DMRB Stage 2 informed refinement of the DMRB Stage 3 design. For example, the appropriate number of levels of SuDS treatment was agreed at the October 2015 ESG meeting while feedback from the NMU Forum in May 2015 and public exhibitions in March 2016 informed the inclusion of the grade separated crossings for NMUs at Garrybank (crossing point 9 on Figure 9.2e) and Calvine (crossing point 14 on Figure 9.2i).

Stakeholder Forums

7.2.7 A number of Stakeholder Forums were set up to bring together groups of similar interest and to facilitate a two-way flow of information. Of particular relevance to the production of the DMRB Stage 3 assessment were the ESG and the Environmental Forum, allowing environmental issues associated with the dualling programme to be fully considered and agreed throughout the design process. A non-motorised user (NMU) Forum was also set up to directly engage and seek views of NMU stakeholders on specific matters relating to the development of the design of each of the A9 dualling projects. An Accessibility Forum was set up to establish a collaborative and inclusive approach in the design, construction, operation and maintenance of the A9 dualling projects, aiming to create environments that can be used by everyone regardless of age or disability in accordance with the Equality Act 2010.

7.2.8 In addition to Transport Scotland and the design consultant representatives, the membership of the ESG, Environmental Forum and NMU Forum are provided in Table 7.1.

Table 7.1: Stakeholder forum membership

Environmental Steering Group	
Cairngorms National Park Authority (CNPA)	Scottish Environment Protection Agency (SEPA)
Historic Environment Scotland (HES)	Scottish Natural Heritage (SNH)
Perth & Kinross Council (PKC)	The Highland Council (THC)
Environmental Forum	
SEPA	HES
SNH	CNPA
Badenoch and Strathspey Conservation Group	Scottish Badgers
British Deer Society	Scottish Wildlife Trust
Buglife – The Invertebrate Conservation Trust	Spey District Fisheries Board
Findhorn, Nairn, and Lossie Fisheries Board	Tay District Salmon Fisheries Board (TDSFB)
Forestry Commission Scotland	Woodland Trust Scotland
Royal Society for the Protection of Birds	
NMU Forum	
A9 Action Group Birnam	Paths for All
Association of British Riding Schools	PKC
British Horse Society (BHS)	Perth and Kinross Countryside Trust
ByCycle UK	Ramblers Scotland
Cairngorms Local Outdoor Access Forum	SNH
CNPA	Scottish Outdoor Access Network
Cycle UK	Scotways
Cycling Scotland	Sustrans Cairngorms Group
Highland Cycle Campaign	Sustrans Perth and Inverness Volunteer Group
Highlands and Islands Transport Partnership (HITRANS)	Tayside and Central Scotland Transport Partnership (TACTRAN)
Living Streets	THC
National Access Forum	The Mountaineering Council of Scotland
Accessibility Forum	
People Friendly Design	Scottish Disability Equality Forum
Mobility and Access Community for Scotland	Guide Dogs Scotland

- 7.2.9 The ESG has met on a monthly basis through DMRB Stages 2 and 3, and was established to provide a mechanism for cross-party discussions on environmental issues throughout the A9 dualling programme. The ESG meetings enable progress and design updates to be provided, and for the statutory stakeholders to provide valuable input to the process. Additional meetings were held with individual ESG members as/when required to gain input on particular topics or issues. Consultation with the ESG does not replace the role of its members to provide advice to the Competent Authority on the proposed scheme as part of their remit as a statutory consultee and it is not a mechanism for approval of the DMRB Stage 3 design or the ES.
- 7.2.10 The Environmental Forum met at various stages through DMRB Stages 2 and 3, providing updates on projects and key findings of the progressing assessments, and enabling all attendees to provide input and share information.
- 7.2.11 The NMU Forum met at a workshop on 27 May 2016. At the workshop NMU stakeholders were updated on the A9 dualling programme and, provided with an overview of the NMU Access Strategy. Views on specific matters relating to the development of the design of the proposed scheme were sought. Members of the NMU Forum were also sent an update of the design of the proposed scheme in November 2016 and asked to comment and attend a drop-in event.
- 7.2.12 The Accessibility Forum met on 30th March 2017 where the route options were reviewed to gauge stakeholders' opinions and to ensure accessibility is fully considered in the design. An overview of Objectives Setting and Context Report and Accessibility Objectives and the Accessibility Audit process and current progress was also provided.
- 7.2.13 A summary of the relevant forum meetings, workshops and consultation responses from members are included in Appendix A7.2 (Summary of Consultation Responses).

Public Exhibitions

- 7.2.14 Public exhibitions were held in May 2015 and June 2015 to allow the public to view and provide comment on the initial DMRB Stage 2 designs (including route and junction options) for the Killiecrankie to Pitagowan and Pitagowan to Glen Garry projects, respectively. The following public exhibitions were held;
- 27 May 2015 and 28 May 2015: Killiecrankie Village Hall, Killiecrankie, PH16 5LG
 - 2 June 2015 and 3 June 2015: Blair Atholl Village Hall, Main Road, Blair Atholl, PH18 5SG
- 7.2.15 Further public exhibitions were held in March 2016, to present the preferred route options from the DMRB Stage 2 assessment and seek comment from the general public. The exhibitions were hosted by Transport Scotland with support from members of the project team, including the environmental team, and representatives for the other A9 dualling projects. Exhibition visitors had the opportunity to fill in a comments sheet, and this feedback was provided to the project team. A deadline was set for this feedback, and responses invited via email or letter. Verbal comments were also captured by the teams.
- 7.2.16 The exhibitions provided an update with regard to the full A9 dualling programme from Perth to Inverness as well as more detailed information on the Killiecrankie to Glen Garry project. The following public exhibitions were held for the now combined Killiecrankie to Glen Garry project;
- 8 March 2016: Blair Atholl Village Hall, Main Road, Blair Atholl, PH18 5SG
 - 9 March 2016: Killiecrankie Village Hall, Killiecrankie, PH16 5LG
- 7.2.17 Comments relating to the proposed scheme were categorised under the following headings: Non-Motorised User Provision, Environmental Impacts and Mitigation and Proposed Scheme Design.
- 7.2.18 In addition to public exhibitions, drop in sessions took place in Blair Atholl and Killiecrankie in November 2016 and April 2017 providing opportunities for the public to attend informally and either provide information or seek an update on the progress of the design of the proposed scheme. Further exhibitions will also be held at the conclusion of the DMRB Stage 3 assessment, shortly after the publication of Draft Road Orders and ES.

- 7.2.19 A further public meeting was held with a working group, created by residents within Killiecrankie and Fincastle Community Council area. This was held at Killiecrankie Village Hall on 13 June 2017 to discuss a number of questions raised by the working group to better understand the design and the decisions that inform it, in particular the provision of lay-bys and the potential impacts on the Killiecrankie Battlefield.

7.3 Consultation Summary

Consultee Communication

- 7.3.1 Table 7.2 presents a summary of the consultation meetings held as part of the EIA process from July 2016 to October 2017, that are specific to the proposed scheme. This is intended to record the key correspondence and meetings only, and not the on-going consultation as described above which included meetings to discuss consultee comments on the draft ES. As previously noted, consultation is an iterative and on-going feature of the proposed scheme, so will also continue beyond that reported within this ES.

Table 7.2: Summary of EIA consultation meetings

Consultee	Topic/Purpose	Date
Statutory/Mandatory Consultees		
SEPA	Discussion on the proposed approach to the assessment of minor watercourses and the completion of the associated Watercourse Crossing report. The Flood-Risk Assessment was also discussed.	July 2016
SNH	Review of DMRB Stage 3 design in relation to the Glen Garry SSSI and confirm opportunities for enhancement.	August 2016
HES	Review of viewpoints and mitigation proposals in connection with Killiecrankie Battlefield and Garden and Designed Landscapes (GDLs) as part of the September ESG meeting.	September 2016
SEPA	Progress meeting to discuss progress made on the flood risk assessment since the meeting in July 2016.	November 2016
SNH, SEPA, CNPA, HES & PKC	Review of the various bridge design options for the River Garry crossing at Essangal as part of the December ESG meeting.	December 2016
PKC, PKC Heritage Trust, HES & CNPA	Meeting to discuss the proposed scheme design in relation to the Category B-Listed Dalnamein New Bridge.	January 2017
SNH	Review of proposed landscape and ecology mitigation planting and mammal fencing and underpass provision.	February 2017
HES	Meeting to discuss the assessment of Killiecrankie Battlefield.	September 2017
SEPA	Discussion on watercourse crossings along the proposed scheme, particularly the Essangal Underbridge and crossing of the A9 of water feature 92.	October 2017
Non-Statutory Consultees		
British Geological Survey (BGS)	Review of DMRB Stage 3 design in relation to the Glen Garry SSSI and confirm opportunities for enhancement.	August 2016

- 7.3.2 In addition to the individual meetings listed in Table 7.2 there have been a number of consultation meetings covering the overall A9 dualling programme.

Additional Consultation (May 2017 to October 2017)

- 7.3.3 SEPA, SNH, HES, CNPA and PKC were given the opportunity to provide detailed comments on the draft ES. Perth & Kinross Heritage Trust also provided comment on behalf of Perth & Kinross Council on the cultural heritage assessment. These comments have been addressed, informed by discussions with the consultees during finalisation of this ES. This consultation does not preclude the role of the statutory consultees to provide advice in determination to the Scottish Ministers upon publication of the ES and Draft Road Orders.

7.4 Key Issues Raised by Consultees

- 7.4.1 Table 7.3 provides a matrix of the input from consultees during the Stage 3 EIA consultation, in the context of each environmental parameter reported in this ES. Table 7.3 also includes a list of consultees from whom no response was received or no comments raised.
- 7.4.2 Further details of the key input provided by consultees in relation to environmental issues are provided in Appendix A7.2 (Summary of Consultation Responses). This appendix also includes the response to key queries/comments and, where appropriate, explains how these were taken into account as part of the EIA process with cross-referencing to the relevant chapters of the ES.

Table 7.3: Scoping matrix of key consultee responses to DMRB Stage 3 EIA consultation

Consultee	Environmental Parameter													
	General	People and Communities: Community and Private Assets	People and Communities: All Travellers	Geology, Soils and Groundwater	Road Drainage and the Water Environment	Ecology and Nature Conservation	Landscape	Visual	Cultural Heritage	Air Quality	Noise and Vibration	Materials	Policies and Plans	
Statutory Consultees														
HES	X		X				X	X	X					
Perth & Kinross Heritage Trust (PKCHT) (on behalf of Perth & Kinross Council)									X					
PKC	X	X			X		X	X	X		X		X	
CNPA							X	X	X		X			
SEPA	X			X	X	X								
SNH	X			X		X	X	X						
Transport Scotland – Standards Branch	X													
Scottish Water	X													
Non-Statutory Consultees														
Arqiva	X													
BGS				X										
BHS			X											
British Trust for Ornithology						X								
BT (Openreach)	X													
Cairngorms Nature						X								
Cycling Scotland			X											
EE 3	X													
Forestry Commission Scotland (Perth and Argyll)						X								
National Grid	X													
Network Rail	X													
Police Scotland	X													
Ramblers Association			X											

Consultee	Environmental Parameter													
	General	People and Communities: Community and Private Assets	People and Communities: All Travellers	Geology, Soils and Groundwater	Road Drainage and the Water Environment	Ecology and Nature Conservation	Landscape	Visual	Cultural Heritage	Air Quality	Noise and Vibration	Materials	Policies and Plans	
RSPB – Tayside and Firth					X	X	X							
Saving Scotland's Red Squirrels (SSRS)						X								
Scottish Ambulance Service	X													
Scottish Badgers						X								
Scottish Fire and Rescue Services	X													
Scottish Gas Network	X													
Scotways			X											
Scottish Southern Energy Scottish Hydro (SSE)						X								
Scottish Wildlife Trust (SWT)						X								
SSE Power Distribution	X													
SSE Telecom	X													
SSE Transmission	X													
Sustrans			X											
TACTRAN			X											
Tayside Bat Group														
Tayside Biodiversity Partnership						X								
TDSFB					X	X								
Tayside Raptor Study Group						X								
Trafficmaster	X													
Virgin Media	X													
Vodafone 02	X													
No comments or issues raised														
<ul style="list-style-type: none"> Marine Scotland (MS) (at Pitlochry) Visit Scotland Cycle Touring Club Scotland Deer Commission Scotland (part of SNH) 			<ul style="list-style-type: none"> First Group National Trust for Scotland Perth Museum Biological Records Centre Scottish Government, Rural Payments and Inspections Directorate 					<ul style="list-style-type: none"> Scottish Mink Initiative ByCycle – the Perth and Kinross cycle campaign National Farmers Union of Scotland (NFUS) 						

7.5 References

Jacobs (2014). A9 Dualling: Luncarty to Pass of Birnam DMRB Stage 3 Environmental Assessment

Jacobs (2016a). A9 Dualling Programme: Killiecrankie to Pitagowan DMRB Stage 2 Scheme Assessment Report Volume 1 – Main Report and Appendices Part 3: Environmental Assessment

Jacobs (2016b). A9 Dualling Programme: Pitagowan to Glen Garry DMRB Stage 2 Scheme Assessment Report Volume 1 – Main Report and Appendices Part 3: Environmental Assessment

Scottish Government (2009). Strategic Transport Project Review (STPR), October 2009.

Transport Scotland (2013). A9 Dualling Programme: Strategic Environmental Assessment – Environmental Report (June 2013).

Transport Scotland (2016). Community Engagement A9 Dualling Project.
<http://www.transportscotland.gov.uk/road/projects/a9/the-project/Community-engagement>