

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

### **A737/A738 TRUNK ROAD (THE DEN, DALRY)**

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

THE SCOTTISH MINISTERS give notice that they have decided to proceed with a project for the improvement of the A737/A738 Trunk Road (The Den, Dalry) ("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 provide for the improvement of the road by means of the construction of a new length of trunk road to form part of the A737 and the de-trunking of a superseded section of trunk road, together with the provision of new associated junctions.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 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 Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC as amended by Council Directive 97/11/EC, Directive 2003/35/EC of the European Parliament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 22 May 2013.

Objections to the Project and Orders required for the Project were lodged but were subsequently withdrawn.

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

- (a) all objections to the draft Project and Orders;
- (b) the objectives of the Project to improve the level of service and safety on the A737 by reducing the effects of driver stress and journey times; to eradicate conflicts between long distance road users and local traffic; to improve the safety and the environment within the village; and to mitigate the environmental impact of the new works where possible; and
- (c) 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 committed mitigation measures set out 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 –

- During construction, mitigation measures will be implemented to minimise the potential for air quality impacts on the local community.
- The contractor will undertake pre-construction consultation with local residents to ensure that access to properties and land is maintained throughout the construction phase of the Project.
- Sustainable Drainage Systems (SUDS) feature in the new road's design which comprises of a filter drain system with three treatment pond areas.
- 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.
- The Project was designed with embankments specifically sculptured to negate the requirement for noise barriers which also minimised any negative visual intrusion.

- Mitigation measures for Ecology and Nature Conservation including compensatory tree planting, pre-construction survey to ensure no changes to the site following the previous surveys, licenced bat worker survey of trees prior to felling, and timing of construction works to avoid sensitive periods for wildlife.
- Land-take and loss of agricultural land has been minimised as far as possible by keeping the footprint of the Project to a minimum.
- The appointed contractor for the Project shall produce a Construction Environmental Management Plan (CEMP) prior to work on site.
- The Project design has sought to minimise environmental impacts on sensitive receptors in the area and has considered: landscape and visual; ecology and nature conservation; cultural heritage; geology and soils; community and private assets; air quality; noise and vibration; road drainage & the water environment; and cumulative impacts.

Further details of the measures which will be taken to avoid, reduce and if possible offset any major adverse effects of the Project are as set out in the Environmental Statement published on 22 May 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.



M F Rennie  
A member of the staff of the Scottish Ministers

Transport Scotland  
Buchanan House  
58 Port Dundas Road  
Glasgow  
G4 0HF

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