

## **SCOTTISH MINISTERS' REQUIREMENTS**

### **SCHEDULE 7 PART 4**

#### **LANDSCAPE DEVELOPMENT PROCESS AND DELIVERABLES**

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## **SCOTTISH MINISTERS' REQUIREMENTS**

### **SCHEDULE 7 PART 4**

#### **LANDSCAPE DEVELOPMENT PROCESS AND DELIVERABLES**

##### **1. LANDSCAPE DEVELOPMENT PROCESS**

###### **1.1 General**

- 1.1.1 No later than 30 days after the start of the Mobilisation Period, the Director will provide the Operating Company with a copy of the current landscape management information including the:
- (i) landscape strategy,
  - (ii) landscape inventory,
  - (iii) landscape maintenance plan,
  - (iv) Landscape Development Plan, and
  - (v) annual landscape management report.
- 1.1.2 The Operating Company shall ensure the landscape inventory, including detailed inspection records and maintenance requirements, are complete and kept up to date at all times. Details of newly created Landscape Areas that the Operating Company will be required to take over the maintenance responsibilities for during the term of this contract are detailed in Annex 7.4/B of this Part and in the routine maintenance and management function of the Integrated Roads Information System.
- 1.1.3 The Operating Company's Landscape Architect shall be responsible for the preparation and delivery of:
- (i) the landscape strategy,
  - (ii) the Landscape Development Plan, and
  - (iii) the annual landscape management report.
- 1.1.4 The Operating Company shall continuously update the landscape inventory in the routine maintenance and management function of the Integrated Roads Information System and ensure the landscape inventory is complete and accurate at all times.
- 1.1.5 The Operating Company shall submit one hard copy and one Electronic Copy with drawings in portable document format (pdf) to the Director of the:
- (i) landscape strategy,
  - (ii) Landscape Development Plan, and
  - (iii) annual landscape management report,
- at the timescales detailed within this Part.
- 1.1.6 The Operating Company's Landscape Architect shall attend all landscape and environmental progress meetings arranged with the Director. The Landscape Architect shall also attend as necessary meetings with others, including the Director's staff and any third party organisations or individuals, concerning landscaping issues related to the Unit.

## **1.2 Landscape Strategy**

- 1.2.1 During the first Annual Period, the Operating Company shall prepare a detailed landscape strategy for the Unit which takes full account of the landscape strategy developed by the previous operating company. The detailed landscape strategy shall be submitted for the Director's consent no later than 50 Working Days before the end of the first Annual Period.
- 1.2.2 The Operating Company shall annually review and update the landscape strategy and submit this to the Director's consent no later than 25 Working Days prior to the end of the second Annual Period and each subsequent Annual Period.
- 1.2.3 The landscape strategy shall be produced on a Route by Route basis and shall identify and describe in detail the specific landscape character of the Route. This shall include the relevant features and elements within and adjacent to each Route.
- 1.2.4 The landscape strategy shall include:
- (i) clear cross-referencing to the landscape inventory,
  - (ii) Ordnance Survey based location plans clearly showing the Routes and areas under review,
  - (iii) brief descriptions of the Routes and areas under review, highlighting the general character of the extent of the Route, the appearance and value of the landscape, comments on the quality of the landscape and any ecological elements which may impact on, or be affected by, the maintenance and management of the Trunk Road soft estate,
  - (iv) a range of photographs depicting the various character zones,
  - (v) the perceived main issues relating to the continued management of the Trunk Road soft estate in this location, taking into account topics such as safety, visual aspects, general amenity and biodiversity. This may also require consideration of the interests and elements of land immediately adjacent to, but outwith, the Trunk Road boundary,
  - (vi) consideration of any relevant, related studies, plans or strategies for the location, including Route action plans and Route accident reduction plans,
  - (vii) general proposals for the future development of the environment related to the Trunk Road, and
  - (viii) any other issues that may be relevant to the landscape strategy, including information and advice from third parties such as Scottish Natural Heritage and relevant National Parks Authority.

## **1.3 Landscape Development Plan**

- 1.3.1 The Operating Company shall take account of the landscape strategy in preparing the Landscape Development Plan. The Landscape Development Plan shall be developed to ensure compliance with the Specification and take account of the opportunities identified in the schedule of landscape opportunities referred to in this Part.
- 1.3.2 No later than 50 Working Days before the end of the first Annual Period, the Operating Company shall prepare and submit a Landscape Development Plan for the second Annual Period for the Director's consent.

- 1.3.3 The Operating Company shall review, revise and update the Landscape Development Plan during each subsequent Annual Period. The updated Landscape Development Plan shall be submitted for the Director's consent no later than 25 Working Days before the end of the second and each subsequent Annual Period.
- 1.3.4 When developing the Landscape Development Plan, the Operating Company shall take account of the following guidance:
- (i) the Scottish Executive's landscape design and management policy contained in *Cost Effective Landscape: Learning From Nature*,
  - (ii) the Scottish Executive's *Inventory of Wildlife Mitigation Measures*.
- 1.3.5 When developing the Landscape Development Plan, the Operating Company shall take account of Transport Scotland's commitment to the protection and enhancement of biodiversity through all relevant legislation and documents including:
- (i) the *Trunk Roads Biodiversity Action Plan*, and
  - (ii) the Scottish Government's biodiversity strategy *Scotland's Biodiversity – It's in your hands*.
- 1.3.6 The Landscape Development Plan shall include:
- (i) recommendations in accordance with the landscape strategy,
  - (ii) recommendations resulting from the annual landscape management report, and
  - (iii) recommendations resulting from the Operating Company's landscape opportunities inspections referred to in this Part.
- 1.3.7 For each potential landscape scheme and intervention identified in the schedule of landscape opportunities, the Landscape Development Plan shall include:
- (i) Route number,
  - (ii) Scheme name,
  - (iii) location reference,
  - (iv) outline details of the proposed Operations,
  - (v) justification for selection,
  - (vi) cost estimate, and
  - (vii) priority rating (high, medium and low) with relevant justification.

The Director shall determine which of the proposed landscape Schemes shall be developed further and inform the Operating Company.

#### **1.4 Schedule of Landscape Opportunities**

- 1.4.1 The Operating Company's Landscape Architect shall prepare and maintain a schedule of landscape opportunities and use this in the preparation of the Landscape Development Plan. The schedule of landscape opportunities shall be informed by the results of the regular landscape opportunities inspections and by ad hoc inspections and visits to the network by the Landscape Architect.

1.4.2 The landscape opportunities inspections shall be undertaken by the Landscape Architect regularly at intervals not exceeding 12 months throughout the Unit to identify potential opportunities to improve the landscape associated with the Trunk Road network.

1.4.3 The schedule of landscape opportunities shall:

- (i) record potential landscape schemes and interventions, and
- (ii) identify Landscape Areas which could be improved by changing the maintenance requirements detailed in Schedule 7 Part 1.

The Operating Company shall provide an Estimated Bid Value for all potential landscaping schemes and interventions as well as cost estimates for improvements to maintenance requirements.

1.4.4 Both of the categories identified in paragraph 1.4.3 of this Part shall also be considered and developed in terms of:

- (i) general amenity,
- (ii) more efficient and more appropriate maintenance,
- (iii) road safety and reliability,
- (iv) improved biodiversity and nature conservation,
- (v) sustainability and climate change, and
- (vi) any other issues identified as significant by the Landscape Architect.

1.4.5 When identified within the schedule of landscape opportunities, the Operating Company shall submit to the Director a report detailing the proposed changes to the maintenance requirements for Landscape Areas. The report shall include a full description of the benefits of the proposed change and any cost savings or cost increases associated with undertaking the alternative maintenance activities. Subject to an Order and when consented to by the Director, the Operating Company shall implement the proposed changes to the maintenance requirements.

## **1.5 Landscape Scheme Implementation Information**

1.5.1 The Operating Company shall prepare a Statement of Intent and Value for Money Assessment for all potential Schemes, interventions and alterations to maintenance Operations as identified in the schedule of landscape opportunities.

1.5.2 The Statement of Intent shall include the following information:

- (i) description of the proposal,
- (ii) large scale plan showing the context of the area,
- (iii) more detailed plans and drawings with supporting sketches or photographs illustrating the specific proposal,
- (iv) written description of the relevant objectives,
- (v) demonstration of the proposal's relationship to the landscape strategy for the relevant Route or section of Route,
- (vi) detailed cost estimate,
- (vii) details and justification of the priority rating given, and

(viii) Design and construction programme.

1.5.3 Subject to an Order, the Operating Company shall design and execute landscape Schemes and interventions.

1.5.4 The Operating Company shall provide and maintain throughout each Annual Period, a detailed programme for all landscape Schemes and interventions that have been ordered. The detailed programme shall include the:

- (i) period of construction,
- (ii) activities to be undertaken, and
- (iii) estimated completion dates.

This programme shall be submitted to the Director when requested.

## **1.6 Annual Landscape Management Report**

1.6.1 No later than 25 Working Days prior to the end of each Annual Period, the Operating Company shall submit an annual landscape management report to the Director. The report shall provide a review of all landscaping Operations undertaken within the Unit during that Annual Period.

1.6.2 The annual landscape management report shall correspond to the various Routes within the Unit as described in the routine maintenance and management function of the Integrated Roads Information System.

1.6.3 The annual landscape management report shall record:

- (i) the general condition of the Landscape Areas within the Unit including a short statement for each Route,
- (ii) details of the effectiveness of maintenance Operations undertaken,
- (iii) details of the effectiveness of the changes consented to by the Director, that have been made to the maintenance Operations as stated in paragraph 1.4.5 of this Part,
- (iv) a summary of all Operations undertaken as part of the Landscape Development Plan including a statement on the progress of all approved schemes,
- (v) details of the additional Landscape Areas added into the Operating Company's maintenance programme resulting from the completion of Schemes undertaken by others working on behalf of the Director,
- (vi) information on all newly created Landscape Areas within the Unit created by the Operating Company (or any contractors working on its behalf) during the period covered by the report that are subject to establishment maintenance as detailed in Annex 7.4/B of this Part,
- (vii) the performance of any contractors and sub-contractors responsible for landscape Operations within the Unit,
- (viii) a statement advising the Director on the progress on delivering the requirements of the landscape strategy,
- (ix) the Operating Company's achievement of the requirements of the pesticide plan referred to in this Part, specifying the general level of pesticide use throughout the Unit and noting locations subjected to significant

applications. If requested by the Director, pesticide record forms that are produced by the Operating Company in accordance with the landscape specification shall be included as an annex to the annual landscape management report,

- (x) details of the Operations undertaken in support of enhancing biodiversity and nature conservation, including works associated with creating, repairing or improving any wildlife mitigation measures within the Unit,
- (xi) a statement from the Operating Company detailing any problems or specific unforeseen issues that have affected the delivery of the landscaping requirements which may have arisen during the period covered by the annual report and recommendations for action required,
- (xii) details of any significant amendments made by the Operating Company to the landscape inventory in the routine maintenance and management function of the Integrated Roads Information System,
- (xiii) a grassland report to include the activities identified in Annex 7.4/A of this Part, setting out the Operating Company's achievements and any concerns and opportunities for the grassed areas in each section of Route identified within the landscape strategy,
- (xiv) an injurious species report referring to the approved injurious species management plan required by this Part, detailing the location, nature and extent of the injurious species infestations that can be found within the Unit and the success or otherwise of the measures taken by the Operating Company to reduce the area and extent of the known infestations, and
- (xv) a summary report of road kill records within the Unit recorded in the routine maintenance and management function of the Integrated Roads Information System and details of the impact of the species identified within the report.

1.6.4 As part of its annual landscape management report, the Operating Company shall prepare and submit a pesticide plan including targets for the potential reduction of pesticide usage through the use of alternative, but equally effective, proposals. The pesticide plan shall take account of the relevant requirements contained within the Specification.

1.6.5 As part of its annual landscape management report, the Operating Company shall prepare and submit an injurious species management plan. The injurious species management plan shall include:

- (i) details contained within the injurious species report of infestations within Unit,
- (ii) proposals for achieving a reduction in infestation during the next Annual Period, and
- (iii) proposed targets for reducing infestations during the next Annual Period.

The Director shall consider the report and confirm the Operating Company's targets for reducing infestations during the next Annual Period. All areas of infestation shall be recorded within routine maintenance and management function of the Integrated Roads Information System and updated annually before the end of each Annual Period.



- 1.6.6 As part of its annual landscape management report, the Operating Company shall prepare and submit a deer management plan including the activities identified in Annex 7.5/C of this Part, setting out the Operating Company's achievements in respect of deer management and its strategy and future proposals for the next Annual Period.



This is Annex 7.4/A to Schedule 7 Part 4 referred to in the foregoing Agreement between Scottish Ministers and BEAR Scotland Limited.

## **SCOTTISH MINISTERS' REQUIREMENTS**

### **SCHEDULE 7 PART 4**

#### **LANDSCAPE DEVELOPMENT PROCESS AND DELIVERABLES**

#### **ANNEX 7.4/A – Grassland Report**



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### **SCHEDULE 7 PART 4**

#### **LANDSCAPE DEVELOPMENT PROCESS AND DELIVERABLES**

##### **ANNEX 7.4/A – Grassland Report**

- 1.1 Grassed areas, in the various categories recorded, make up the largest single landscape element within the Trunk Road boundary and the management and maintenance of these areas requires the commitment of a considerable level of resource during each Annual Period. The intention of the grassland report is for the Operating Company's Landscape Architect to identify the general condition of the grassed areas within the Unit and ensure that the appropriate maintenance operations undertaken meet the objectives of the area as recorded in the Landscape Strategy.
- 1.2 As well as any location specific objectives which may have been determined, other more general objectives could include:
- (i) safety,
  - (ii) integration with the wider landscape,
  - (iii) encouragement of ecological diversity, and
  - (iv) visual interest and amenity.
- 1.3 It is not intended that the report will record every individual area of grass under each category but rather provide an overview of the broad condition of the grass within defined character zones and in response to specific areas of interest, such as junctions, settlements and the like.
- The grassland report shall include:
- (i) general description of existing grassland within unit,
  - (ii) specific Route grassland areas,
  - (iii) current maintenance regime,
  - (iv) issues arising from current maintenance regime,
  - (v) high amenity grass areas,
  - (vi) amenity grass areas,
  - (vii) general grass,
  - (viii) rough grass,
  - (ix) specific issues,
  - (x) sward health,
  - (xi) sight line areas,
  - (xii) weed content,

- (xiii) erosion/over-run,
- (xiv) bulbs, and
- (xv) specific opportunities for amending grass maintenance regimes.

This is Annex 7.4/B to Schedule 7 Part 4 referred to in the foregoing Agreement between Scottish Ministers and BEAR Scotland Limited.

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**LANDSCAPE DEVELOPMENT PROCESS AND DELIVERABLES**

**ANNEX 7.4/B – Newly Created Planting Areas (Subject to Establishment Maintenance)**





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#### **LANDSCAPE DEVELOPMENT PROCESS AND DELIVERABLES**

##### **ANNEX 7.4/B – Newly Created Planting Areas (Subject to Establishment Maintenance)**

<b>Planting Area</b>	<b>Location</b>	<b>Contractor</b>	<b>Date Created</b>	<b>Establishment Period</b>	<b>Condition</b>



This is Annex 7.4/C to Schedule 7 Part 4 referred to in the foregoing Agreement between Scottish Ministers and BEAR Scotland Limited.

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**ANNEX 7.4/C – Deer Management Plan**



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#### LANDSCAPE DEVELOPMENT PROCESS AND DELIVERABLES

##### ANNEX 7.4/C – Deer Management Plan

The Code of Practice for Deer Management ("the Code") was introduced by the *Wildlife and Natural Environment (Scotland) Act 2011* (WANE Act). The Code applies to all land owners and managers of land where wild deer are found which includes areas within the Trunk Road boundary.

The Code advises that there is a difference between collaboration in the deer management planning process and cooperation in sharing practical deer management tasks. While some direct action may be required by the Operating Company in order to meet its requirements in accordance with this Part, this will be subject to the normal controls and approvals under this Contract.

The fundamental objective of the Code is to set out recommended action for sustainable deer management and to make provision for collaboration between landowners and managers, thereby ensuring that any negative impacts of deer on the public interest are minimised as far as practicable and deer welfare is safeguarded.

The Operating Company's annual deer management plan shall be prepared as part of its annual landscape management report. The deer management plan shall be prepared in accordance with this Annex and the provisions of the Code. The Operating Company shall structure its deer management plan on the following basis:

- (i) strategy – a broad strategy covering the general approach adopted by the Operating Company to managing deer across the Unit. This section should identify the general areas within the Unit where wild deer may come into conflict with the road network (specifying the area and Routes involved); include good practice proposals for collaborating in deer management planning with adjacent landowners or other interested parties and recommend methods to be employed for meeting the requirements of the Code,
- (ii) part A – this shall form a record of works undertaken and achievements made by the Operating Company over the preceding Annual Period in respect of deer management within the Unit. This may include the planned installation or maintenance of specific deer mitigation facilities, liaison with adjacent landowners or other interested parties, action to resolve Incidents or reports received concerning deer accessing the Unit and general comment on the efficacy of current mitigation measures in place across the Unit, and
- (iii) part B – proposals and actions intended to be implemented during the following Annual Period in accordance with the Operating Company's deer management plan strategy. This may include areas and Routes to be targeted for deer management, details of deer mitigation proposals and the likely actions involved and proposals for future liaison and collaboration with adjacent landowners and other interested parties.

In terms of possible organisations with whom collaboration or liaison may be required in respect of deer management, the Operating Company may need to consider approaching the local Deer Management Group(s) (if applicable), Scottish Natural Heritage, The Forestry Commission, National Trust for Scotland, local authorities and the like in addition to any relevant local individual landowners or estates, although this should not be considered an exhaustive list.