

Michelle Quinn
Interim Chief Executive
Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF

Your ref:

Our ref: A9 Killiecrankie to Glen Garry

Date: 10 November 2022

Dear Michelle

**THE ROADS (SCOTLAND) ACT 1984 AND THE ACQUISITION OF LAND (AUTHORISATION PROCEDURE) (SCOTLAND) ACT 1947
THE A9 TRUNK ROAD (KILLIECRANKIE TO GLEN GARRY)**

Introduction

1. This letter contains the Scottish Ministers' decision on the draft Orders listed below in connection with the A9 Killiecrankie to Glen Garry scheme.

Background

2. Transport Scotland, the promoter of the scheme published four draft Orders and an Environmental Statement (ES) relating to the proposed dualling under the Roads (Scotland) Act 1984 and the Acquisition of Land (Authorisation Procedure) Scotland Act 1947. The draft Road and Compulsory Purchase Orders and ES were published on 28 November 2017. The draft Orders are as follows;

- The A9 Trunk Road (Killiecrankie to Glen Garry) Compulsory Purchase Order 201[]
- The A9 Trunk Road (Killiecrankie to Glen Garry) (Trunking) Order 201[]
- The A9 Trunk Road (Killiecrankie to Glen Garry) (Side Roads) Order 201[]
- The A9 Trunk Road (Killiecrankie to Glen Garry) (Extinguishment of Public Rights of Way) Order 201[]

3. The proposed scheme is generally located within the Cairngorms National Park and Perth and Kinross, north of Pitlochry along a 21.6km length of single carriageway section of the A9, between Killiecrankie and Glen Garry and will deliver overall benefits, improvements for driver safety, reduced journey times and enhanced Non-Motorised User facilities.

4. The scheme comprises widening of the A9 over two distinct sections from north of Killiecrankie to south of Bruar and south of Bruar at the Pitaldonich Underbridge to the existing dual carriageway at Dalnacardoch Wood. There will be two new fully grade-separated junctions at Aldclune and at Bruar.

5. The proposed scheme will involve the upgrading of a number of side roads and provision of new accesses to the existing road network. This will include the closure of a number of direct accesses to the A9, thereby improving safety. It will also provide a total of ten new lay-bys between Killiecrankie and Glen Garry, consisting of five new lay-bys on both the northbound and southbound carriageways. All existing A9 lay-bys on the single carriageway section between Killiecrankie and Glen Garry will be removed.

6. The A9 dualling programme as a whole will create safe, consistent and reliable driving conditions. In doing so, it will alleviate driver frustration and contribute to a reduction in the high incidence of serious and fatal road accidents. It will also benefit national and local businesses; local communities; and tourists; by providing improved access locally and between the Central Belt and the Scottish Highlands and reduce journey times between Perth and Inverness by 20 minutes.

Objections and Public Local Inquiry Procedures

7. A total of one hundred and eighty three objections to the draft Orders were lodged, twenty seven of which were considered statutory objections that required the holding of a Public Local Inquiry (PLI) to consider these objections. A pre-inquiry meeting was held on 19 September 2019 by the Reporter Scott Ferrie MSc MRTPI to consider the arrangements and procedures for the inquiry. It was determined that an inquiry session would be held to take further evidence on route design and general impacts (including impacts on the Killiecrankie Battlefield site); and that hearing sessions would be held to hear further evidence on: tourism impacts; House of Urrard Estate impacts; and impacts on four specific properties: Old Faskally House, Druimuan House, The Killiecrankie Hotel, and Old Manse of Blair.

8. The Reporter held accompanied site inspections on 16-17 December 2019, and made a number of unaccompanied site inspections before, during and after the inquiry. The inquiry session was held on 13-16 January 2020, and the hearing sessions took place on 16 January and 20-21 January 2020. Closing statements were exchanged in writing, with the final closing statement, on behalf of Transport Scotland, being lodged on 27 February 2020.

Evidence at the Inquiry

9. The background to the scheme and need for the Orders, the environmental impact of the scheme, objections considered and Transport Scotland's responses are contained in Chapters 1– 8 of the Report.

Consideration by the Reporter

10. The Reporter's reasoned conclusions and recommendations contained in Chapter 9 are that, subject to favourable outcome of an Appropriate Assessment in accordance with the Conservation (Natural Habitats, &c.) Regulations 1994 in regard to the River Tay Special Area of Conservation (SAC) and Tulach Hill and Glen Fender Meadows SAC, that the Orders be confirmed, subject to the modifications to the Compulsory Purchase Order and Side Roads Order proposed by Transport Scotland, which enabled the withdrawal of a number of objections.

11. Since the Reporter's recommendations, no correspondence has been received by the Scottish Government regarding the A9 Killiecrankie to Glen Garry proposals that would affect the Scottish Ministers' decision.

The Scottish Ministers' Decision

12. The Scottish Ministers have carefully considered the findings, conclusions and recommendations contained in the PLI Report in full, and have decided the Orders should be made with minor modifications to the draft Side Roads Order and Compulsory Purchase Order.

13. The Appropriate Assessment referred to in paragraph 10 above has been undertaken and has concluded that the project as proposed will not adversely affect the integrity of the River Tay SAC or Tulach Hill and Glen Fender Meadows SAC.

14. Scottish Ministers have also considered the requirements of local and national planning, including the requirements of agriculture and industry. They are satisfied that all the necessary requirements of the Roads (Scotland) Act 1984 have been met.

Information regarding the right to challenge the validity of the decision

15. 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.

16. A copy of this letter is being sent to all parties who made objections or representations within the objection period.

17. This decision letter and the Reporter's report will also be made available on the Transport Scotland website www.transport.gov.scot. Paper copies may be obtained by e-mailing specialprojects@gov.scot.

Yours sincerely



Stuart Greig
Director