

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 been an iterative and on-going process 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, 2016), 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 output 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 the consultation during the EIA process were to:

- ensure that statutory consultees and 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 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 the DMRB assessment guidance. However, the scope was also informed by consultation 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 other design consultants commissioned to progress other projects on the A9 dualling programme.
- 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 the 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 2016 and September 2016 ESG meetings (refer to paragraph 7.2.7-7.2.9). 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 outlined 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 highway projects and previous studies undertaken for the proposed scheme. The list of consultees involved in STPR (Transport Scotland, 2008) 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's environmental specialists. This 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. Tay District Salmon Fisheries Board, ScotWays, Association of British Riding Schools, etc.).
 - Consideration of the scale, size and potential impact of the proposed scheme. In addition to those directly affected by the proposed Scheme (e.g. landowners), communities within the direct area of influence were considered for the potential of 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 in which was provided relevant to the EIA process are listed in Appendix A7.2. (Summary of Consultation) 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's 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 to date is outlined below:

DMRB Stage 2 Consultation (May 2015 to May 2016)

- 7.2.6 As explained in Chapter 3 (Alternatives Considered), the outputs from the DMRB Stage 2 consultation informed refinement of the Stage 3 design by Jacobs from May 2015 onwards. This included consultation feedback on the three DMRB Stage 2 design options that had been presented by Transport Scotland at Public Exhibitions on 15, 16, 29 and 30 July 2015 held in the Pitlochry Town Hall. Transport Scotland also hosted community engagement events in Pitlochry Town Hall on 03 and 04 February 2016 relating to the side road options.

Stakeholder Forums

- 7.2.7 A number of Stakeholder Forums were set up to bring together groups of similar interest and to facilitate two-way flow of information. Particular interest, of relevance to the production of the DMRB Stage 3 assessment were the ESG and the Environmental Forum, which allowed environmental issues associated with the A9 dualling programme to be fully considered and agreed through 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 proposals, 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, NMU Forum and Accessibility Forum are provided in Table 7.1.

Table 7.1: Stakeholder Forum Membership

Environmental Steering Group	
Cairngorms National Park Authority	Scottish Environment Protection Agency (SEPA)
Historic Environment Scotland	Scottish National Heritage (SNH)
Perth & Kinross Council (PKC)	The Highland Council (THC)
Environmental Forum	
All attendees from the ESG	RSPB
Badenoch and Strathspey Conservation Group	Scottish Badgers
British Deer Society	Scottish Wildlife Trust
Buglife	Spey District Fisheries Board
Findhorn, Nairn, and Lossie Fisheries Board	Tay District Salmon Fisheries Board
Forestry Commission Scotland	
NMU Forum	
A9 Action Group Birnam	Paths for All
Association of British Riding Schools	Perth and Kinross Council
British Horse Society	Perth and Kinross Countryside Trust
ByCycle UK	Ramblers Scotland
Cairngorms Local Outdoor Access Forum	Scottish Natural Heritage
Cairngorms National Park Authority	Scottish Outdoor Access Network
Cycle UK	Scotways
Cycling Scotland	Sustrans Cairngorms Group
Highland Cycle Campaign	Sustrans Perth and Inverness Volunteer Group
HITRANS	TACTRAN
Living Streets	The Highland Council
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 on 27 May 2016 where NMU stakeholders were updated on the A9 dualling programme and were 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 December 2016 and asked to comment. NMU workshops for the southern section projects were also held in April 2016 and June 2017, as described in Appendix A7.2 (Summary of Consultation Responses).
- 7.2.12 The Accessibility Forum met on 30 March 2017 where the preferred option including NMU accessibility considerations 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 (November 2016 and March 2017)

- 7.2.14 Public exhibitions were held in November 2016, to present the Preferred Option outcome from the DMRB Stage 2 assessment to the general public. The exhibitions were hosted by Transport Scotland with supporting from members of the project team, including the environmental team and representatives for the other A9 dualling projects being progressed simultaneously. 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 post. Verbal comments were also captured by the teams at the exhibitions.
- 7.2.15 All exhibitions provided an update with regard to the full A9 Dualling programme from Perth to Inverness and more detailed information on certain sections including Pitlochry to Killiecrankie. The following public exhibitions were held for the Pitlochry to Killiecrankie dualling section;
- Wednesday 09 November 2016 & Thursday 10 November 2016: Pitlochry Town Hall, West Moulin Road, Pitlochry, PH16 5EA.
- 7.2.16 Comments relating to the proposed scheme were categorised under the following headings: Non-Motorised User Provision, Environmental Impacts and Mitigation and Proposed Scheme Design.
- 7.2.17 In addition to public exhibitions, drop in sessions took place in Pitlochry Town Hall on Tuesday 14 March 2017 and Wednesday 15 March 2017 providing an opportunity for the public to attend informally and either provide information or seek an update on the progress of the design of the proposed scheme.
- 7.2.18 Further exhibitions will also be held at the conclusion of the DMRB Stage 3 assessment, shortly after the publication of draft Orders and ES.

Additional Consultation (August to October 2017)

- 7.2.19 The ESG (comprised SNH, SEPA, PKC, HES and CNPA) were given the opportunity to provide detailed comments on the draft ES issued to them in August 2017. These comments have been

addressed, informed by discussions with the consultees and Transport Scotland during the 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 Road Orders.

Ongoing Stakeholder Engagement

7.2.20 Discussions with potentially affected landowners were also undertaken during the DMRB Stage 3 design process and informed the development of the design and mitigation of the proposed scheme. Meetings were held with landowners to allow consideration of aspects such as road alignment and land-take and revised access arrangements to land and properties. The outcomes of these meetings were used in the ongoing design development where necessary.

7.3 Consultation Summary

Consultee Communication

7.3.1 Table 7.2 below presents a summary of the consultation meetings held as part of the EIA process from August 2016 to May 2017. This is intended to record the key meetings only, and not the on-going consultation as described above which included meetings in July 2017 and September 2017 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 which is reported within the 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
SEPA	Discussion of constrained catchments and the proposed drainage design options.	September 2016
SEPA	Agree principles for the proposed scheme's drainage design and details of specific SuDS and outfall locations.	October and December 2016
SNH, CNPA, HES, PKC	Review of the various bridge design options for the River Tummel Crossing as part of the December ESG meeting.	December 2016
SNH	Review of proposed landscape and ecology mitigation planting and mammal fencing and underpass provision.	January 2017
SEPA	Discussion on the Flood Risk Assessment (FRA) findings, hydraulic modelling and proposed mitigation measures at the Tummel Crossing.	April 2017
SEPA	Agree that CAR license applications would be drafted up in conjunction with a specimen design after submission of the ES and draft Road Orders.	October 2017
Non-Statutory Consultees		
Landowners /Occupiers at Dalshian and Dunfallandy	Discuss proposed land-take requirements, revised access arrangements, compulsory purchase order process and mitigation proposals.	September 2017/ October 2017

7.3.2 In addition to the individual meetings listed above, there have been a number of consultation meetings covering the overall A9 Dualling programme.

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 also includes a 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 EIA Scoping 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					
Marine Scotland (at Pitlochry)	X				X	X								
Perth & Kinross Heritage Trust (PKCHT) (on behalf of Perth & Kinross Council)									X					
PKC	X	X			X		X	X	X		X		X	
SEPA	X			X	X	X	X		X	X	X			
SNH	X			X		X	X	X						
Transport Scotland – Standards Branch	X													
Transport Scotland - Structures	X													
Scottish Water	X				X							X		
Non-Statutory Consultees														
Arqiva	X													
BGS				X										
BHS			X											
British Trust for Ornithology						X								
BT (Openreach)	X													
ByCycle – Perth and Kinross cycle campaign			X											
Cairngorms National Park Authority (CNPA)	X	X				X								X
Cycling Touring Club (Scotland)			X											
EE 3	X													
Forestry Commission Scotland (Perth and Argyll)	X	X					X					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	
The Grayling Society (TGS)	X					X								
Living Streets Scotland			X											
National Grid	X													
Network Rail	X		X											
Perth Museum Biological Records Centre						X								
Police Scotland	X													
Ramblers Association			X											
Royal Society for the Protection of Birds (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	X								
SSE Power Distribution	X													
SSE Telecom	X													
SSE Transmission	X													
Sustrans			X											
TACTRAN			X											
Tayside Bat Group						X								
Tayside Biodiversity Partnership						X								
Tayside District Salmon Fisheries Board (TDSFB)						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	
Tayside Raptor Study Group						X								
Trafficmaster	X													
Virgin Media	X													
Vodafone O2	X													
No comments or Issues Raised														
<ul style="list-style-type: none"> • Visit Scotland • Deer Commission Scotland (part of SNH) • National Farmers Union of Scotland (NFUS)) 			<ul style="list-style-type: none"> • First Group • National Trust for Scotland 				<ul style="list-style-type: none"> • Scottish Government, Rural Payments and Inspections Directorate • Scottish Mink Initiative 							

7.5 References

Highways Agency, Scottish Government, Welsh Assembly Government and The Department for Regional Development Northern Ireland (2008). DMRB Volume 11 {Environmental Assessment} Section 2, Part 3: HD47/08 Screening of Projects for Environmental Impact Assessment 2008. The Highways Agency, Scottish Government, Welsh Assembly Government and The Department for Regional Development Northern Ireland.

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