

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 member 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 the 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, 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 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 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 other 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 (Transport Scotland, 2016), covering the nine A9 dualling projects undergoing DMRB assessment (as listed in Section 1.2 of Chapter 1 (Introduction)). 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 (see members of Environmental Steering Group (ESG) listed in Table 7.1).
- 7.1.11 Following submission of the Scoping Report to statutory consultees, it was discussed at the August and September 2016 ESG meeting (refer to paragraph 7.2.12). 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 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 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. Scottish Badgers, Scotways).
 - 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) and summarised in Table 7.3.
- 7.2.4 Consultation with landowners the local communities 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.

Preliminary Engineering Services (PES) Consultation (2012)

7.2.6 In December 2012, community consultation was undertaken through a series of exhibitions on the route between Perth and Inverness to inform the PES study. Further Public Exhibitions were held in June 2013 to provide an update on the A9 PES and SEA Commissions and the progress of the projects between Perth and Inverness.

DMRB Stage 2 Consultation (May 2015 to November 2016)

7.2.7 As explained in Chapter 3 (Alternatives Considered), the consultation outputs from the DMRB Stage 2 consultation informed refinement of the Stage 2 design by Jacobs from May 2015 onwards. This included consultation feedback on the four DMRB Stage 2 mainline design options that had been presented by Transport Scotland at Public Exhibitions on 9 and 10 June 2015 held in the Mid Atholl Hall, Ballinluig, Transport Scotland also hosted community engagement events in the Mid Atholl Hall on 9 and 10 February 2016 relating to the side road options for Dowally, Guay and Kindallachan.

7.2.8 During ongoing consultation within this period, members of the local community suggested the consideration of an alternative offline alignment to the east of the communities of Dowally, Guay and Kindallachan (refer to Chapter 3: Alternatives Considered). Two options were subsequently developed and assessed along with the four DMRB Stage 2 mainline design options.

Stakeholder Forums

7.2.9 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 DMRB Stage 3 assessment were the ESG and the Environmental Forum, which allowed environmental issues associated with the dualling programme to be fully considered and agreed through the design process.

7.2.10 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 the 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.

7.2.11 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 Environmental Protection Agency |
| Historic Environment Scotland | Scottish National Heritage |
| Perth & Kinross Council | The Highland Council |
| 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 |

- 7.2.12 The ESG met on a regular (usually monthly) basis through DMRB Stages 2 and 3, and was established to provide a mechanism for cross-party discussion 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.
- 7.2.13 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.
- 7.2.14 The NMU Forum met in May 2015 and 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).
- 7.2.15 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. The Accessibility Forum also met on 10 October 2017 and this meeting provided the opportunity to update forum members on the progress of the proposed scheme, including the assessment of the Guay South Overbridge, bus stop provisions on the mainline and side road network, and departures from standards on footway gradients.
- 7.2.16 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 (February 2017)

- 7.2.17 Following completion of the DMRB Stage 2 assessment, the preferred route option was announced on 05 December 2016 by letter to stakeholders. In announcing the preferred route option as online widening, stakeholders were also provided with supporting information that comprised:
- Online vs. Offline Route Option Comparative Assessment Report; and
 - Design Development Report.

- 7.2.18 Public exhibitions were subsequently held on 15 and 16 February 2017, to present the preferred route options from the DMRB Stage 2 assessment and seek comment the general public. The exhibitions were hosted by Transport Scotland with support from members of the project team, including the environmental team. 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.
- 7.2.19 All exhibitions provided an update with regard to the full A9 Dualling Programme from Perth to Inverness, and more detailed information was provided on the Tay Crossing to Ballinluig section.
- 7.2.20 Comments relating to the proposed scheme were categorised under the following headings: Non-Motorised User Provision, Environmental Impacts and Mitigation and Scheme Design. For example, feedback relating to Scheme Design included consideration of an alternative junction/overbridge between Dowally and Guay.
- 7.2.21 In addition to public exhibitions, community engagement events took place in Ballinluig at the Mid Atholl Hall in December 2017. This provided opportunities for the public to attend and receive an update on design development at that stage. Additionally, an opportunity was provided to seek feedback on two overbridge locations, Kindallachan North and Guay South. Additionally, there have been regular meetings with land interests (owners and tenants) as part of the ongoing stakeholder engagement process during DMRB Stage 3.
- 7.2.22 Further exhibitions will also be held at the conclusion of the DMRB Stage 3 assessment, shortly after the publication of draft Orders and ES.

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 January 2017 to March 2018. This is intended to record the key meetings only, and not the on-going consultation as described above which included meetings in April 2018 to discuss consultee comments on the draft ES. As previously noted, consultation is an iterative and ongoing 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 | | |
| HES | Guay side roads and Kindallachan Cairn | April 2017 |
| | Guay side roads | August 2017 |
| | Kindallachan Cairn, Kindallachan Standing Stone and historic environment impacts | June 2018 |
| PKC | Guay side roads | April, August and September 2017 |
| | Flood mitigation | January and October 2017; and February 2018 |
| | NMU routes, Dunkeld Sawmill traffic, flooding, bus stop provision and proposed overbridge | March 2017 |
| | C502 Junction and volume of local traffic | March 2017 |
| | Public transport unit meetings | May 2017 and |
| | Side roads | May 2017 |
| | Side roads and bus stop provision | September 2017 |
| | Flood mitigation and erosion | October 2017 |
| | Cultural Heritage (including PKHT) and Guay side road | March and June 2018 |
| SEPA | Drainage | December 2015 |
| | Minor watercourses and flood risk | July 2016 |
| | Flood mitigation summary paper | September 2016 |

| Consultee | Topic/Purpose | Date |
|---------------------------------|---|--|
| | Flood risk mitigation and drainage proposals | June, July, August 2017; and January, May 2018 |
| | River Tay bank stabilisation | March 2018 |
| SNH | Ecology surveys, mitigation and Species Protection Plans | January 2017 |
| | Bats at Guay Farmhouse | April 2017 |
| | River Tay bank stabilisation | March 2018 |
| Non-Statutory Consultees | | |
| Landowners/ Occupiers | Discuss proposed land-take requirements, revised access arrangements, compulsory purchase order process and mitigation proposals. | December 2017 – June 2018 |

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 is 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 DMRB Stage 3 EIA consultation

| Consultee | Environmental Parameter | | | | | | | | | | | | |
|--|-------------------------|------------------------------|----------------|---|---|---------------------------------|-----------|--------|-------------------|-------------|---------------------|-----------|--------------------|
| | General | Community and Private Assets | All Travellers | Geology, Soils, Contaminated Land 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 (PKHT) (on behalf of Perth & Kinross Council) | | | | | | | | | X | | | | |
| PKC | X | X | X | | 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 | | | | | | | | | | | | | |
| BHS | | | X | | | | | | | | | | |
| British Trust for Ornithology | | | | | | X | | | | | | | |
| BT (Openreach) | X | | | | | | | | | | | | |
| ByCycle – Perth and Kinross cycle campaign | | | X | | | | | | | | | | |
| Cycling Scotland | | | X | | | | | | | | | | |
| EE 3 | X | | | | | | | | | | | | |
| Forestry Commission Scotland (Perth and Argyll) | X | X | | | | | X | | | | | X | |
| The Grayling Society (TGS) | X | | | | | X | | | | | | | |
| Living Streets Scotland | | | X | | | | | | | | | | |
| National Grid | X | | | | | | | | | | | | |
| Network Rail | X | | X | | | | | | | | | | |
| Perth Museum Biological Records Centre | | | | | | X | | | | | | | |

| Consultee | Environmental Parameter | | | | | | | | | | | | |
|---|-------------------------|--|----------------|---|---|---------------------------------|---|--------|-------------------|-------------|---------------------|-----------|--------------------|
| | General | Community and Private Assets | All Travellers | Geology, Soils, Contaminated Land 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 |
| 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 | | | | | | | |
| Trafficmaster | X | | | | | | | | | | | | |
| Virgin Media | X | | | | | | | | | | | | |
| No comments or Issues Raised | | No response | | | | | | | | | | | |
| <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

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

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