



**TRANSPORT
SCOTLAND**
CÒMHDHAIL ALBA

Environmental Impact Assessment Record of Determination

A68 240 C35 New Blainslie
(scour remediation works)

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Project Details

Description

BEAR Scotland (BEAR) has been commissioned by Transport Scotland to undertake scour remediation works at the A68 240 C35 New Blainslie culvert (Figure 1).

The A68 240 C35 New Blainslie Culvert carries a small minor unnamed unclassified surface waterbody, herein referred to as WB1, that on exiting the culvert, flows for 0.42 km in an easterly direction before merging with Leader Water. The upstream southern embankment of the culvert has been severely scoured, causing the natural flow path of WB1 to be altered over a length of 20 m, which in turn has resulted in a 35 m section of the embankment also being displaced. The effect of the scour and displacement has caused a small section of the A68 240 C35 New Blainslie Culvert concrete foundation to be exposed, increasing the likelihood of damage to the structure (Figure 2).

The project brief is to undertake remediation works to restore WB1 to its original flow path and reinstate 35 m of the embankment using the Envirolok Vegetated Bag System (Envirolok® is a Vegetated Mechanically Stabilised Earth Wall System for retaining walls, slope stabilisation, erosion control and shoreline protection. The Envirolok system allows for easy landscaping design while providing a vegetated finish) to prevent the effect of further scour. Construction activities include:

- The proposed WB1 redirection channel to be built utilising Envirolok bags along the original flow path of the watercourse,
- The newly formed WB1 channel invert will be blocked to ensure silt in the channel is not disturbed by the redirected water flow, which will permit silt to settle prior to re-joining WB1,
- The new channel will be opened to permit flow of water into culvert,
- Existing area of WB1 channel to be backfilled with reclaimed riverbed material (e.g. re-use of boulders, gravel, etc.) and area of additional vegetation to be backfilled to match embankment,
- Newly formed WB1 channel now acts as tributary.

The works will be carried out in a dry working area therefore temporary works are required to temporarily divert the flow of WB1 e.g. a dam will be formed upstream of the works corridor, with over-pumping of the water through the area of works.

The site compound will be located within traffic management (TM) on the A68 northbound lane. No road closures are required to facilitate the works. Machinery and equipment are limited to a forklift, a small 4-tonne excavator, and pollution control measures (e.g. straw-bales/silt curtain, or similar).

The total length of the project is < 50 m and the project will take approx. 30-days to complete (09:30 to 15:30). The construction date has not yet been confirmed, but the aim is to commence late June, or early July.

Location

The A68 240 C35 New Blainslie culvert is located on the A68 approx. 3.5 km south of Lauder, with land use surrounding the culvert dominated by agriculture.

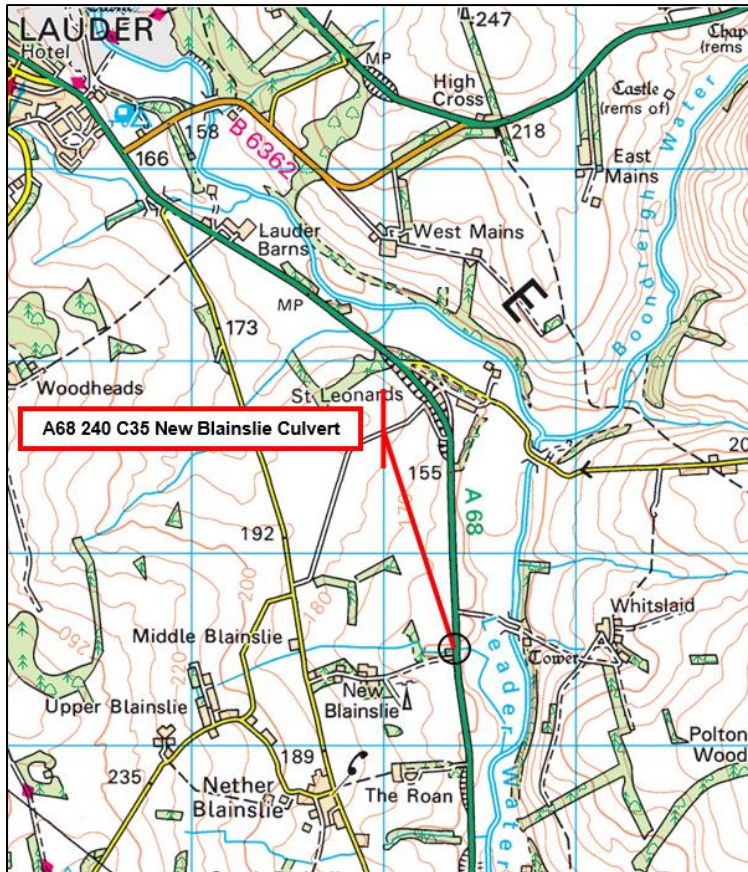


Figure 1. A68 240 C35 New Blainslie Culvert.



Figure 2 - A68 240 C35 New Blainslie culvert. Source: BEAR Scotland

Description of local environment

Air quality

The scheme lies within the boundary of the Scottish Borders Council local authority, which has no [Air Quality Management Areas](#) (AQMAs) within its administrative boundary. The nearest AQMA 'City Centre (Edinburgh)', lies 40 km northwest of the culvert and has been declared for nitrogen dioxide (NO₂).

There are no sites registered on the Scottish Pollutant Release Inventory ([SPRI](#)) within 1 km of the scheme.

Baseline air quality is mainly influenced by vehicles travelling along the trunk road. Secondary sources are likely derived from day-to-day agricultural land management activities.

Cultural heritage

The [PastMap](#) and [Historic Environment Scotland](#) (HES) online mapping tools records no world heritage sites, scheduled monuments, listed buildings, conservation areas, inventory battlefields or garden and designed landscapes within 200 m of the A68 240 C35 New Blainslie culvert.

Of lesser cultural heritage value, one undesignated cultural heritage asset (UCHA) lies 20 m south of the culvert. There is no connectivity between the culvert and the UCHA.

Landscape and visual effects

The A68 240 C35 New Blainslie culvert lies approx. 3.5 km south of Lauder, with land use surrounding the culvert dominated by agricultural land. The [national scale land capability for agriculture](#) for land surrounding the A68 240 C35 New Blainslie culvert is 'Class 3.2' – land capable of average production though high yields of barley, oats and grass can be obtained (grass leys are common).

Land surrounding the culvert lacks any dense or high vegetation cover, with no woodland registered on the [Ancient Woodland Inventory Scotland](#) and no trees on the [Native Woodland Survey of Scotland](#) within 300 m of the culvert.

The scheme is not situated within a 'sensitive area' designated for landscape features e.g., [National Park](#) (NP), [National Scenic Area](#) (NSA). The scheme is also not situated within any areas designated for landscape quality or special characteristics e.g., [regional park](#), [local nature reserve](#), etc.

Land use within 2 km of the A68 240 C35 New Blainslie culvert is categorised into the following: (i) rectilinear fields and farm, (ii) managed woodland, (iii) urban area, (iv) plantation, (v) designed landscape, and (vi) rough grazing.

Biodiversity

A small minor unclassified surface waterbody, considered to be a minor tributary, herein referred to as WB1, flows through the A68 240 C35 New Blainslie culvert for approx. 0.42 km in an easterly direction before merging with Leader Water/Kelphope Burn, Cleekhimin Burn confluence to River Tweed (ID: 5266), herein referred to as Leader Water. The [NatureScot Sitelink](#) online mapping tools identifies that Leader Water forms part of the [River Tweed Special Area of Conservation](#) (SAC) (EU Site Code: UK0012691).

A Habitats Regulations Appraisal (HRA) screening and Appropriate Assessment (AA) has shown that there is sufficient information and assessment evidence to conclude that the project will not cause a Likely Significant Effect (LSE) on the River Tweed SAC with the implementation of mitigation and control measures, either alone or in- combination with other projects and plans. Therefore, no further stages of HRA considered necessary for this scheme. Consultation with NatureScot also confirmed no LSE on qualifying features.

The [National Biodiversity Network](#) (NBN) online mapping tool records no mammal species within 300 m of the scheme (in last 10-years) within 10 km grid square NT54. A Preliminary Roost Assessment (PRA) and Preliminary Ecological Appraisal (PEA) were undertaken on 6th May 2022. The PRA assessed the culvert as having negligible summer and winter bat roost potential due to a lack of potential roost features and no trees within 50 m of the culvert were identified as providing bat roost potential. The PEA noted that WB1 did not provide optimal conditions for fish or fish migration due to in-water barriers e.g. shallow water, hydraulic drops, sandbars and gravelbars, etc. The [River Tweed Commission](#), in consultation with the [Tweed Foundation](#), have also confirmed that Sea-trout (*Salmo trutta*) are not present in any significant number in the area of the works, and therefore a fish rescue will not be required. Works must be completed by 30th September to comply with the in-river working period stipulated by the River Tweed Commission. The PEA also did not note any permanent habitat for any mammal species of conservation importance, within the area of likely construction disturbance. The surrounding trees do offer suitable habitat for nesting birds but works will take place away from areas where birds are likely to nest. No otter resting places were recorded and no signs of otter e.g. otter spraint, were recorded upstream or downstream of the culvert. Habitat surrounding the culvert also did not provide optimal structure for otter resting places.

The Integrated Roads Information System (IRIS) records no invasive non-native species (INNS), as listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) (WCA), or injurious weeds, as listed under the Weeds Act 1959, on the A68 above the culvert, or the surrounding area. There are also no records of invasive native perennials (including weeds), as listed in the Trunk Road Inventory Manual, on the A68 above the culvert, or surrounding area. A PEA, undertaken on 6th May 2022, did not note any INNS, injurious weeds, or invasive native perennials on the A68 above the culvert, or surrounding area.

Geology and soils

The A68 240 C35 New Blainslie culvert is not located within a [Geological Conservation Review Site](#) (GCRS). There are also no geological SSSI or [Local Geodiversity Sites](#) (LGS) with connectivity to the scheme extents.

The [National Soil Map of Scotland](#) online mapping tool records that the Generalised Soil Type beneath the scheme extents is Alluvial soils and the Major Soil Group is Alluvial soils.

The [British Geological Survey](#) online mapping tool records that the superficial geology underlying the scheme is comprised of (i) Till, Devensian (Diamicton), and (ii) Alluvium (silt, sand, and gravel). The bedrock underlying the scheme is comprised of Great Conglomerate Formation (conglomerate and sandstone, interbedded).

There is no evidence of historical industrial processes or the storage of hazardous materials that could have given rise to significant land contamination.

Material assets and waste

The scheme is executed by the operating company as site operations e.g. 'As-of-Right' scheme of value less than £350,000. As a result, a Site Waste Management Plan (SWMP) is not required.

Waste materials will comprise riverbed deposits and soil excavated to install the Envirolok Vegetated Bag System (estimated 300 to 400 bags). Riverbed material will be re-used to reinstate the riverbed and any excavated soil that is produced will be retained and side cast on site.

Noise and vibration

Works are not located within a [Candidate Noise Management Area](#) (CNMA) or [Candidate Quiet Area](#) (CQA).

There is no noise modelled data available for the study area. However, given the rural nature of the area, and the low AADT flow, it is considered likely that noise levels will be low, with baseline noise levels mainly influenced by vehicles travelling along the trunk road. Secondary sources are likely derived from day-to-day agricultural and land management activities.

Population and human health

The scheme lies in a remote location, approx. 3.5 km south of Lauder. As such, only one residential property lies within 300 m of the culvert. The 1.5 storey detached dwelling lies approx. 15 m west of the culvert and has limited screening from the trunk road, provided by tree shelterbelt (approx. 10 m wide). There are no sensitive receptors/land uses within 300 m of the bridge.

There are no [National Cycle Network](#) Routes, [Core Paths](#), [Public Rights of Way](#), local footpaths, bus stops, bridle paths or other community assets with connectivity to the scheme extents. Street lighting is absent at the culvert.

The A68 above the culvert is a single carriageway with the national speed limit applying throughout. The Annual Average Daily Traffic (AADT) flow (2020 data) is 4,388 (ID: 40732) and is comprised of:

- 33 two wheeled motor vehicles,
- 2,953 cars and taxis,
- 1 pedal cycle,
- 46 bus and coaches,
- 905 Light Goods Vehicles (LGVs), and
- 452 Heavy Goods Vehicles (HGVs).

There are no congestion issues noted above the A68 240 C35 New Blainslie culvert during the proposed working hours.

Road drainage and the water environment

There are no surface waterbodies, classified by the [Scottish Environment Protection Agency](#) (SEPA), flowing through the A68 240 C35 New Blainslie culvert.

A small minor unclassified surface waterbody, considered to be a minor tributary, herein referred to as WB1, flows through the A68 240 C35 New Blainslie culvert for approx. 0.42 km in an easterly direction before merging with Leader Water/Kelphope Burn, Cleekhimin Burn confluence to River Tweed (ID: 5266), herein referred to as Leader Water. WB1 is too small, in terms of catchment area, to be classified as a main stem waterbody by SEPA under the Water Framework Directive 2000/60/EC (WFD). Leader Water is a waterbody in the River Tweed catchment of the Solway Tweed river basin district and the main stem is approx. 23.3 km in length. Leader Water has been assigned a WFD overall classification of 'Good', overall ecological classification of 'Bad', and a 'High' classification for fish migration.

The catchment of WB1 is predominantly rural upstream and downstream of the culvert and used mostly for agricultural purposes. The A68 is elevated approx. 10 m above the culvert and the PEA determined that WB1 flows in an easterly direction and ranges in width between 3 m and 4 m, with an average depth of 0.25 m, although several small pools were noted up to 0.5 m deep. The channel bedform comprises a predominantly rocky and pebbled substrate with small sections of mobile fine sand and silt substrate. As previously noted in the biodiversity section, a PEA, undertaken on 6th May 2022, noted that WB1 did not provide optimal conditions for fish or fish migration due to numerous in-water barriers e.g. shallow water, hydraulic drops, small waterfalls, sandbars and gravelbars, etc. The watercourse margins (at the culvert) are also heavily vegetated immediately adjacent to the watercourse, with agricultural land beyond the top of the banks. The waterbody itself is not understood to be used for recreational fishing.

WB1 is shown on the 1:50,000 scale Ordnance Survey map and bank protection and channel realignment 'in-water' works are required. The works therefore fall under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended) (CAR). A CAR Simple Licence has been submitted and approved for the works (licence number: CAR/S/SEPA2021-964).

The A68 240 C35 New Blainslie culvert lies on the Lauder [groundwater](#), which has been classified as 'Good'.

The A68 240 C35 New Blainslie culvert is not located within a [Nitrate Vulnerable Zone](#).

The SEPA indicative river and coastal online [flood mapping](#) tool records that the A68 240 C45 New Blainslie culvert is not at risk of fluvial flooding.

The A68 240 C35 New Blainslie culvert is not located within a [Drinking Water Protected Area](#) (ground or surface).

Road drainage on the A68 above the culvert is provided by gullies and filter drain.

Climate

The Climate Change (Scotland) Act 2009 creates mandatory climate change targets to reduce Scotland's greenhouse gas emissions. The Scottish Government has since published its indicative Nationally Determined Contributions (NDCs) to set out how it will reach Net Zero by 2045. A 2030 target, for example, has been set to reduce emissions of all major greenhouse gases by at least 75%, compared to a 1990/1995 baseline. Scotland's statutory framework also includes a net-zero emissions target date of 2045 and a further interim target for reduction of at least 90% by 2040, relative to the 1990/95 baseline.

BEAR Scotland, working on behalf of Transport Scotland, have a Carbon Management Policy in place with the core aim of reducing the carbon footprint that the company measures and reports annually.

Fuel will be required for transport to and from the scheme, which will lead to greenhouse gas emissions. Any release of greenhouse gas emissions can contribute to climate change.

Description of main environmental impacts and proposed mitigation

Air quality

During the construction phase, activities undertaken on site could potentially have some minor localised and short-term air quality impacts in proximity to the works. The construction phase will, for example, require a range of ancillary plant, vehicles, and non-road mobile machinery (NRMM) which will contribute to local dust and air pollutants.

Given the proximity of the sensitive receptor, nature of the works, and consideration of mitigation detailed below, the proposed works impacts on local air quality levels during the construction period are assessed to be negligible adverse in magnitude.

Upon completion of the works, no residual air quality impacts are anticipated.

Proposed air quality mitigation measures:

- Vehicle equipment and NRMM will be switched off when stationary to prevent exhaust emissions. If any emissions of dark smoke should occur (except at start up), the vehicle equipment or NRMM involved will be taken out of service immediately and any defect rectified before use.
- A designated laydown area will be established within the site compound located within TM on the A68 northbound lane. Careful consideration will also be given to the siting and orientation of ancillary plant, vehicles, and NRMM, so that it is located as far as is possible from the property (if possible, > 20 m). Activities which have the potential to produce dust, particular matter, and exhaust emissions (DPMEE) (e.g. cutting and grinding of materials) will, if possible, also be undertaken away from the property.
- All ancillary plant, vehicles and NRMM will comply with relevant EU standards e.g. (i) vehicles will be maintained, ensuring engines and catalysts work efficiently, and (ii) all vehicles will comply with MOT emission standards.
- If powered generators are required, the use of diesel or petrol will be avoided and mains electricity or battery powered ancillary plant used, where practicable.
- Cutting, grinding, and sawing equipment (if required) will be fitted or used in conjunction with suitable dust suppression techniques e.g., local exhaust ventilation system that fits directly onto tools.
- Materials that have a potential to produce dust will be removed from site as soon as possible.
- Regular monitoring (e.g., by engineer or Clerk of Works) will take place when dust, particulate matter, and exhaust emissions (DPMEE) generating activities are occurring. In the unlikely event that unacceptable DPMEE are emanating from the site, the operation will, where practicable, be modified and re-checked to verify that the corrective action has been effective. Actions to be considered

include: (a) minimizing cutting and grinding on-site, (b) reducing the operating hours, (c) changing the method of working, etc.

Cultural heritage

Scour repair works are not expected to have an adverse impact on cultural heritage as there are no cultural heritage assets with connectivity to the scheme e.g. the nearest feature, a UCHA, lies 20 m south of the scheme. Construction of the A68 road corridor, including the A68 240 C35 New Blainslie culvert, is also likely to have removed any archaeological remains that may have been present. The potential for the presence of unknown archaeological remains in the study area has therefore been assessed to be low. Moreover, the works do not entail any significant earthworks or vegetation clearance, and works are restricted to an approx. 35 m stretch of the embankment at the culvert.

As such, there is negligible risk of disturbing or damaging previously undiscovered or unrecorded items of cultural interest. Construction works are also minor in nature, being restricted to remediation works to restore the waterbody to its original flow path and reinstate approx. 35 m of the embankments. As such, there is negligible risk of disturbing or damaging previously undiscovered or unrecorded items of cultural interest.

Given the nature of the works, and consideration of mitigation detailed below, the proposed works impacts on cultural heritage during the construction period are assessed to be negligible adverse in magnitude.

Upon completion of the works, no residual impacts on cultural heritage are anticipated.

Proposed mitigation:

- People, materials, ancillary plant, vehicles and NRMM will, as much as is reasonably practicable, only be present on the A68 240 C35 New Blainslie culvert and an approx. 35 m of the embankments. Where access outwith these areas are required for the safe and effective completion of the scheme, it will be reduced as much as possible and ideally will be limited to access by foot.
- Should any unexpected archaeological evidence be discovered or revealed during construction works, construction activities in the immediate vicinity will be halted, the area of interest will be cordoned-off, and BEAR Scotland Environmental Team will be contacted to arrange consultation with the relevant local authority (Scottish Borders Council) and/or Transport Scotland's Historic Environment Advisor (TSHEA) to enable appropriate measures to be implemented to mitigate potential impacts.

Landscape and visual effects

No vegetation will be removed as a result of the proposed works.

Construction activities associated with the works, including the siting of work compounds, will result in a temporary localised visual impact along the A68 at the A68 240 C35 New Blainslie culvert. However, due to the nature and duration of the works, and consideration of mitigation below, impacts on landscape are assessed as temporary negligible adverse in magnitude.

Upon completion of the works, no residual impacts are anticipated e.g., the works only involve remediation to restore the waterbody to its original flow path.

Proposed landscape and visual effects mitigation measures:

- Construction vehicles will not be left in places where soil or vegetation can be damaged. If damage to soil or vegetation occurs, this will be lightly cultivated or graded (upon completion of the works) to allow natural recolonization by local species and promote integration with existing landscape character.
- The site will be monitored regularly for signs of litter and other potential contaminants and litter will be removed before and after works take place. The site will also be left clean and tidy.

Biodiversity

The PEA did not note any permanent habitat for any mammal species of conservation importance, or any INNS, injurious weeds, or invasive native perennials, within the area of likely construction disturbance. The PRA also assessed the culvert as having negligible bat roost potential for both summer and winter, and no trees with bat roost potential were identified in the survey area. The PRA and PEA therefore did not identify the need for any species licensing requirements in order for works to commence.

Given the distance of the River Tweed SAC from the works corridor (0.42 km), the works are also unlikely to cause noise or visual disturbance impacts to the qualifying interests of the SAC.

While works will not result in a direct impact on the River Tweed SAC, potential indirect risk exists. The proposed works will be carried out within WB1, which flows for 0.42 km in an easterly direction before merging with Leader Water (and by association the River Tweed SAC). Any loss of containment e.g., spill of fuel, oil, chemicals (i.e., hydraulic fluid) could therefore have an Adverse Effect on Site Integrity (AESI). The severity being contingent on the substance and quantity lost. That said, installation of the Envirolok Vegetated Bag System will follow 'best practice' and the Envirolok Vegetated Bags will be stored in the compound prior to being installed. The accidental release of pollutants is also extremely unlikely. Pollution prevention measures, for example, will be strictly enforced onsite and Pollution Prevention Guidance (PPGs) and Guidance for Pollution Prevention (GGP) will be strictly adhered to, reducing the likelihood of a loss of containment occurring.

Leader Water, and by association the River Tweed SAC, will also retain their present flow characteristics and will continue to allow salmon and lamprey passage. The River Tweed Commission, in consultation with the Tweed Foundation, have also confirmed that Sea-trout are not present in any significant number in the area of the

works, and therefore a fish rescue is not required. Any species in the area are also likely to be accustomed to road noise on the A68 and the scheme is of short duration (30-days) utilising a daytime working pattern, negating the requirement for artificial lighting. Road space and proximity of agricultural land also limit the surrounding areas habitat potential.

A HRA screening and consultation with the NatureScot Area Officer for the Scottish Borders concluded that LSE existed, therefore an AA was completed as part of the HRA process to assess potential risks to the qualifying features as a result of the works. The AA concluded that there is sufficient information and assessment evidence to conclude that with mitigation in place, the risk of LSE on the River Tweed SAC and its qualifying species can be excluded on the basis of the objective evidence noted above. The Area Officer has stated that they agree with the appraisal and mitigation suggested, but also suggested “*monitoring water quality downstream of silt traps etc, in order to demonstrate that they are working effectively*”. The suggestion was taken on board and water quality monitoring downstream will be undertaken by the EnvCoW.

Considering the nature, short-term duration, size and scale of the scheme, and the mitigation detailed below, the potential for significant species disturbance within the area of likely construction disturbance is somewhat diminished. The proposed works impacts on biodiversity throughout the construction period are therefore assessed to be temporary minor adverse in magnitude.

Upon completion of the works, no residual impacts are anticipated in relation to biodiversity.

Proposed biodiversity mitigation measures:

- All mitigation measures detailed within ‘noise’ and ‘road drainage and water environment’ will be adhered to.
- All site personnel will be made aware of the protected status of the River Tweed SAC.
- To reduce disturbance, standard construction hours will be 09:30 to 15:30 (Monday to Friday). If any works are required out with the agreed working hours, BEAR Scotland’s Environmental Team will be contacted to discuss.
- There will be no materials, ancillary plant, vehicles or NRMM stored within 10 m of WB1.
- BEAR Scotland will appoint an Environmental Clerk of Works (EnvCoW) to visit the site periodically to supervise operations onsite during critical work phases and to ensure appropriate environmental safeguards are being adhered to. The EnvCoW will undertake an initial day-one site visit to review site management practices. The EnvCoW will also brief all site personnel as part of the induction process with regard to sensitive habitats, the potential for protected species to make an appearance, mitigation measures, and their legal obligations. Following the initial day-one site visit, site visits are anticipated to be arranged weekly. More frequent visits may be required during sensitive site activities (e.g., installation of dry-working area, installation of Envirolok Vegetated Bag System, etc.). The EnvCoW will undertake site audits and will also have the authority to stop works

should any breach of the Site Environmental Management Plan (SEMP) be noted.

- The Contractor will employ 'soft-start' techniques for all noisy activity to avoid sudden and unexpected disturbance during works. Each time the activity is started up after a period of inactivity, the noise levels will be gradually increased over a period of 30 minutes to permit animals (and birds) to move away from the disturbance.
- The Contractor will utilise a SEMP, which will detail the mitigation to be implemented and how this will be monitored. The SEMP will include best practice construction methods and include the use of appropriate pollution controls (i.e., PPGs and GPPs).
- Toolbox Talks, as appended to the SEMP, will be delivered to all site personnel prior to works commencing. The Toolbox Talks will provide details of protected species that have the potential to be impacted by the works and any mitigation measures required to prevent disturbance.
- Site personnel will remain vigilant for protected species and will be instructed to not approach or touch any animals seen on site. Any sightings of protected species will also be reported to BEARs Environmental Team. Should a protected species be encountered or move within 50 m of the active works (including compounds), works will be temporarily halted until the animal(s) move at least 50 m away from the construction site, or until BEARs Environmental Team can provide advice.
- The works corridor will be minimised as far as possible and materials, ancillary plant, vehicles, NRMM and personnel will be constrained to this area through the use of temporary barriers to minimise damage to habitat adjacent to the works corridor. The works corridor will comprise the A68 240 C35 New Blainslie culvert and the compound area.
- All equipment stored onsite will be checked at the start of each workday to ensure otters, and any or other mammal species, are not present. Any storage containers/shed within the compound will also be secured overnight to prevent exploration by otter (and any or other mammal species). Any areas where an animal could become trapped (e.g., storage containers) will also be covered at the end of each working day, to avoid mammals falling in and becoming trapped.
- If fencing is utilised at the compound (or anywhere else), a gap of 200 mm from ground level will be provided, allowing free passage for mammals, and preventing entrapment.

Geology and soils

Scour schemes have the potential to impact upon the geology and soils through direct and indirect impacts on sensitive sites, loss or sterilisation of mineral deposits or soil resources, disturbance of contaminated land, or surcharging of ground which may accelerate erosion and subsidence. However, works are minor in nature and only involve remediation to restore the waterbody to its original flow path. The work corridor is also not located within a GCRS, geological SSSI or LGS.

Considering the nature, short-term duration, size and scale of the scheme, and the mitigation detailed below, the potential for impact on geology and soils within the area of likely construction disturbance is somewhat diminished. The proposed works impacts on geology and soils throughout the construction period are therefore assessed to be temporary minor adverse in magnitude.

Upon completion of the works, no residual impacts are anticipated in relation to geology and soils.

Proposed mitigation measures:

- Topsoil and subsoil reused onsite will be spread evenly in a single layer < 200 mm in height to ensure the soil profile is maintained across the works location.
- Multiple handling of soil derived from any excavations will be minimised.
- The extent and duration of exposed soil will be kept to the minimum required for the works.
- Prior knowledge of the culvert suggests that there is a low risk of contamination / hazardous soils being present. However, if any contaminated soils are encountered during the scour remediation works, further investigation, testing and risk assessment will be undertaken to determine whether the soils could stay onsite, will require treatment to make them suitable to remain onsite, or will require disposal offsite.

Material assets and waste

There will be limited consumption of materials and natural resources e.g., mainly attributed to soil and granular material. Waste will also be limited to low volumes of soil and granular material and any waste that is produced will be retained and re-used onsite. Given the limited consumption of materials and natural resources, impacts are assessed to be negligible adverse in magnitude.

Works are restricted to the A68 240 C35 New Blainslie culvert therefore it is considered that there is a low risk of contamination / hazardous materials being present. If any contaminated land requiring remediation was encountered, it will be contained and/or removed in a safe and controlled manner to the standards required by SEPA. Any removal of potentially hazardous material is likely to constitute a net positive impact as this will remove the risk of any future contamination.

Upon completion of the works, no residual impacts are anticipated on materials or waste.

Proposed material and waste mitigation measures:

- Good materials management methods (e.g., 'just-in-time' delivery) will be implemented wherever possible.
- Care will be taken to order the correct quantity of Envirolok Vegetated Bags to prevent the disposal of unused materials.
- The Contractor will comply with all 'Duty of Care' requirements, ensuring that any surplus materials or waste are stored, transported, treated, used, and disposed of

safely without endangering human health or harming the environment. Material transfer notes and/or waste exemption certificates (if required) will also be completed and retained.

- Where possible, material removed from site will be taken to a licensed recycling facility.
- Designated areas will be identified, within which all materials and personnel, including construction compounds, will be contained to limit environmental disturbance during construction works. This will include a designated area (if required) for segregation and reuse of waste materials.
- The selection of areas for materials stockpiling will avoid sensitive locations such as road drainage and WB1. Stockpiled materials with leachate potential, for example, will be stored away from road drainage to prevent cross-contamination with other materials, wastes, or groundwater.
- The site will be monitored regularly for signs of litter and other potential contaminants and litter will be removed before and after works take place. The site will also be left clean and tidy.
- Materials will be stored with the appropriate security to prevent loss, theft, or vandalism.
- Wastewater from welfare facilities (if required) will be subject to effluent treatment followed by tanker removal.
- If hazardous substances are used onsite, each substance will be subject to assessment under the Control of Substances Hazardous to Health (COSHH) Regulations 2002. Hazardous substances will also be clearly labelled and disposed of, in line with COSHH safety data sheets. COSHH waste must also not be mixed with general waste and/or other recyclables.

Noise and vibration

Given the nature of the works, no ground-borne vibration impacts have been forecast.

During the construction phase, activities undertaken on site could potentially have some localised and short-term noise impacts in proximity to the works. The works will, for example, require a range of equipment, vehicles and NRMM for excavation works and installation of the Envirolok Vegetated Bag System. As a result, there is potential for noise and vibration effects. Any temporary short-term increase in noise levels could cause disturbance to local wildlife. However, the works are anticipated to only take 30-days to complete, with works programmed to take place between 09:30 and 15:30. Given the short-term duration and time of day, proximity to the sensitive receptor, nature of the works, and in consideration of the mitigation below, the proposed scheme impacts on noise levels throughout the construction period are assessed to be temporary negligible adverse in magnitude.

Upon completion of the works, no residual impacts are anticipated in relation to noise.

Proposed noise mitigation measures:

- If unacceptable noise is emanating from the site the operation will, where possible, be modified and re-checked to verify that the corrective action has been effective. Actions to be considered include (a) minimizing cutting and grinding on-site, (b) reducing the operating hours, (c) repositioning equipment, (d) changing the method of working etc. Corrective actions will be actioned through the non-conformance reporting procedure, which ensures a root-cause analysis is carried out on each incident. The non-conformance procedure also ensures that appropriate corrective and preventative action measures are agreed and implemented in a timely fashion with all parties, and are recorded and actioned through to closeout, and fully auditable and traceable.
- If ancillary plant, vehicles or NRMM not assessed by this RoD are required to complete the works, then an immediate review will take place between the Clerk of Works, Senior Engineer and BEARs Environmental Team, as appropriate.
- Wherever possible, careful consideration will be given to the siting and orientation of particularly noisy items of NRMM, so that it is located as far as is possible from the property (if possible, > 20 m). Activities which have the potential to produce excessive noise e.g. cutting and grinding of materials will, if possible, also be undertaken away from the property.
- Ancillary plant, vehicles and NRMM with directional noise characteristic will (where practical) be shut down in intervening periods between site operations.
- The use of percussive hand-tools, grinders, impact wrench's, chipping hammers, etc. will be avoided (except where there is an overriding justification), and if used will be fitted with mufflers or silencers of the type recommended by the manufacturer.
- Drop heights from vehicles and NRMM will be kept to a minimum to minimise noise when unloading.
- All ancillary plant, vehicles and NRMM used onsite will have been regularly maintained, paying attention to the integrity of silencers and acoustic enclosures.
- All compressors will be 'sound-reduced' models fitted with properly lined and sealed acoustic covers which will be kept closed when in use.
- HGV, site vehicles and NRMM will be switched to the minimum setting required by HSE and, where possible, will utilise 'broadband non-tonal' or 'directional sound reversing' alarms. Speed limits will also be reduced through the works.

Population and human health

Works are restricted to the A68 240 C35 New Blainslie culvert, 35 m of the embankment, and works do not require any private land acquisition. The works will also not affect the integrity of the current or future land use within the local area. As such, the proposed scheme is assessed as having no impacts on residential, commercial, or community land.

There will be a temporary impact during construction on vehicle travellers, NMUs and the local communities that rely on the A68, which is a key infrastructure route. However, any disruption will be managed with appropriate Traffic management (TM). Access to the property will also be maintained throughout the works. Scour remediation works may also impact the local population through increased construction traffic utilising local roads to gain access to the A68 240 C35 New Blainslie culvert. However, the number of construction vehicles required onsite is low given the scale and scope of works. The number of construction operatives is also limited given the scope of works, and all work will be undertaken utilising a day-time work pattern. The presence of a small workforce, and limited construction traffic, is therefore unlikely to cause significant disturbance in vicinity of the works.

Due to the nature of the works, lack of nearby receptors, and in consideration of the mitigation below, impacts on population and human health are assessed as temporary minor adverse in magnitude.

Upon completion of the works, no residual impacts are anticipated in relation to population and human health:

Proposed population and human health mitigation measures:

- All mitigation measures detailed within 'Air quality' and 'Noise and vibration' will be adhered to.
- Any changes of schedule (e.g. change to night-time works programme) must be communicated to local residents throughout the programme.
- Journey planning information will be available for drivers online at the trafficscotland.org website. Journey planning information will also be available for drivers online through BEARs social media platforms.
- A Traffic Management Plan (TMP), which includes measures to avoid or reduce disruption to road traffic, will be produced in accordance with the Traffic Signs Manual (Department of Transport 2009). The TMP will ensure that there is no severance of community assets, access routes or residential development.

Road drainage and the water environment

During scour repairs works, there is potential for temporary adverse impacts on the water environment due to the requirement for in-stream works and the risk of pollution incidents. A loss of containment e.g., fuel, oil, chemicals (i.e., hydraulic fluid), silt etc. could have a significant adverse environmental impact if it entered WB1 and flowed to Leader Water, and by association the River Tweed SAC, the severity being contingent on the substance and quantity lost. However, the severity of any loss of containment will be mitigated through compliance with the conditions of CAR Simple Licence (licence number: CAR/S/SEPA2021-964), which will be embedded within the SEMP.

Ancillary plant, vehicles and NRMM will also be stored in the compound and the accidental release of pollutants is also extremely unlikely. Pollution prevention measures, for example, will be enforced onsite and Pollution Prevention Guidance

(PPGs) and Guidance for Pollution Prevention (GPP) will be strictly adhered to, reducing the likelihood of a loss of containment occurring.

Considering the nature, short-term duration, size, and scale of the scheme, and with implementation of the mitigation detailed below, the proposed works impacts on the road drainage and water environment are assessed as temporary minor adverse in magnitude.

Upon completion of the works, no residual impacts are anticipated in relation to the road drainage and water environment.

Proposed road drainage and water environment mitigation measures:

- Works will be completed by 30th September to comply with the in-river working period stipulated by the River Tweed Commission.
- All conditions of CAR Simple Licence (licence number: CAR/S/SEPA2021-964) will be integrated into the SEMP. A copy of the CAR Registration will also be retained onsite and made available for inspection as required. The following conditions of the licence will be complied with:
 - The total length of bank reinforcement will be no more than 35 m.
 - The works will not alter the existing bank height or existing bed width.
 - The total length of the existing channel to be realigned will be no more than 22 m.
 - The bed of the new realigned channel will not have any steps or sudden change in gradient.
 - The bed of the new realigned channel will be graded at a shallow angle where it joins the existing bed at the upstream and downstream ends of the new realigned channel.
- Compliance with the rules of GBR 9 and GBR 13 will be followed. In particular the following should be noted:
 - Machinery will only operate in water where it is impracticable for it to operate on dry land.
 - Any damage caused to the bed and banks of a surface water from the operation of machinery will be repaired, including re-establishing vegetation on any areas of bare earth on the banks, either by covering the area with grass turfs or lining with a biodegradable geotextile and seeding.
 - Vegetation may be removed from the banks only if the works cannot otherwise be reasonably carried out.
 - Vegetation that is removed will not be disposed of into the channel.

- The removed sediment and other matter will not be placed on the bank of the watercourse.
- Temporary works will be put in place to provide a dry working area (prior to works commencing).
- Straw bales/silt curtain (or similar) will be placed downstream of works in WB1 to prevent silt in runoff discharging downstream during sediment clearance. Sediment/silt arisings that have accumulated upstream of the straw bales/silt curtain will also be carefully removed and properly disposed of e.g. by spreading over the adjacent fields (away from areas of wildlife interest) and ensuring that placement of sediment/silt does not result in the heightening WB1 banksides and that the sediment/silt cannot be washed back into WB1. The straw-bales/silt curtain will also be removed as soon as possible after they are no longer needed.
- The abstraction or transfers of water, or the washing of tools in WB1 is not permitted.
- No discharges into WB1, or drainage systems, will be permitted.
- The Contractor (once appointed) will submit a RAMS (for approval) detailing how pollution control measures will be managed (including how the straw-bales/silt curtain will be installed, inspected, and maintained to prevent failure during the work). The Contractor will also inspect the straw-bales/silt curtain daily for movement, leakage and general deterioration and must take immediate remedial action to rectify any defects. The RAMS will be subject to approval by BEAR's Environmental Team prior to works commencing.
- Sediment removal will not take place during high flows. Dry weather and low flow conditions, for example, are pre-requisites for the safe installation and management of sediment mitigation measures. Isolating works such as straw-bales/silt curtains are also easier to manage during dry flows. The Contractor will therefore monitor the weather forecast and flows/water levels throughout the works and during periods of extreme weather or high flow events, the works will be temporarily postponed. The Contractor will also have a contingency plan in place if damage to straw-bales occurs.
- The Contractor will develop an Incident (Emergency) Response Plan (IRP) which describes the procedures, lines of authority and processes that will be followed to ensure that incident response efforts are prompt, efficient, and suitable for particular circumstances. The IRP will detail the procedures to be undertaken in the event of the release of any sediment into WB1, serious spillage of chemical, fuel or other hazardous wastes (e.g., concrete), non-compliance incident with any permit or license, or other such risks that could lead to a pollution incident, including flood risks.
- The EnvCoW will undertake water quality monitoring downstream of silt traps during routine site visits. This will be prioritised after heavy rainfall and will take the form of visual assessments of water samples in addition to pH readings.
- Where applicable and practicable, bio-degradable hydraulic fluids and oils should be utilised in machinery.

- As works involve the movement of sediment within a watercourse, Toolbox Talk TTN 012 'Sediment Pollution' will be briefed to all personnel on-site prior to works commencing.
- All site personnel will be made aware of site spillage response procedures and in the event of a spill, all works associated with the spill will stop, and the incident reported to the Site Supervisor. Small spills that did not leave the site boundary and are cleaned up without material environmental harm or residual environmental impact would most likely not be required to be notified to SEPA or other authorities. However, all such incidents must be recorded and reported to BEAR Scotland's Environmental Team. In the event of a 'serious incident', SEPA will be notified without delay. Such notification will include: (i) the time and duration of the incident, (ii) a description of the cause of the incident, (iii) any effect on the environment as a result of the incident, and (iv) any measures taken to minimise or mitigate the effect and prevent a recurrence.
- All waste, vehicles, ancillary plant, NRMM and fuels will be stored in the compound(s) or laydown area and will be secured and located, if space is available, at least 10 m from drainage entry points and WB1, in order to comply with GPP 5 'works and maintenance in or near water'. Refuelling will only be undertaken at designated refuelling areas (e.g., on hardstanding, with spill kits available, and >10 m from drainage entry points and WB1, where practicable). Spill kits will also be available within all site vehicles and spill kits will be replenished onsite when required. Only designated trained and competent operatives will be authorised to refuel plant. Generators, and other ancillary plant and NRMM, where there is a risk of leakage of oil or fuel, will have internal bunding OR must have a secondary containment system (e.g., drip trays, plant nappies, etc.) placed beneath them that meets 110% capacity requirements. Containment systems will also be emptied regularly. All waste, vehicles, ancillary plant, NRMM and fuels will also be stored in a manner that ensures they are protected from damage by collision or extremes of weather. Any vehicles, ancillary plant, and NRMM not in operation will (where possible) be sited in the laydown area.
- Regular visual pollution inspections of the designated laydown area and work site will be conducted (e.g. site walkover by engineer or Site Supervisor).
- If sustained heavy rainfall (e.g. > 10 mm in 24 hours) occurs during construction, work will be suspended and not restarted until the ground has had at least a full dry day.
- All vehicles and NRMM onsite will have been regularly maintained, paying attention to the integrity of oil tanks, coolant systems, gaskets etc. A checklist must be present to make sure that the checks have been carried out.
- When the works are complete, but before the straw-bales/silt-curtain are removed, the Contractor will ensure that all materials, debris, tools, plant, and equipment are removed from the work area. The Contractor will also check the area thoroughly for spillages or potential pollution sources and remove or clean-up anything found.

Climate

BEAR Scotland, working on behalf of Transport Scotland, undertake carbon monitoring of our major projects and operational activities. Emissions from our activities are recorded using Transport Scotland's Carbon Management System. BEAR Scotland also undertakes resource efficiency activities to manage and reduce emissions contributing to climate change. Works to refurbish the A68 240 C35 New Blainslie culvert will also extend the maintenance intervals required for future works. In doing so, the service life of the structure is also extended.

During works there is potential for impacts as a result of the emission of greenhouse gases through the use of equipment, vehicles, and NRMM, material use and production, and transportation of material/waste. However, considering the nature, short-term duration, size and scale of the scheme, and the mitigation detailed below, the risk of significant impacts to climate are considered to be negligible adverse in magnitude.

Upon completion of the proposed scheme no residual impacts are anticipated on the climate.

Proposed climate mitigation measures:

- All mitigation measures detailed within 'Air Quality' and 'Material Assets and Waste' will be adhered to.
- The works will be undertaken utilising a day-time work pattern (09:30 – 15:30) and there is no requirement for additional lighting. In addition, local contractors and suppliers will be used as far as practicable to reduce fuel use and greenhouse gas emitted as part of the works.
- BEAR Scotland will adhere to its Carbon Management Policy.
- Where possible, materials will be sourced locally to reduce greenhouse gas emissions associated with materials movement, and waste will be disposed at local landfill.

Vulnerability of the project to Major Accidents and Disasters

The A68 240 C35 New Blainslie culvert is not at risk of fluvial flooding.

Works are restricted to the A68 240 C35 New Blainslie culvert, with access gained via the A68. TM will also employ lane closure with temporary traffic lights. As such, the proposed works impacts on road traffic accidents is assessed to be of negligible magnitude.

A SEMP will be produced by BEAR Scotland which sets out a framework to reduce the risk of adverse impacts from construction activities on sensitive environmental receptors. The Contractor will comply with all conditions of the SEMP during works and may be subject to audit throughout the contract. A Designer's Risk Register will also be prepared by BEAR Scotland, which addresses potential environmental risks.

A Method Statement will also be produced by the Contractor and will recognise and highlight the environmental risks and detail how these will be addressed, as well as contingency plans to deal with environmental incidents. The Contractor will submit the RAMS (for approval) prior to works commencing. As such, the proposed works impacts on the vulnerability of the project to environmental risk is considered to temporary minor adverse in magnitude.

Considering the above, it is judged that the residual effects of the scheme to risks from major accidents or disasters is of negligible magnitude.

Assessment cumulative effects

There are no anticipated 'in-combination' effects based on the information currently available. Discussion with BEAR Design Teams, for example, established that there are no projects confirmed that may result in an 'in-combination' effect.

A search using [Scottish Borders Council 'Simple Search'](#) identified that there are no planning applications within 300 m of the scheme.

Assessments of the environmental effects

This assessment has identified potential effects on two environmental receptors, namely; biodiversity and road drainage and the water environment.

An HRA Stage 1 Screening and Appropriate Assessment were undertaken and has shown that there is sufficient information and assessment evidence to conclude that the proposed scheme, with the implementation of mitigation and control measures, will not cause a LSE on the River Tweed SAC, either alone or in-combination with other projects and plans. Therefore, no further stages of HRA are considered necessary for this scheme. Consultation with NatureScot on the outcome of the AA also confirmed no LSE on the River Tweed SAC with the implementation of mitigation and control measures.

The AA concluded that there is sufficient information and assessment evidence to conclude that with mitigation in place, the works will not result in any AESI (based on the objective evidence detailed in the 'Description of Main Environmental Impacts and Proposed Mitigation' section).

A Preliminary Ecological Appraisal (PEA), undertaken on 6th May 2022, did not note any permanent habitat for any mammal species of conservation importance, within the area of likely construction disturbance. As such, it is expected that there will not be significant short-term or long-term negative impacts on otter, salmon, or lamprey populations as a result of works. Works will also not require any species licensing prior to works proceeding.

No further assessment of environmental effects or consultation with statutory bodies is required.

Statement of case in support of a Determination that a statutory EIA is not required

This is a relevant project in terms of section 55A(16) of the Roads (Scotland) Act 1984 as it is a project for the improvement of a road and the completed works (together with any area occupied by apparatus, equipment, machinery, materials, plant, spoil heaps, or other such facilities or stores required during the period of construction) are situated in whole or part in a sensitive area (the River Tweed SAC) within the meaning of regulation 2(1) of the Environmental Impact Assessment (Scotland) Regulations 1999.

The project has been subject to screening using the Annex III criteria to determine whether a formal Environmental Impact Assessment is required under the Roads (Scotland) Act 1984 (as amended by The Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017). Screening using Annex III criteria, reference to consultations undertaken and review of available information has not identified the need for a statutory EIA.

The project will not have significant effects on the environment by virtue of factors such as:

Characteristics of the scheme:

- The total working area is less than 1 ha.
- The works are required to restore the waterbody to its original flow path and reinstate approx. 35 m of the embankment using the Envirolok Vegetated Bag System to prevent the effect of further scour. No works are required within Leader Water, which lies 0.42 km downstream of the works.
- Works are anticipated to take 30-days to complete, with works programmed to take place between 09:30 and 15:30. During the 30-day construction period, the A68 will remain open, with only a northbound lane closure in place.
- There will be limited consumption of materials and natural resources or generation of waste associated with the works. Where possible, materials will also be derived from recycled, secondary, or re-used origin.
- Scour remediation works will improve the safety of the culvert and protect against future deterioration of the structure, thus minimising the extent of future works required at the A68 240 C35 New Blainslie culvert.

Location of the scheme:

- The A68 240 C35 New Blainslie culvert lies 0.42 km upstream of the River Tweed SAC and all works are restricted to the culvert and 35 m of the embankment.
- The scheme does not lie within any sites of historical, cultural, or archaeological significance.

- The scheme is not located within any areas designated for landscape interests.
- The works do not require any private land acquisition.
- The scheme does not lie within any sites designated for geology or soils.
- The scheme is not located within a densely populated area.

Characteristics of potential impacts of the scheme:

- An HRA/AA concluded that there is sufficient information and assessment evidence to conclude that with mitigation in place, the works will not result in any AESI (based on the objective evidence detailed in the 'Description of Main Environmental Impacts and Proposed Mitigation' section).
- Temporary works will be put in place to provide a dry working area (prior to works commencing). As such, there is no requirement for land take or site clearance from the SAC, and the works will therefore not result in habitat loss or species fragmentation from within the SAC.
- Land use will not change as a result of the works.
- With good practice pollution prevention measures implemented onsite, there is a negligible risk of a pollution event e.g., the SEMP, Designer's Risk Register, and activity-specific method statements include plans to address environmental incidents.
- Temporary works will be put in place to provide a dry working area and a silt trap (e.g. straw bales/silt curtain, or similar) will be in place to prevent sediment and pollution from entering the waterbody. RAMS detailing the use of straw bales/silt netting (or similar) in relation to pollution prevention will be produced by the Contractor and be subject to approval by BEAR's Environmental Team prior to works commencing.
- Any potential NMU impacts will be temporary, short-term, and limited to the construction phase.
- As the works are restricted to remediation works to restore WB1 to its original flow path, no change is predicted in respect to the vulnerability of the A68 240 C35 New Blainslie culvert to the risk (or severity) of major accidents or disasters.
- As the works are restricted to remediation works to restore WB1 to its original flow path, there is no change to the vulnerability of the road to the risk or severity of major accidents/disasters that would impact on the environment.
- No impacts on the environment are expected during the operational phase as a result of the works.

Annex A

“sensitive area” means any of the following:

- land notified under sections 3(1) or 5(1) (sites of special scientific interest) of the Nature Conservation (Scotland) Act 2004
- land in respect of which an order has been made under section 23 (nature conservation orders) of the Nature Conservation (Scotland) Act 2004
- a European site within the meaning of regulation 10 of the Conservation (Natural Habitats, &c.) Regulations 1994
- a property appearing in the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention for the Protection of the World Cultural and Natural Heritage
- a scheduled monument within the meaning of the Ancient Monuments and Archaeological Areas Act 1979
- a National Scenic Area as designated by a direction made by the Scottish Ministers under section 263A of the Town and Country Planning (Scotland) Act 1997
- an area designated as a National Park by a designation order made by the Scottish Ministers under section 6(1) of the National Parks (Scotland) Act 2000.



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