

THE ACQUISITION OF LAND (AUTHORISATION PROCEDURE) (SCOTLAND) ACT 1947

THE A9 TRUNK ROAD (PASS OF BIRNAM TO TAY CROSSING) COMPULSORY PURCHASE ORDER 202[]

STATEMENT OF REASONS FOR INTENDING TO GIVE AN OPEN SPACE CERTIFICATE

The Scottish Ministers propose to acquire land that forms open space. They also propose to certify that they are satisfied that this land is required for the widening of an existing public road within the meaning of the Roads (Scotland) Act 1984 and that the giving in exchange of other land is unnecessary in the interests of the public.

The reasons for the proposal to grant the certificate are:

- The land identified in the schedule to the notice of the intention to grant an open space certificate is considered open space because it is identified in the Perth and Kinross Local Development Plan 2 (2019) as open space. This land is an area totalling 1,877 square metres or thereby. This land is shaded green in the plan annexed to this notice and is known in this notice as the open space land to be acquired.
- The open space land to be acquired is owned by three separate parties: Atholl Estates (Bruar Trust) extending to 1,443 square metres or thereby; Dunkeld and Birnam Recreation Club extending to 60 square metres or thereby; and National Trust for Scotland extending to 374 square metres or thereby.
- Of the 1,877 square metres or thereby of open space land to be acquired by the abovementioned compulsory purchase order, 1,812 square metres or thereby of that land will remain available for use by the public after construction of the works, in the same or similar way as it was before, and this land will be equally advantageous to public use.
- An additional area of land totalling 44,988 square metres or thereby, adjacent to the open space land to be acquired, but currently not designated as open space in the local development plan, will be available as open space and for access by the public following construction of the project. This land is currently owned by Forestry and Land Scotland and will be appropriated for the project to form a compensatory flood storage area. It will be enhanced by new woodland planting and paths providing access for walkers, wheelers, cyclists and horse-riders as environmental mitigation as part of the project. This land is shaded cyan land available for public access post construction.
- The land available for public access post construction will provide all functions of exchange land to the public as required by the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 except that it will not be vested in the persons in whom the open space land purchased was vested.
- The land available for public access post construction is equally advantageous to the public, with respect to amenity and accessibility, as the open space land.