

ROADS (SCOTLAND) ACT 1984
A9 DUALLING PROGRAMME: TOMATIN TO MOY

ENVIRONMENTAL STATEMENT – DECISION TO PROCEED WITH PROJECT

THE SCOTTISH MINISTERS give notice that they have decided to proceed with a project in connection with improving and constructing new lengths of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road between Tomatin and Moy in the County of Inverness-shire by widening and reconstructing the existing single carriageway to form a new dual carriageway section (the “Project”), and that they have complied with their obligations under paragraph 7(1A) of Schedule 1 to the Roads (Scotland) Act 1984.

The general effect of the Project will be to provide additional lengths of trunk road and slip roads to form part of the existing trunk road between Tomatin and Moy in Inverness-shire.

The Ministers determined that the Project falls within Annex II to Directive 2011/92/EU of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment (as relevantly amended by Directive 2014/52/EU). Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC as amended by Council Directive 97/11/EC, Directive 2003/35/EC of the European Parliament and of the Council and Directive 2009/31/EC of the European Parliament and of the Council. They prepared an Environmental Statement which was published on 18 May 2018.

Objections to the Project and Orders required for the Project were received by Ministers. A Public Local Inquiry was held to consider those objections and the Reporter issued his report on 11 February 2020.

In reaching the decision to proceed with the Project the Scottish Ministers have carefully considered:-

- (a) all objections to the draft Project and Orders including all opinions on the Environmental Statement expressed in writing by the consultation bodies and any other persons;
- (b) all of the evidence presented to the Public Local Inquiry in relation to the Project, including written submissions and the Reporter’s conclusions and recommendations;
- (c) the objectives of the Project to improve the operational performance by reducing journey times and improving journey time reliability, improve safety for motorised and non-motorised users by reducing accident severity and reducing driver stress, facilitate active travel within the corridor, and improve integration with Public Transport facilities; and,
- (d) the information provided in the Environmental Statement.

The Ministers have considered the proposal for the construction of the Project, the temporary and permanent effects on the environment, the mitigation measures proposed in the Environmental Statement (including those listed below) together with the written comments received from consultees. Taking these factors into account, the Ministers have determined that the measures proposed within the Environmental Statement will be sufficient to mitigate significant adverse effects on the environment.

The following requirements will be adhered to during the works:-

- Land take has been limited in the vicinity of ancient woodland and other sensitive environmental areas to avoid or reduce effects. Further temporary land requirements for site compounds will be avoided in those areas.
- The Contractor will produce a Construction Environmental Management Plan to include best practice in the control of dust, noise and vibration, general pollution control, and minimising disturbance to watercourses and wildlife and will otherwise take all reasonable steps to minimise disturbance and nuisance.

- A Sustainable Drainage System (SuDS) will be constructed to improve the quality of road runoff prior to its discharge into the environment.
- Compensatory flood storage areas will be introduced near the Allt Creag Bhethin and culvert openings sized to control flood flow and mitigate for increased flood risk.
- Construction will be phased to ensure continual access to adjacent property and businesses.
- Occupation of the existing A9 by the Contractor during the works be minimised to minimise disruption during construction.
- The Project design includes new and improved underbridge crossings and culverts incorporating mammal ledges. These will allow for the safe crossing of the A9 by vehicles, non-motorised users, mammals and fish.
- Planting of new areas of woodland equivalent to areas being cleared as far as practicable will be undertaken to reduce effects on habitats and the landscape.
- The construction works will be phased to avoid sensitive periods for wildlife where required.
- The Project design has sought to avoid and minimise environmental impacts on sensitive receptors in the area and has considered; landscape and visual; ecology and nature conservation; cultural heritage; geology and soils; community and private assets; pedestrians; cyclists and equestrians; air quality; noise and vibration; road drainage and the water environment; materials; and cumulative impacts.

Further details of the measures which will be taken to avoid, reduce and if possible offset any major adverse effects of the Project are as set out in the Environmental Statement published on 18 May 2018 and available on Transport Scotland's website at <https://www.transport.gov.scot/projects/a9-dualling-perth-to-inverness/a9-tomatin-to-moy/>

ANY PERSON or GROUP who desires to challenge the validity of the decision may make an application as regards that validity to the Court of Session, within such time period as that Court may in its discretion allow.



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