

Director Low Carbon Economy

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Your ref:

Our ref: A9/A96 Inshes to
Smithton Scheme

Date: 28 February 2022

Dear Hugh

THE ROADS (SCOTLAND) ACT 1984 AND THE ACQUISITION OF LAND (AUTHORISATION PROCEDURE) (SCOTLAND) ACT 1947 A9/A96 INSHES TO SMITHTON SCHEME

THE SCOTTISH MINISTERS' DECISION

Introduction

1. This letter contains the Scottish Ministers' decision on the draft Orders listed below in connection with the proposed A9/A96 Inshes to Smithton Scheme.

Background

2. Transport Scotland, an agency of the Scottish Government and the Promoter of the scheme, published the undernoted draft Orders and an Environmental Impact Assessment Report (EIAR) on 13 September 2019 for the proposed A9/A96 Inshes to Smithton Scheme:

- The A9 and A96 Trunk Roads (Inshes to Smithton) Compulsory Purchase Order 201[]
- The A9 and A96 Trunk Roads (Inshes to Smithton) (Side Roads) Order 201[]

3. The above Orders notified the intention to construct approximately 3.2km of new single carriageway linking the A9 with the A96, as well as approximately 0.7km of carriageway widening on the existing line of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road, and a new bridge on the B9006 Culloden Road over the A9. It also includes a bridge crossing over the Highland Main Line Railway. The Proposed Scheme has been committed within the Inverness and Highland City-Region Deal package of investments to promote sustainable and inclusive growth.

Objections

4. Following the end of the statutory objection period, which ran for six weeks from 13 September 2019 to 25 October 2019, five statutory and eleven non-statutory objections were received in connection with the Proposed Scheme. All five of the statutory objections have been withdrawn following engagement by the Promoter, leaving eleven non-statutory objections remaining.

5. It is understood that all efforts have been made by the Promoter to resolve the eleven non-statutory objections. However, they remain outstanding and unresolved, and for these reasons it has been necessary for Scottish Ministers to undertake a full and detailed review of all the correspondence in relation to these objections and make a decision in relation to the following options:

- i) to hold a Public Local Inquiry (PLI) to consider the eleven non-statutory objections made but not withdrawn and making recommendations on these, or
- ii) dispensing with the need for a PLI and proceeding with making the Orders for the Proposed Scheme.

Consideration of the need for a PLI by Scottish Ministers

6. Under the Roads (Scotland) Act 1984, Ministers are required to consider any objections to draft Orders and, excepting where objections are received from certain categories of objector, may deal with the objections without holding a PLI if satisfied in the circumstances of the case it is not necessary.

7. None of the outstanding objections are from a class of objector or body that would make the holding of a PLI Mandatory.

8. All the objections have been reviewed and summarised in the attached Appendix 1 as Summary of Objections along with Summary of the Promoter's Responses and Considerations.

9. Scottish Ministers have considered the written submissions made by the outstanding non-statutory objectors and the correspondence from the Promoter in their review, and have reached the conclusion that they have sufficient information to reach a balanced and informed decision that a PLI is not necessary in the circumstances of the case.

10. Any decision not to hold a PLI could be challenged by a judicial review. Such a challenge could be successful if it could be shown that the decision was illegal, procedurally unfair, unreasonable or irrational. It is considered that the decision is reasonable and lawful on the basis that a PLI would not be likely to elicit any further information that would assist Ministers in coming to a decision on this matter.

11. It is further considered that the proposals for the Scheme are robust and the topics of objection have been fully addressed by the Promoter in its respective responses to the objectors.

The Scottish Ministers' Decision on whether the Orders should be made

12. Having determined that a PLI is not necessary, the Scottish Ministers have carefully considered:

- the need, justification and environmental impact of the Scheme, including the EIAR and representations made in that connection;
- the objections to the draft Orders which were made and not withdrawn; and
- the responses given to the outstanding objections by the Promoter.

13. Ministers have arrived at the decision that the Orders should be made as published.

Information regarding the right to challenge the validity of the decision

14. The foregoing decision by the Scottish Ministers is final but any person wishing to question the validity of the decision, under the provisions of Schedule 2 to the Roads (Scotland) Act 1984 and Part 4 of the First Schedule to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947, may do so by application to the Court of Session. Such an application must be made within 6 weeks of the date on which the notice of the making of the Orders is first published.

15. A copy of this letter will be sent to all the outstanding non-statutory objectors and those who expressed an interest in the Scheme within the objection period.

16. Finally, you are asked that this decision letter will also be made available on the Transport Scotland website and that paper copies may be obtained by e-mailing specialprojects@gov.scot.

Yours sincerely



Stuart Greig
Director

APPENDIX 1

THE A9/A96 TRUNK ROADS INSHES TO SMITHTON SCHEME

SUMMARY OF OBJECTIONS, SUMMARY OF PROMOTER RESPONSES, AND CONSIDERATIONS

1. Objector 1

Objection: the grounds for the objection were not provided.

Response: the grounds for the objection were requested by the Promoter but have not been provided.

Considerations

A public local inquiry cannot consider matters that are not fully disclosed during the objection process. There are no design or environmental issues in the objection that would require the Scottish Ministers to modify or republish the draft Orders or EIAR for the Proposed Scheme.

2. Objector 2

Objection: centres on the following areas:

- 1) The interests of the staff have not been considered by the EIAR as the peaceful and quiet office environment will suffer from increased noise;
- 2) Concern on the modelling of noise at the roundabout;
- 3) Queries the assessment criteria of receiving noise mitigation and feels that unless testing has been carried out at the office itself, existing background noise cannot be confirmed;
- 4) Concern regarding construction noise;
- 5) Concern over change to visual surroundings; and
- 6) Concern over felling of existing mature trees and the negative effect on the office environs.

Summary of Promoter's response

1) The noise assessment has been undertaken in accordance with the Design Manual for Roads and Bridges (DMRB) and Calculation of Road Traffic Noise (CRTN), using an approach that is the industry standard methodology of assessing noise for road schemes across the UK. A noise assessment has been undertaken for all properties in the noise calculation area, including offices. However, offices are not specifically included when reporting the noise impacts of the proposed scheme, as they are not considered to be noise sensitive receptors. The results of the noise assessment undertaken were presented to the Objector in a meeting held on 11 October 2019. Results show that the short-term increase in noise is predicted to be slightly above the smallest increase which is considered perceptible at the south-west façade and predicted to be perceptible at the north-east and north-west facades. In the long-term the increase in noise is not predicted to be perceptible at the south-west façade, predicted to be just perceptible at the north-west façade and perceptible at the north-east façade. This is based on external noise levels. The Promoter considers that with the Proposed Scheme in place the internal noise environment would be similar to the existing noise environment.

2) Roundabouts are modelled in the same manner as other roads in the noise models, accounting for traffic flow, percentage of traffic which are heavy goods vehicles and average speed (as well as road surface and gradient). This is not a deficiency in the noise models, as the

roads have been modelled in accordance with CRTN and DMRB, which is the industry standard methodology of assessing road schemes across the UK.

- 3) The assessment of operational noise impacts is based on predicted (i.e. modelled, not measured) noise levels which, in accordance with CRTN, is the preferred method for determining road traffic noise levels at receptors. Noise measurements are not required to determine whether noise mitigation criteria are predicted to be exceeded at a receptor.
- 4) All mitigation measures relating to construction of the proposed scheme are collated in Chapter 21 (Schedule of Environmental Commitments) of the EIAR. These measures have been committed to by Transport Scotland, and the Contractor will be contractually obligated to implement them. The Highland Council will be the authority responsible for ensuring the Contractor complies with any agreed construction noise limits and taking action if there is an exceedance, or if best practicable means to limit noise are not being used.
- 5) A visual assessment was reported in Chapter 10 of the EIAR. Landscape mitigation proposals proposed in the vicinity of the office include mixed and riparian woodland, scrub planting and individual heavy standard trees. Mitigation proposals also include the design of the Sustainable Drainage Systems feature to the north-west of the office which assist its integration into the landscape whilst maximising its visual amenity and biodiversity. There would be a moderate adverse visual impact during the first few years of operation of the proposed scheme, reducing as landscape mitigation planting establishes and matures.
- 6) The landscape and visual assessment undertaken acknowledges the contribution these mature trees along the U1058 Caulfield Road North make to the landscape character of the area. Therefore, the mitigation measures include a requirement to retain and manage the existing mature trees where possible, with the planting of additional heavy standard trees to replace trees unavoidably impacted by the proposed scheme and to reinforce the avenue.

Considerations

The issues raised by the Objector in relation to noise and visual impact and the responses provided by the Promoter have been reviewed.

The Promoter has undertaken the noise and vibration assessment, visual assessment, and landscape assessment in line with the appropriate and relevant technical standards and appropriate mitigation measures are in place to reduce the landscape and visual impacts.

It is considered that the issues raised by the Objector have been fully addressed by the Promoter in its response and undertakings and that there are no other major engineering design or environmental issues in the objection that would require the Scottish Ministers to modify or republish the draft Orders or EIAR for the Proposed Scheme.

We are of the view that the issues raised in the objection are clear and well understood, and in the circumstances of this case, the holding of a Public Local Inquiry is not necessary.

3. Objector 3

Objection: centres on the following areas:

- 1) The proposed scheme should be cancelled or suspended and re-assessed as a result of the Scottish Government's statements regarding the climate change emergency;
- 2) Inverness and Highland City-Region Deal – too much of the fund is allocated to road projects with nothing on rail or active travel;

- 3) Overall concept – the design does not provide a direct link between the A9 and A96 due to negotiating two sets of traffic lights, and no probable time saving;
- 4) Challenges the time savings reported in the Stage 3 assessment;
- 5) Considers the 'Do Minimum' measures fail to include any schemes that could significantly reduce the need to travel;
- 6) Cannot find information on the Greenhouse Gas emissions from the proposed scheme and considers that money spent on a road scheme is unlikely to reduce Greenhouse Gas emissions in the area; and
- 7) Better value for money / alternative measures - suggests some alternative ideas for which the budget could be spent.

Summary of Promoter's response

1) The Promoter acknowledges that the transport sector is the largest emitter of greenhouse gases and that reducing emissions is essential for meeting the Scottish Government's climate change ambitions. The National Transport Strategy 2 (NTS2), sets the direction for transport over the next 20 years and makes clear that the transport system will help deliver the ambitious climate change agenda and net-zero 2045 emissions target. NTS2 follows from the publication of the Scottish Government's Programme for Scotland 2019-2020, which set out the legislative programme and priorities and provided an initial response to the climate change emergency. Both NTS2 and the Programme for Scotland 2019-2020 were published after the design and assessment of the proposed scheme had been completed. However, it is the Promoter's view that the scheme objectives align with the Vision of the NTS2 and with the Programme for Scotland 2019-2020. The Scottish Government needs to balance the extensive changes required to meet a target of net-zero greenhouse gas emissions with its duty to ensure that Scotland has a high-quality transport system that meets the needs of all our population.

Taking into account the Scottish Government's investment in decarbonisation at a national level, and that the proposed scheme is a targeted infrastructure improvement, supporting active and sustainable travel, it is considered that there is no requirement or judicious reasoning to cancel or suspend the scheme on current policy grounds.

- 2) The implementation of the scheme is supported through local policy. The scheme is required at a local level as a strategic infrastructure requirement to unlock the future growth opportunities in the Inverness East development area. Central to the Inverness and Highland City-Region Deal is improving access to and within communities. The deal will improve connectivity through investment in transport infrastructure, including the development of the A9/A96 Inshes to Smithton scheme. As part of the Scottish Government's commitment to the deal Transport Scotland is progressing plans for this scheme which includes active travel facilities.
- 3) The proposed scheme is designed to improve the operation of the trunk road network, and specifically the A96 on approach to Raigmore Interchange, Raigmore Interchange itself, and on the A9 between Raigmore Interchange and the A9 Inshes Junction. The proposed scheme achieves this by removing local traffic from the trunk road network by providing an alternative route for local traffic travelling between the Inshes area and areas to the east, therefore encouraging the more effective use of the road network hierarchy. Vehicles travelling between the A9 and A96 in both the northbound and southbound directions are anticipated to remain on the trunk road.
- 4) The journey time information presented in the DMRB Stage 3 Scheme Assessment Report is not intended to show a significant benefit for all movements in all peaks, but to provide information on what these changes are forecast to be and to highlight where the main journey time savings occur.

5) The list of Do-Minimum interventions is intended to demonstrate the transport infrastructure that has been included within the transport model. As the transport model does not explicitly consider active travel trips, any proposed interventions that are intended to reduce the need to travel are not included within this list as it would have no impact on the transport model. Any measures that are intended to reduce the need to travel would be included in the trip generation stage of the modelling process. The traffic flow information referred to in Chapter 5 of the DMRB Stage 3 Scheme Assessment Report has been derived from a high growth scenario and is developed as outlined within that chapter. This data was used to determine the worst case scenario in terms of traffic operation.

6) Chapter 7 of the EIAR covers the regional air quality assessment and includes the predicted change in total emissions of carbon dioxide (CO₂) which is the main greenhouse gas from road transport. The opening year (2022) is predicted to give rise to a regional change in total CO₂ emissions of 0.1% as a result of the proposed scheme. Based on modelling related to current policies and plans, this level is forecast to increase to 1.7% by 2037. However, the Scottish Government's commitment to phase out the sale of new petrol and diesel-powered cars and vans by the year 2032 is likely to further reduce increases in CO₂ emissions in the longer term, so the current modelling is considered to be a conservative estimate. In the context of UK wide road transport emissions, the predicted increases equate to 0.001% or lower of the total annual road transport emissions. The effect of the scheme on greenhouse gas emissions has been assessed and reported and account taken of future traffic growth. The predicted change in emissions across the affected road network represents a nominal proportion of the UK total road transport emissions. An assessment of the impacts of the construction and maintenance of the proposed scheme was also undertaken and reported in the EIAR.

Total Scottish emissions are managed and considered at a national level, not on a scheme by scheme basis, and Transport Scotland publishes its strategy as part of the Scotland wide emissions reduction plan: The Climate Change Plan.

7) The Promoter responded to advise that a detailed economic assessment was undertaken which demonstrates a good benefit to cost ratio for all growth levels, and that the scheme is in keeping with local planning policies and does not prevent the implementation of other projects. The Strategic Transport Projects Review 2, Infrastructure Investment Plan and Capital Spending Review are the appropriate forums for consideration of future transport infrastructure priorities.

Considerations

The issues raised by the Objector and the responses provided by the Promoter have been reviewed.

The Scottish Government has a duty to ensure a reduction of the net Scottish emissions of greenhouse gases by 2045 (the net-zero emissions target) as set out in the Climate Change (Scotland) Act 2009 (as amended). In addition, Scottish Government policy has a clear commitment to tackling climate change. Greenhouse gas emissions have reduced by 50% since 1990 and the Scottish Government continues to exercise its functions in the way best calculated to contribute to the delivery of the targets set by the 2009 Act. It is acknowledged that the transport sector is the largest emitter of greenhouse gases and that reducing emissions from all parts of the transport system is essential for meeting the Scottish Government's climate change obligations.

In addition to the climate change obligations, the overarching Scottish Government's Purpose stemming from the National Performance Framework is to focus on creating a more successful country with opportunities for all of Scotland to flourish through increased wellbeing, and sustainable and inclusive growth. The changes required to meet a target of net-zero greenhouse gas emissions therefore need to be balanced with these other needs and wider

Scottish Government policies and plans. Specific transport strategies are designed to manage that careful balance. It is not the case that any proposal that does not directly reduce climate change effects naturally fails to comply with current strategies, and a detailed assessment of the Proposed Scheme's compliance with policies and plans has been completed and is reported in the EIAR.

The Proposed Scheme will facilitate economic activity, improve the operation of the trunk and local road networks and provide significant benefits for active travel.

The Promoter has confirmed that it has applied relevant and appropriate technical standards throughout the design development and assessment of the Proposed Scheme.

It is considered that the issues raised by the Objector have been fully addressed by the Promoter in its response and undertakings and that there are no other major engineering design or environmental issues in the objection that would require the Scottish Ministers to modify or republish the draft Orders or EIAR for the Proposed Scheme.

We are of the view that the issues raised in the objection are clear and well understood, and in the circumstances of this case, the holding of a Public Local Inquiry is not necessary.

4. Objector 4

Objection: centres on the following areas:

- 1) Considers that traffic will increase at the Inshes Roundabout and the university junction, which is already mayhem at rush hours;
- 2) Loss of farmland;
- 3) Concern regarding ecological impacts;
- 4) Landscape and visual matters around the footpath;
- 5) Considers the cost could be better spent elsewhere; and
- 6) Suggests that Public Transport and Active Travel are missing from the scheme proposals.

Summary of Promoter's response

1) The Promoter directed the Objector to the traffic assessment in the DMRB Stage 3 report. The response advised that traffic is due to increase on the B9006 under all scenarios, but the Proposed Scheme can re-balance the flows to provide no net detriment. The junctions will operate satisfactorily during the peak hours. The Inshes Roundabout is part of Inshes Junction Improvements - Phase 2 project which is a scheme being taken forward by the Highland Council. The purpose of the Inshes Phase 2 scheme is to improve the operation of the B9006 Culloden Road Corridor, including the Inshes Roundabout.

2) The impact of the Proposed Scheme on agricultural land was assessed in the EIAR. The Promoter advised that only land needed is to be acquired and provided figures of how agricultural land and business are affected. Significant impacts were assessed for one of the four affected farming business reflecting that the impacts arising from land-take and disturbance to the operation of the farm cannot be fully mitigated. However, the affected farm would be able to mitigate its losses and no significant impact on likely future farm business viability is assessed.

3) The Promoter noted that as part of the design development and assessment of the Proposed Scheme, ecological surveys and impact assessment have been undertaken by professionally qualified ecologists and in accordance with ecological best practice standards as endorsed by the Chartered Institute of Ecology and Environmental Management and in line with the Roads (Scotland) Act 1984, as amended. Scottish Natural Heritage (SNH) (now known as

NatureScot) were consulted regarding the scope and methods used to understand the nature conservation interest potentially affected by the proposed scheme, and the approach to the mitigation was also agreed through ongoing consultation with SNH. SNH provided comment on Chapter 11 (Ecology and Nature Conservation) of the EIAR prior to publication and agreed with the final conclusions and proposed mitigation. The effect on various ecological receptors was also discussed in the response.

4) The response outlined details of mitigation measures for the footpath, identified as Outdoor Receptor 12, referencing Chapters 10 and 15 of the EIAR. The mitigation proposals detailed in the EIAR are designed to screen views of the Proposed Scheme, and associated traffic, and integrate it into the landscape. The measures proposed include mixed and riparian woodland, individual heavy standard trees and hedgerow planting. While the planting proposals will offer limited mitigation initially, as the woodland, tree, and hedgerow planting establish and mature they will assist in reducing the visibility of the Proposed Scheme and views of the associated traffic. This will reduce the visual impact over time and integrate the Proposed Scheme into the surrounding landscape.

5) The response detailed the cost range for the scheme, the planning and policy contexts, and the need for the scheme in relation to them. The Proposed Scheme will be delivered as part of the £315 million Inverness and Highland City-Region Deal and is anticipated to provide value for money, as demonstrated with a benefit to cost ratio of between 2.1 and 3.4. The Proposed Scheme does not prevent the implementation of other projects suggested in the objection.

6) The response directed the Objector to Chapter 16 of the EIAR and stated that 7.3km of new Non-Motorised Users (NMU) paths (for pedestrians and cyclists) are being included as part of the scheme which will encourage and enable active travel within the wider area. The response confirmed that public transport is not adversely affected, and the scheme provides new opportunities for public transport routes.

Considerations

The issues raised in the objection and the response provided by the Promoter have been reviewed.

The Promoter has confirmed that it has applied relevant and appropriate technical standards throughout the design development and assessment of the Proposed Scheme. The Promoter has advised the Objector that the matters raised in the objection with respect to farmland, landscape and ecology, and mitigation measures, are properly assessed and fully reported in the EIAR.

In relation to wider Scottish Government Policy, the overarching Scottish Government's Purpose stemming from the National Performance Framework is to focus on creating a more successful country with opportunities for all of Scotland to flourish through increased wellbeing, and sustainable and inclusive growth. The Proposed Scheme will facilitate economic activity, improve the operation of the trunk and local road networks and provide significant benefits for active travel. The Scottish Ministers are committed to the delivery of the Proposed Scheme through the Inverness and Highland City-Region Deal.

It is considered that the issues raised in the objection have been fully addressed by the Promoter in its response and undertakings and that there are no other major engineering design or environmental issues in the objection that would require the Scottish Ministers to modify or republish the draft Orders or EIAR for the Proposed Scheme.

We are of the view that the issues raised in the objection are clear and well understood, and in the circumstances of this case, the holding of a Public Local Inquiry is not necessary.

5. Objector 5

Objection: centres on the following areas:

- 1) Concerns regarding the climate change emergency, achieving Net Zero carbon emissions by 2045 and expenditure needed for public transport, active travel and rail improvements;
- 2) Project is about opening the area for housing development and not about traffic improvement;
- 3) Additional slip road on the A96 junction with Raigmore Interchange and lane gain between Raigmore Interchange and Inshes junction would solve traffic issues;
- 4) More investment needed for active travel, particularly cycling;
- 5) Comment on the quality of cycling facilities on Sir Walter Scott Drive;
- 6) Roundabouts are not designed well for cyclists and calls for grade separated roundabouts; and
- 7) Feels the level of assessment on environmental impact discusses badgers more than road safety.

Following the initial objection and Promoter's response, the objector followed up with a re-statement of their objection to the scheme but no counter evidence was provided.

Summary of Promoter's response

1) The Promoter responded in regard to the policy context, referring to the NTS2 and Programme for Scotland 2019-2020 to reassure the Objector of the Scottish Government's commitment to tackling climate change. The Promoter also confirmed that the Proposed Scheme's objectives align with those policies and provided information on the planned £500m Scottish Government investment to improve bus services and decarbonise rail services by 2035. The Scottish Government needs to balance the extensive changes required to meet a target of net-zero greenhouse gas emissions with its duty to ensure that Scotland has a high-quality transport system that meets the needs of all our population. The Proposed Scheme does not prevent the implementation of the other suggested projects. The Promoter advised that they did not consider there to be a requirement or judicious reasoning to cancel or suspend the scheme on current policy grounds.

2) The Promoter provided details on the need for the Proposed Scheme, confirming that it fits within the local and national planning strategies and the objectives include contributing to the Highland Council's Development Plan (which involves housing developments).

The Proposed Scheme was identified within the Strategic Transport Projects Review 2008 and contributes towards the Scottish Government's overall objectives to provide an efficient, safe and integrated transport system to act as a key enabler for sustainable economic activity. The Inverness and Highland City-Region Deal represents an important delivery mechanism for the region's economic vision and for sustainable and inclusive economic activity. The Deal specifically supports the Proposed Scheme to 'improve the operation of the network for longer distances and local journeys, providing relief to the A96 east of Inverness and the Raigmore junction.'

3) The Promoter considered that a slip road may not reduce queuing significantly and also outlined that the majority of vehicles turning left from the A96 onto the A9 are travelling to the Inshes area. The Proposed Scheme provides an alternative route for that local traffic, improving the trunk road operation.

4) Chapter 16 (All Travellers) of the EIAR identifies that the Proposed Scheme includes approximately 7.3km of new paths for pedestrians and cyclists. This includes a grade-separated path south of the proposed Eastfield Way Roundabout to provide a link to local paths connecting to the Inverness Retail and Business Park and the Inverness Campus. These facilities will encourage and enable active travel within the wider scheme area.

It also noted that public bus routes are not affected and that in future the proposed scheme would provide new opportunities for public transport connectivity.

5) No comment was provided as this does not relate to the Proposed Scheme.

6) The Promoter outlined its position that although considered in the design process, grade separation of the roundabouts is not justified on engineering, cost, and environmental grounds. Signalised crossings have been provided on Link 2: Cradlehall Roundabout to Eastfield Way Roundabout and Link 4: Eastfield Way Roundabout to Smithton Junction. This allows for the safe crossing of the 40mph sections of the Proposed Scheme. The provision of grade separated NMU facilities at Smithton Roundabout would have been considered as part of the A96 Dualling proposals. The design of the proposed Smithton Junction is outwith the A9/A96 Inshes to Smithton scheme.

7) The Promoter made no specific comment in its response. However, new paths for cyclists and safe crossings have been considered in the responses above.

Considerations

The issues raised in the objection and the response provided by the Promoter have been reviewed.

The Scottish Government has a statutory duty to ensure a reduction of the net Scottish emissions of greenhouse gases by 2045 (the net-zero emissions target) as set out in the Climate Change (Scotland) Act 2009 (as amended). In addition, Scottish Government policy has a clear commitment to tackling climate change. Greenhouse gas emissions have reduced by 50% since 1990 and the Scottish Government continues to exercise its functions in the way best calculated to contribute to the delivery of the targets set by the 2009 Act. It is acknowledged that the transport sector is the largest emitter of greenhouse gases and that reducing emissions from all parts of the transport system is essential for meeting the Scottish Government's climate change obligations.

In addition to the climate change obligations, the overarching Scottish Government's Purpose stemming from the National Performance Framework is to focus on creating a more successful country with opportunities for all of Scotland to flourish through increased wellbeing, and sustainable and inclusive growth. The changes required to meet a target of net-zero greenhouse gas emissions therefore need to be balanced with these other needs and wider Scottish Government policies and plans. Specific transport strategies are designed to manage that careful balance. It is not the case that any proposal that does not directly reduce climate change effects naturally fails to comply with current strategies, and a detailed assessment of the Proposed Scheme's compliance with policies and plans has been completed and is reported in the EIAR.

The Proposed Scheme will facilitate economic activity and improve the operation of the trunk and local road networks.

The Proposed Scheme proposes significant benefits for active travel. The Promoter has confirmed that it has applied relevant and appropriate technical standards throughout the design development and assessment of the Proposed Scheme, including the development of active

travel facilities. The Promoter has advised the Objector that the technical matters raised in their objection are properly assessed.

It is considered that the issues raised in the objection have been fully addressed by the Promoter in its response and undertakings and that there are no other major engineering design or environmental issues in the objection that would require the Scottish Ministers to modify or republish the draft Orders or EIAR for the Proposed Scheme.

We are of the view that the issues raised in the objection are clear and well understood, and in the circumstances of this case, the holding of a Public Local Inquiry is not necessary.

6. Objector 6

Objection: centres on the following areas:

- 1) Concerns about the effect the new road will have on the enjoyment of the footpath and beautiful farmland;
- 2) Area affected by the proposed scheme is used by walkers and cyclists;
- 3) Concerns regarding the loss of green space;
- 4) Concerns regarding local ecology; and
- 5) Better public transport should be encouraged and less car use.

Summary of Promoter's response

- 1) The Promoter provided information on the landscape and visual mitigation measures that will be put in place, referring to Chapter 9 of the EIAR, and highlighted that the path is assessed as Outdoor Receptor 12, reported in Chapter 10 of the EIAR. The mitigation proposals detailed in the EIAR are designed to screen views of the proposed scheme, and associated traffic, and integrate it into the landscape. The measures proposed include mixed and riparian woodland, individual heavy standard trees and hedgerow planting. While the planting proposals will offer limited mitigation initially, as the woodland, tree, and hedgerow planting establish and mature they will assist in reducing the visibility of the Proposed Scheme and views of the associated traffic. This will reduce the visual impact over time and integrate the Proposed Scheme into the surrounding landscape.
- 2) The Promoter referred to Chapter 16 of the EIAR and information on the design proposals that include 7.3km of new NMU facilities. With regard to NMU access between Inverness Campus and the Retail Park, the path will still be accessible as it will connect to the shared-use path which will be constructed as part of the Proposed Scheme. As acknowledged in Chapter 16 (All Travellers) of the EIAR, there is anticipated to be a significant impact (moderate significance) on the amenity value of this path as a result of the visual impacts of the Proposed Scheme.
- 3) The response outlined that the Proposed Scheme is part of a wider area identified for urban expansion in the Highland Council's development plans. It is not identified or protected as green space. The Promoter referred to the Highland Council's Inverness East Development Brief for further information on green space proposed as part of the Brief.
- 4) The Promoter noted that the ecological surveys and impact assessment have been undertaken by professionally qualified ecologists and in accordance with ecological best practice standards as endorsed by the Chartered Institute of Ecology and Environmental Management and in line with the Roads (Scotland) Act 1984, as amended. Scottish Natural Heritage (SNH) (now known as NatureScot) were consulted regarding the scope and methods used to understand the nature conservation interest potentially affected by the Proposed Scheme, and the approach to the mitigation was also agreed through ongoing consultation with SNH. SNH

provided comment on Chapter 11 (Ecology and Nature Conservation) of the EIAR prior to publication and agreed with the final conclusions and proposed mitigation. The effect on various ecological receptors was also discussed in the response.

5) The Proposed Scheme was identified within the Strategic Transport Projects Review 2008 and contributes towards the Scottish Government's overall objectives to provide an efficient, safe and integrated transport system to act as a key enabler for sustainable economic activity.

In relation to public transport, the existing public bus routes are largely unaffected by the Proposed Scheme. Considering future public transport, the Proposed Scheme would provide new opportunities for public transport connectivity to the proposed development to the east of the A9 and an alternative route for access to Inverness Campus, the Inverness Retail and Business Park, the Inshes area and south Inverness.

Considerations

The issues raised in the objection and the response provided by the Promoter have been reviewed.

The Promoter has confirmed that it has applied relevant and appropriate technical standards throughout the design development and assessment of the Proposed Scheme. The Promoter has advised the Objector that the technical matters raised in the objection are properly assessed and fully reported in the EIAR. None of the residual impacts resulting from the Proposed Scheme are so severe as to outweigh the public interest in proceeding with the Proposed Scheme.

Regarding wider Scottish Government Policy, the overarching Scottish Government's Purpose stemming from the National Performance Framework is to focus on creating a more successful country with opportunities for all of Scotland to flourish through increased wellbeing, and sustainable and inclusive growth. The Proposed Scheme will facilitate economic activity, improve the operation of the trunk and local road networks and provide significant benefits for active travel. The Proposed Scheme provides opportunities for future public transport routes. The Scottish Ministers are committed to the delivery of the Proposed Scheme through the Inverness and Highland City-Region Deal.

It is considered that the issues raised in the objection have been fully addressed by the Promoter in its response and undertakings and that there are no other major engineering design or environmental issues in the objection that would require the Scottish Ministers to modify or republish the draft Orders or EIAR for the Proposed Scheme.

We are of the view that the issues raised in the objection are clear and well understood, and in the circumstances of this case, the holding of a Public Local Inquiry is not necessary.

7. Objector 7

Objection: centres on the following areas:

- 1) Concerns about noise impact on their property;
- 2) Privacy concerns over the raised road near their property; and
- 3) Proposes a large earth banking between their property and the road, with planting of mature trees.

Summary of Promoter's response

1) The Promoter directed the Objector to Chapter 8 of the EIAR where their property is listed. The response provided details of the assessment for the noise impact on the property and although an adverse noise impact is predicted, it concludes that it does not meet the threshold for noise mitigation as the absolute noise level predicted with the scheme in place is below the level for which noise mitigation is considered.

2) The Promoter directed the Objector to the visual assessments reported in Chapter 10 of the EIAR and acknowledged the visual impact upon their property. However, the response acknowledged that the issue of privacy was raised but confirmed that this had not been assessed as part of the visual assessment as it does not form a requirement of the DMRB guidance.

Further information was therefore provided on the distance of view from the Proposed Scheme carriageway and paths, and the landscape mitigation proposals adjacent to the property. At its closest point, the proposed carriageway and NMU route would be approximately 90 metres away from the boundary of the property. A 60 to 70 metre buffer of landscape mitigation planting comprising mixed woodland, scrub planting and heavy standard trees has been proposed. While the landscape mitigation planting will offer limited screening initially, as the tree and shrub species establish and mature, the predicted visibility of the proposed scheme would gradually reduce. The combination of maturing dense vegetation, distance of view (in addition to the retention of the existing established planting within the property boundary) would assist in limiting the visibility towards the property and, taking into consideration the transient nature of the Proposed Scheme users, maintain privacy.

3) The response outlined that a large earth banking would not be justified and that it would add a further visual intrusion to the Objector's property and other receptors.

The response also explains that young stock is easier to establish and would be predominant in the planting mix, but that some larger plant stock would be used in some locations to aid screening. In respect of the planting proposals in the vicinity of the property, planting proposals will include a mix of both young and semi-mature plants, and a higher percentage of evergreen species in order to establish and maintain screening all year round.

Considerations

The issues raised in the objection in relation to noise and privacy and the response provided by the Promoter have been reviewed. The Promoter has confirmed that it has applied relevant and appropriate technical standards throughout the design development and assessment of the Proposed Scheme. The Promoter has advised the Objector that the technical matters raised in the objection are properly assessed and fully reported in the EIAR. A detailed response has been provided to the Objector outlining why their proposed modifications to the scheme design are not appropriate. None of the residual impacts resulting from the Proposed Scheme are so severe as to outweigh the public interest in proceeding with the Proposed Scheme.

It is therefore considered that the issues raised in the objection have been fully addressed by the Promoter in its response and undertakings and that there are no other major engineering design or environmental issues in the objection that would require the Scottish Ministers to modify or republish the draft Orders or EIAR for the Proposed Scheme.

We are of the view that the issues raised in the objection are clear and well understood, and in the circumstances of this case, the holding of a Public Local Inquiry is not necessary.

8. Objector 8

Objection: centres on the following areas:

- 1) Scheme should have segregated pedestrian and cycle facilities (2m wide footway on both sides, 3.5m two way cycleway);
- 2) Footways should have priority across minor road junctions on raised platforms, all major road junctions should have light controlled crossing for pedestrians and dedicated two-way cycleway should have priority over turning traffic at all road junctions;
- 3) Roundabouts should be grade-separated for NMUs;
- 4) NMU provision should continue over the Inshes Overbridge;
- 5) Comment and disappointment with the public exhibition timings and content;
- 6) Comment regarding 'A Long-Term Vision for Active Travel in Scotland 2030' restated from response to an earlier consultation in June 2019;
- 7) Climate emergency and more investment in NMU facilities; and
- 8) Issues with the Virtual Reality Model.

Summary of Promoter's Response

- 1) The Promoter listed the NMU provisions incorporated within the Proposed Scheme and outlined that these have been designed in line with relevant standards and guidance. The response stated that the NMU provision is sufficient for the anticipated use within the area, with a capacity of 250 users per hour. The response noted that a segregated cycle and footway is provided on Link 3 (Eastfield Way Roundabout to Inverness Retail and Business Park).
- 2) NMU priority measures at minor roads and accesses, potentially including raised tables, are currently being developed in consultation with the Highland Council during the next design stage. The response listed four traffic signal controlled crossings provided in the Proposed Scheme which would provide NMUs with the flexibility to cross the Proposed Scheme at several locations and would cater for anticipated desire lines.
- 3) The Promoter outlined its position that although considered in the design process, grade separation of the roundabouts is not justified on engineering, cost, and environmental grounds.
- 4) There are existing NMU facilities on the eastbound verge (north side) of the existing Inshes overbridge. The proposed Inshes Overbridge will be located directly to the south of the existing bridge, and as such will not impact the existing NMU routes. The cross-section of the proposed Inshes Overbridge bridge will have sufficient capacity to accommodate the inclusion of a new 3m wide shared use facility in the future if required by the Highland Council.
- 5) The active travel section of the public exhibition acknowledged that consultation with the Highland Council and Sustrans had taken place and that they had influenced the design. It also noted that the Highland Council will be the Roads Authority following completion of the Proposed Scheme.

Public exhibitions are held after the date of publication to allow interested parties the opportunity to discuss any queries or concerns they may have in relation to the Proposed Scheme with members of the design team and the Promoter, Transport Scotland. The objection period allowed for interested parties to make a representation or objection was in accordance with the relevant legislation.

The response noted the presentation of the cycleway on panel 15 and explained the design is in progress and the Virtual Reality Model is an artist's impression of the Proposed Scheme and does not contain exhaustive design detail.

6) It is explained in the National Transport Strategy (2016) that the document 'A Long-Term Vision for Active Travel in Scotland 2030' (Scottish Government, 2014) is an underlying transport plan which forms part of the national transport strategy policy framework. The NTS, the draft National Transport Strategy 2 (NTS2) (2019) and their strategic outcomes are outlined and considered in Chapter 18 (Policies and Plans) of the EIAR. The proposed shared use facilities, dedicated cycleway and dedicated footways will enable direct routes to places of employment, education and leisure while allowing NMUs to be segregated from motorised traffic. This level of provision is in line the infrastructure vision presented in 'A Long-Term Vision for Active Travel in Scotland'.

7) The Scottish Government is committed to tackling climate change. It is acknowledged that the transport sector is the largest emitter of greenhouse gases and that reducing emissions from all parts of the transport system is essential for meeting the Scottish Government's climate change ambitions. The recently published National Transport Strategy 2 (NTS2), which sets the direction for transport over the next 20 years, makes clear that our transport system will help deliver our ambitious climate change agenda and net-zero 2045 emissions target.

Both NTS2 and the Programme for Scotland 2019-2020 were published after the design and assessment of the Proposed Scheme had been completed. It is the Promoter's view that the scheme objectives (described in the EIAR Chapter 2: Need for the Scheme) align with the Vision of the NTS2, and with the Programme for Scotland 2019-2020. The Scottish Government needs to balance the extensive changes required to meet a target of net-zero greenhouse gas emissions with its duty to ensure that Scotland has a high-quality transport system that meets the needs of all our population.

NTS2 explains that a Sustainable Investment Hierarchy will be used to inform future investment decisions. Targeted infrastructure improvements, such as the Proposed Scheme, do form part of that hierarchy. The Proposed Scheme objectives which in summary seek to encourage more effective use of the road network, improve safety for all users, and maximise opportunities for active travel and public transport can also be considered as supportive of the other aspects of the hierarchy to reduce the need to travel unsustainably, safely operate existing assets and make better use of existing capacity.

8) The Virtual Reality Model (VRM) is an artist's impression and not fully representative of the exhaustive design detail of a final scheme design. It is used for illustrative purposes only and operates within the limits of the software available. The VRM does not display the aspirations of the Highland Council's development plans, as they were not sufficiently developed by the Highland Council at the time.

Considerations

The issues raised in the objection and the response provided by the Promoter have been reviewed.

The Promoter has confirmed that it has applied relevant and appropriate technical standards throughout the design development and assessment of the Proposed Scheme. The Promoter has advised the Objector that the technical matters raised in their objection are properly assessed and fully reported in the DMRB Stage 3 Report and in the EIAR. All active travel facilities have been developed in compliance with relevant and appropriate standards and the relevant local authority has been involved in extensive consultation with the Promoter throughout the development of the design.

The Scottish Government has a statutory duty to ensure a reduction of the net Scottish emissions of greenhouse gases by 2045 (the net-zero emissions target) as set out in the Climate Change (Scotland) Act 2009 (as amended). In addition, Scottish Government policy

has a clear commitment to tackling climate change. Greenhouse gas emissions have already reduced by 50% since 1990 and the Scottish Government continues to exercise its functions in the way best calculated to contribute to the delivery of the targets set by the 2009 Act. It is acknowledged that the transport sector is the largest emitter of greenhouse gases and that reducing emissions from all parts of the transport system is essential for meeting the Scottish Government's climate change obligations.

In addition to the climate change obligations, the overarching Scottish Government's Purpose stemming from the National Performance framework is to focus on creating a more successful country with opportunities for all of Scotland to flourish through increased wellbeing, and sustainable and inclusive growth. The changes required to meet a target of net-zero greenhouse gas emissions therefore need to be balanced with these other needs and wider Scottish Government policies and plans. Specific transport strategies are designed to manage that careful balance. It is not the case that any proposal that does not directly reduce climate change effects naturally fails to comply with current strategies, and a detailed assessment of the Proposed Scheme's compliance with policies and plans has been completed and is reported in the EIAR.

The Proposed Scheme will facilitate economic activity and improve the operation of the trunk and local road networks. Appropriate active travel facilities are proposed as an integral part of the Proposed Scheme design.

It is considered that the issues raised in the objection have been fully addressed by the Promoter in its response and undertakings and that there are no other major engineering design or environmental issues in the objection that would require the Scottish Ministers to modify or republish the draft Orders or EIAR for the Proposed Scheme.

We are of the view that the issues raised in the objection are clear and well understood, and in the circumstances of this case, the holding of a Public Local Inquiry is not necessary.

9. Objector 9

Objection: centres on the following areas:

- 1) Scheme should have segregated pedestrian and cycle facilities (2m wide footway on both sides, 3.5m two way cycleway);
- 2) Footways should have priority across minor road junctions on raised platforms, all major road junctions should have light controlled crossing for pedestrians and dedicated two-way cycleway should have priority over turning traffic at all road junctions;
- 3) Roundabouts should be grade-separated for NMUs;
- 4) NMU provision should continue over the Inshes Overbridge;
- 5) Public exhibition – disappointment in active travel provision; and
- 6) Climate emergency.

Summary of Promoter's response

1) The Promoter listed the NMU provisions incorporated within the Proposed Scheme and outlined that these have been designed in line with relevant standards and guidance. The response stated that the NMU provision is sufficient for the anticipated use within the area, with a capacity of 250 users per hour. The response noted that a segregated cycle and footway is provided on Link 3 (Eastfield Way Roundabout to Inverness Retail and Business Park).

2) NMU priority measures at minor roads and accesses, potentially including raised tables, are currently being developed in consultation with the Highland Council during the next design stage. The response listed four traffic signal controlled crossings provided in the Proposed

Scheme which would provide NMUs with the flexibility to cross the Proposed Scheme at several locations and would cater for anticipated desire lines.

- 3) The Promoter outlined its position that although considered in the design process, grade separation of the roundabouts is not justified on engineering, cost, and environmental grounds.
- 4) There are existing NMU facilities on the eastbound verge (north side) of the existing Inshes overbridge. The proposed Inshes Overbridge will be located directly to the south of the existing bridge, and as such will not impact the existing NMU routes. The cross-section of the proposed Inshes Overbridge bridge will have sufficient capacity to accommodate the inclusion of new NMU facilities in the future if required by the Highland Council.
- 5) The provision of NMU facilities through the Proposed Scheme was prepared with consultation and input from the Highland Council to reflect its future aspirations for the area. Sustrans was also consulted regarding the potential effects on the National Cycle Network 1. The comments and aspirations from both consultees are integrated with the design for the benefit of all users. It also noted that the Highland Council will be the Roads Authority following completion of the scheme.
- 6) The Scottish Government is committed to tackling climate change. It is acknowledged that the transport sector is the largest emitter of greenhouse gases and that reducing emissions from all parts of the transport system is essential for meeting the Scottish Government's climate change ambitions. The recently published National Transport Strategy 2 (NTS2), which sets the direction for transport over the next 20 years, makes clear that our transport system will help deliver our ambitious climate change agenda and net-zero 2045 emissions target.

Both NTS2 and the Programme for Scotland 2019-2020 were published after the design and assessment of the Proposed Scheme had been completed. It is the Promoter's view that the scheme objectives (described in the EIAR Chapter 2: Need for the Scheme) align with the Vision of the NTS2, and with the Programme for Scotland 2019-2020. The Scottish Government needs to balance the extensive changes required to meet a target of net-zero greenhouse gas emissions with its duty to ensure that Scotland has a high-quality transport system that meets the needs of all our population.

NTS2 explains that a Sustainable Investment Hierarchy will be used to inform future investment decisions. Targeted infrastructure improvements, such as the proposed scheme, form part of that hierarchy. The scheme objectives which in summary seek to encourage more effective use of the road network, improve safety for all users, and maximise opportunities for active travel and public transport can also be considered as supportive of the other aspects of the hierarchy to reduce the need to travel unsustainably, safely operate existing assets and make better use of existing capacity.

Considerations

The issues raised in the objection and the response provided by the Promoter have been reviewed.

The Promoter has confirmed that it has applied relevant and appropriate technical standards throughout the design development and assessment of the Proposed Scheme. The Promoter has advised the Objector that the technical matters raised in objection are properly assessed and fully reported in the DMRB Stage 3 Report and in the EIAR. All active travel facilities have been developed in compliance with relevant and appropriate standards and the relevant local authority has been involved in extensive consultation with the Promoter throughout the development of the design.

The Scottish Government has a statutory duty to ensure a reduction of the net Scottish emissions of greenhouse gases by 2045 (the net-zero emissions target) as set out in the Climate Change (Scotland) Act 2009 (as amended). In addition, Scottish Government policy has a clear commitment to tackling climate change. Greenhouse gas emissions have reduced by 50% since 1990 and the Scottish Government continues to exercise its functions in the way best calculated to contribute to the delivery of the targets set by the 2009 Act. It is acknowledged that the transport sector is the largest emitter of greenhouse gases and that reducing emissions from all parts of the transport system is essential for meeting the Scottish Government's climate change obligations.

In addition to the climate change obligations, the overarching Scottish Government's Purpose stemming from the National Performance framework is to focus on creating a more successful country with opportunities for all of Scotland to flourish through increased wellbeing, and sustainable and inclusive growth. The changes required to meet a target of net-zero greenhouse gas emissions therefore need to be balanced with these other needs and wider Scottish Government policies and plans. Specific transport strategies are designed to manage that careful balance. It is not the case that any proposal that does not directly reduce climate change effects naturally fails to comply with current strategies, and a detailed assessment of the Proposed Scheme's compliance with policies and plans has been completed and is reported in the EIAR.

The Proposed Scheme will facilitate economic activity and improve the operation of the trunk and local road networks. Appropriate active travel facilities are proposed as an integral part of the Proposed Scheme design.

It is considered that the issues raised in the objection have been fully addressed by the Promoter in its response and undertakings and that there are no other major engineering design or environmental issues in the objection that would require the Scottish Ministers to modify or republish the draft Orders or EIAR for the Proposed Scheme.

We are of the view that the issues raised in the objection are clear and well understood, and in the circumstances of this case, the holding of a Public Local Inquiry is not necessary.

10. Objector 10

Objection: centres on the following areas:

- 1) Provision for pedestrians and cyclists (NMUs) falls short of nationally recognised standards and best practice;
- 2) Roundabouts incorporated in the design of the Proposed Scheme will not function well for NMUs;
- 3) Further consideration needs to be given to side road access and forward priority for NMUs;
- 4) Proposed Scheme would induce new trips by private motor vehicles;
- 5) It is not clear how the scheme will benefit NMUs or public transport users; and
- 6) The project should be reviewed in light of the climate emergency.

Summary of Promoter's response

- 1) The Promoter confirmed that the proposed routes for NMUs have been designed in accordance with current standards and best practice in order to provide a network of safe, attractive and high quality routes. The NMU provision is sufficient for the anticipated use within the area, with a capacity of 250 users per hour.

- 2) A list of all the signalised and uncontrolled crossing points for NMUs at each roundabout was provided. The design encourages NMUs to utilise these crossing points and keeps NMUs separate from vehicular traffic. These crossings would provide drop kerbs and tactile paved surfacing that allow NMUs to transfer between the shared use facility and the crossing.
- 3) Through consultation with the Highland Council, the provision of raised tables and continuous footways to highlight and enhance NMu priority at minor roads and accesses respectively will be assessed at the next design stage.
- 4) The Promoter directed the Objector to Chapter 5 of the DMRB Stage 3 assessment and confirmed that traffic flow information was used to determine the worst case scenario in terms of traffic. The scenarios are forecasted for two future years and include traffic growth associated with proposed development within the area. As such, traffic levels in the area are forecast to increase within the model area regardless of the inclusion of the proposed scheme. The assessment does not forecast any significant induced traffic to the area, however traffic in the area is anticipated to redistribute across the network within the vicinity of the Proposed Scheme, with the dualled A96 Aberdeen to Inverness Trunk Road to the east of the A96 Smithton Junction becoming a more attractive route than the B9006 Culloden Road to travel from the east towards Inverness.
- 5) The Proposed Scheme includes approximately 7.3km of new NMu paths. This includes a grade-separated path south of the proposed Eastfield Way Roundabout to provide a link to local paths connecting to the Inverness Retail and Business Park and the Inverness Campus. These facilities will encourage and enable active travel within the wider scheme area.

In relation to public transport, the existing public bus routes are largely unaffected by the Proposed Scheme. Considering future public transport, the Proposed Scheme would provide new opportunities for public transport connectivity to the proposed development to the east of the A9 and an alternative route for access to Inverness Campus, the Inverness Retail and Business Park, the Inshes area and south Inverness.

- 6) The Scottish Government is committed to tackling climate change. It is acknowledged that the transport sector is the largest emitter of greenhouse gases and that reducing emissions from all parts of the transport system is essential for meeting the Scottish Government's climate change ambitions. The recently published National Transport Strategy 2 (NTS2), which sets the direction for transport over the next 20 years, makes clear that our transport system will help deliver our ambitious climate change agenda and net-zero 2045 emissions target.

Both NTS2 and the Programme for Scotland 2019-2020 were published after the design and assessment of the Proposed Scheme had been completed. It is the Promoter's view that the scheme objectives (described in the EIAR Chapter 2: Need for the Scheme) align with the Vision of the NTS2, and with the Programme for Scotland 2019-2020. The Scottish Government needs to balance the extensive changes required to meet a target of net-zero greenhouse gas emissions with its duty to ensure that Scotland has a high-quality transport system that meets the needs of all our population.

NTS2 explains that a Sustainable Investment Hierarchy will be used to inform future investment decisions. Targeted infrastructure improvements, such as the Proposed Scheme, form part of that hierarchy. The scheme objectives which in summary seek to encourage more effective use of the road network, improve safety for all users, and maximise opportunities for active travel and public transport can also be considered as supportive of the other aspects of the hierarchy to reduce the need to travel unsustainably, safely operate existing assets and make better use of existing capacity.

Considerations

The issues raised in the objection and the response provided by the Promoter have been reviewed.

The Promoter has confirmed that it has applied relevant and appropriate technical standards throughout the design development and assessment of the Proposed Scheme. The Promoter has advised the Objector that the technical matters raised in objection are properly assessed and fully reported in the DMRB Stage 3 Report and in the EIAR. All active travel facilities have been developed in compliance with relevant and appropriate standards and the relevant local authority has been involved in extensive consultation with the Promoter throughout the development of the design.

The Scottish Government has a statutory duty to ensure a reduction of the net Scottish emissions of greenhouse gases by 2045 (the net-zero emissions target) as set out in the Climate Change (Scotland) Act 2009 (as amended). In addition, Scottish Government policy has a clear commitment to tackling climate change. Greenhouse gas emissions have reduced by 50% since 1990 and the Scottish Government continues to exercise its functions in the way best calculated to contribute to the delivery of the targets set by the 2009 Act. It is acknowledged that the transport sector is the largest emitter of greenhouse gases and that reducing emissions from all parts of the transport system is essential for meeting the Scottish Government's climate change obligations.

In addition to the climate change obligations, the overarching Scottish Government's Purpose stemming from the National Performance framework is to focus on creating a more successful country with opportunities for all of Scotland to flourish through increased wellbeing, and sustainable and inclusive growth. The changes required to meet a target of net-zero greenhouse gas emissions therefore need to be balanced with these other needs and wider Scottish Government policies and plans. Specific transport strategies are designed to manage that careful balance. It is not the case that any proposal that does not directly reduce climate change effects naturally fails to comply with current strategies, and a detailed assessment of the Proposed Scheme's compliance with policies and plans has been completed and is reported in the EIAR.

The Proposed Scheme will facilitate economic activity and improve the operation of the trunk and local road networks. Appropriate active travel facilities are proposed as an integral part of the Proposed Scheme design.

It is considered that the issues raised in the objection have been fully addressed by the Promoter in its response and undertakings and that there are no other major engineering design or environmental issues in the objection that would require the Scottish Ministers to modify or republish the draft Orders or EIAR for the Proposed Scheme.

We are of the view that the issues raised in the objection are clear and well understood, and in the circumstances of this case, the holding of a Public Local Inquiry is not necessary.

11. Objector 11

Objection: centres on the following areas:

- 1) The width of the shared use path is inadequate and unsafe, and refers to a photo of the Transport Minister on a cycle track which indicates what should be the minimum standard of NMU provision;
- 2) Considers the design of shared space in Inverness to be a disaster;

- 3) Traffic levels have grown on the Inverness Southern Distributor, which is poorly designed for pedestrians and cyclists and requires delineation and cycling symbols; and
- 4) Requests clear cycling symbols and delineation on Inshes to Smithton.

Summary of Promoter's response

- 1) The Promoter listed the NMU provisions incorporated within the Proposed Scheme and outlined that these have been designed in line with relevant standards and guidance to provide a network of safe, attractive and high quality routes. The response stated that the NMU provision is sufficient for the anticipated use within the area, with a capacity of 250 users per hour. The response noted that a segregated cycle and footway is provided on Link 3 (Eastfield Way Roundabout to Inverness Retail and Business Park).
- 2) No comment was provided.
- 3) The A8082 Inverness Southern Distributor Road is not a trunk road and Transport Scotland is therefore not able to take any action in this regard. Responsibility for maintenance and operation of the A8082 lies with the Highland Council who can be contacted directly.
- 4) The design of signs and line markings pertaining to NMU routes will be considered in more detail at the next design stage and will be designed in accordance with relevant guidance and best practice in order to maximise clarity for all road users.

Considerations

The issues raised in the objection and the response provided by the Promoter have been reviewed.

The Promoter has confirmed that it has applied relevant and appropriate technical standards throughout the design development and assessment of the Proposed Scheme. All active travel facilities have been developed in compliance with relevant and appropriate standards and the relevant local authority has been involved in extensive consultation with the Promoter throughout the development of the design.

It is considered that the issues raised in the objection have been fully addressed by the Promoter in its response and undertakings and that there are no other major engineering design or environmental issues in the objection that would require the Scottish Ministers to modify or republish the draft Orders or EIAR for the Proposed Scheme.

We are of the view that the issues raised in the objection are clear and well understood, and in the circumstances of this case, the holding of a Public Local Inquiry is not necessary.