

## **ROADS (SCOTLAND) ACT 1984**

### **M77/A77 TRUNK ROAD (MAYBOLE BYPASS)**

#### **ENVIRONMENTAL STATEMENT - DECISION TO PROCEED WITH PROJECT**

THE SCOTTISH MINISTERS give notice that they have decided to proceed with a project for the improvement and construction of a new length of the M77/A77 Trunk Road (Maybole Bypass) (“the Project”) and that they have complied with their obligations under paragraph 7(1A) of Schedule 1 to the Roads (Scotland) Act 1984.

The general effect of the project is to improve and construct a new length of the M77/A77 Glasgow-Stranraer Trunk Road in the vicinity of Maybole, South Ayrshire together with the provision of new associated junctions.

The Ministers determined that the Project falls within Annex II to Directive 2011/92/EU of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment (as relevantly amended by Directive 2014/52/EU). Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC as amended by Council Directive 97/11/EC, Directive 2003/35/EC of the European Parliament and of the Council and Directive 2009/31/EC of the European Parliament and of the Council. They prepared an Environmental Statement which was published on 4 December 2013.

Objections to the Project and Orders required for the Project were received by Ministers. A Public Local Inquiry was held to consider those objections and the Reporter issued his report on 30 July 2015.

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

- (a) all objections to the draft Project and Orders including all opinions on the Environmental Statement expressed in writing by the consultation bodies and any other persons;
- (b) all of the evidence presented to the Public Local Inquiry in relation to the Project, including written submissions and the Reporter’s conclusions and recommendations;
- (c) the objectives of the Project to improve level of service and safety by reducing the effects of driver stress and journey times, eradicate conflict between long distance users and local traffic on the road network; and
- (d) the information provided in the Environmental Statement.

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

To minimise impacts of the Project the following requirements will be adhered to during the works –

- the contractor will undertake pre-construction consultation with local residents to ensure access to properties and land is maintained during the works;
- measures will be put in place by the contractor to control dust generated during construction;
- an archaeological watching brief will be undertaken to avoid impacts on cultural heritage;

- mitigation measures for ecology and nature conservation include pre-construction survey to ensure no changes to the site following the previous survey, installation of mammal habitat and compensatory tree planting along with timing the works to avoid sensitive periods for wildlife
- measures will also be adopted by the appointed contractor to reduce disruption to wildlife including otters and badgers;
- watercourse diversionary works and measures to control sediment mobilisation, surface water discharges and spillages will be carried out in accordance with guidance from Scottish Environment Protection Agency and Scottish Natural Heritage;
- the Project is located within a cutting with embankments specifically sculptured to negate the requirements for noise barriers, however measures will be implemented during construction to protect local communities in terms of noise and visual intrusion;
- the appointed contractor shall produce and adhere to a Construction Environmental Management Plan prior to work on site which requires approval from SEPA;
- the appointed contractor shall produce a Traffic Management Plan and temporary traffic management measures shall be advertised in advance; and  
Suitable mitigation planting will be incorporated as part of the Project to reduce landscape and visual impacts in the local area, and the landscape proposals have been designed to reflect and reinforce the character of the local landscape

Further details of the measures which will be taken to avoid, reduce and if possible offset any major adverse effects of the Project are as set out in the Environmental Statement published on 4 December 2013 and available on Transport Scotland's website at [www.transportscotland.gov.uk](http://www.transportscotland.gov.uk).

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



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