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# **Environmental Impact Assessment Record of Determination**

## **A96 Fochabers New – Bridge Refurbishment**

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## Project Details

### Description

The works are required to ensure longevity and safe functionality of the structure (Fochabers New Bridge); due to the rate of deterioration across the structure. There will be two phases to the proposed works, with first covering investigation of the bridge structure to determine the repairs required and the second covering the maintenance repair works themselves. Both Phases of the works will be carried out through use of an underbridge unit suspended from the structure. The underbridge unit is truck mounted and will be located on the carriageway itself with no need to be in the watercourse or embankment.

Phase 1 of the works covering the investigation elements has already been completed. A previous RoD in 2024 was completed for these works. This RoD is covering the construction phase only.

Phase 2 of the works will be the main design and construction phase:

- Installation of Traffic Management (TM);
- Installation of deck waterproofing;
- Removal and replacement of road surfacing;
- Removal and replacement of expansion joints;
- Repair or replacement of the deck drainage system;
- Removal and replacement of lighting column;
- Removal and replacement of pedestrian guardrail;
- Concrete Repairs to both abutments and pier (saw cutting, hydro-demolition, concrete pouring). All hydro-demolition wastewater will be filtered and treated before being disposed of at a licenced facility;
- Partial blasting and repainting of steel box girder;
- Blasting, refurbishment and repainting of bridge bearings; and
- Removal of TM.

The works are currently programmed for the 28<sup>th</sup> July 2025 with exact timings yet to be determined however working hours are likely to be during day and night-time hours and over a duration of 6-8 weeks. The topside works (resurfacing and bridge expansion joints) will commence in July and the underside works (concrete repairs) will be programmed for later in the year.

Traffic Management (TM) will be utilised in the form of two-way traffic lights.

## Location

The works are located just outside the town of Fochabers, Moray, northeast Scotland over an approximate area of 1,728m<sup>2</sup>. The works are taking place on the New Fochabers bridge which replaced the old Spey bridge in 1970 when the Fochabers bypass was built. The old Spey bridge still remains and is used as a pedestrian footway/cycleway. The new bridge is functional concrete deck on steel girder structures, consisting of two spans and built on a gradient falling towards the east. The central pier sits on the river's east bank, as with all Spey bridges, to allow for floodwater to pass without damaging the structure. The National Grid References (NGR) for the scheme extents are detailed below and illustrated in Figure 1:

- Scheme Start- NJ 34091 59410
- Scheme End- NJ 33995 59517

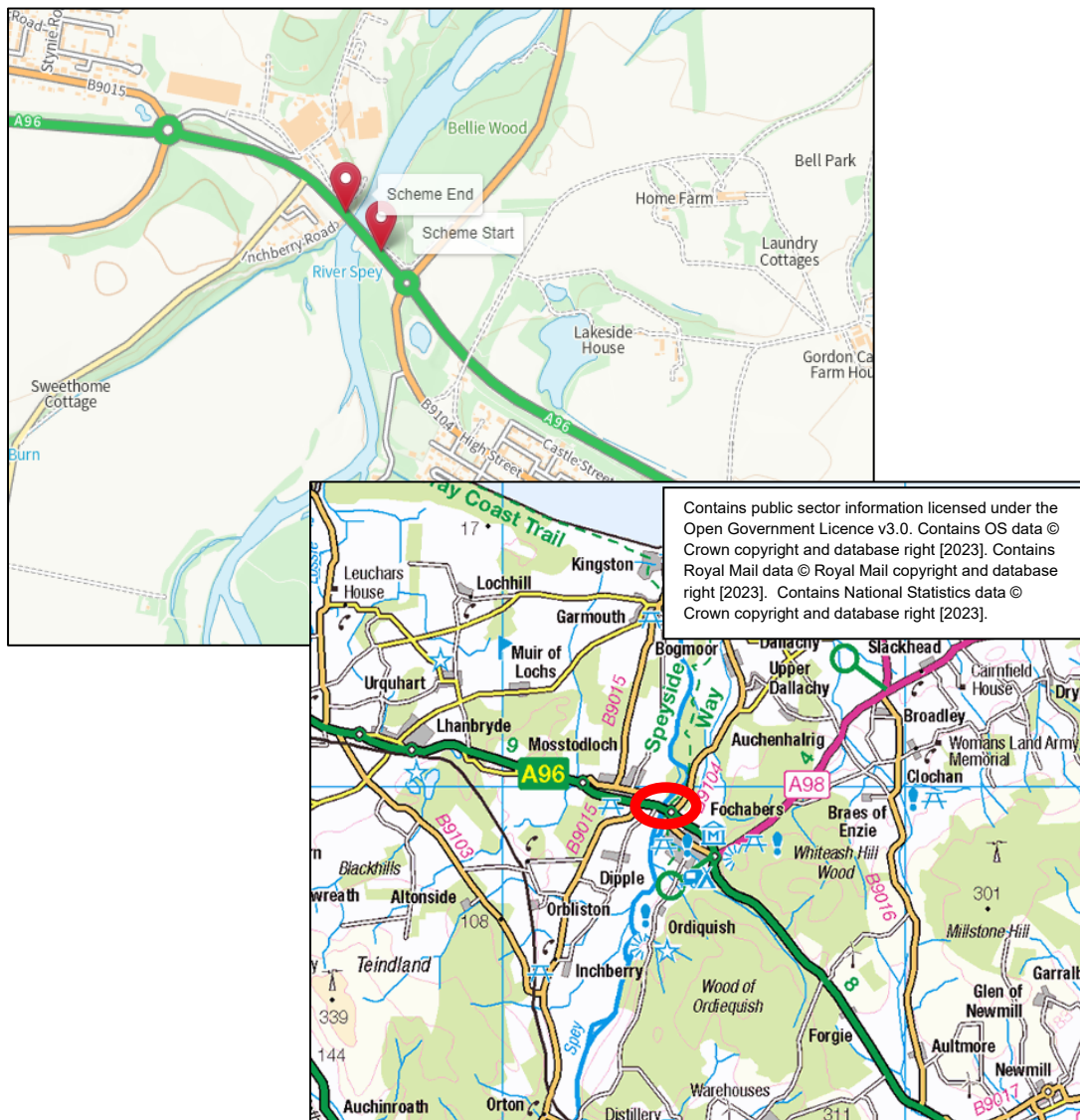


Figure 1. Scheme Location.

## Description of local environment

### Air quality

The works are located within a rural setting, surrounded by areas of agricultural land with small areas of residential and managed woodland.

There are approximately 23 residential properties within 300m of the works, with the closest property (The Old Toll House) located approximately 20m southwest of the works adjacent to the A96 on Inchberry Road.

The [Average Annual Daily Flow](#) (AADF) in 2022 for the main A96 carriageway just outside the scheme extents (site no. 50782), accounted for 12,503 vehicles, with an average of 6.2% Heavy Goods Vehicles (HGV).

The Baxter's food group Ltd is located approximately 450m northwest of the bridge and is registered on the [Scottish Pollutant Release Inventory \(SPRI\)](#) as a site with Animal and vegetable products from the food and beverage sector. No other SPRIs have been identified within 1km of the works.

Moray Council has not declared any [Air Quality Management Area](#) (AQMAs).

No other sensitive receptors have been identified within 300m of the works.

### Cultural heritage

A desktop study using [PastMap](#) has identified two designated features of cultural or historical significance within 200m of the works location. The details of these are as follows:

- (Old) Spey Bridge (Ref- LB15645) Category A listed structure located approximately 30m south of the works; and
- Spey Bridge, Old Toll House (Ref- LB15646) Category B listed building located approximately 20m southwest of the works.

The following non-designated features of cultural heritage have been identified within 100m of the works:

- New Spey Bridge (Ref- NJ35NW0183) Historic Environment Record (HER) which is the structure on which the works are taking place; and

- Fochabers Bridge (Ref- NJ35NW0012) HER which is located 30m south of the works. This HER is an Iron bridge crossing the River Spey (also known as the Old Spey Bridge), which forms the boundary between Bellie and Speymouth parishes.

All works will be located within the existing carriageway boundary and will not have any permanent impacts any areas of land that have not previously been subjected to engineering activity.

It has been determined that the proposed scheme does not carry the potential to cause direct or indirect impact to cultural heritage as the works will be like for like and maintain the existing structure which is a HER. As such, impact has been assessed as being 'no change' and cultural heritage has therefore been scoped out of further assessment.

## **Landscape and visual effects**

A desktop study using [NatureScot Sitelink](#) and [PastMap](#) online interactive map has not highlighted any areas designated for landscape character within 300m of the works.

[The Scottish Landscape Character Type \(LCT\) Map](#) notes the scheme is located within coastal farmlands.

Historic Environment Scotland's [Historic Land Assessment \(HLA\) Map](#) has highlighted the surrounding historic land use to comprise of urban, managed woodland and fields and farmland.

There are no [Tree Preservation Orders \(TPOs\)](#) within the scheme extents.

Visual receptors of the works Include:

- Users of the A96 carriageway; and
- Residential properties 3-8 on Inchberry place.

The works will be restricted to the existing carriageway boundary and bridge structure and will not impact upon the surrounding landscape. Views from surrounding receptors will be temporarily impacted during construction due to the presence of works, TM and plant.

As the works are operating on a like-for-like basis and will not cause lasting visual change or alter the landscape of the surrounding area , no permanent changes to landscape features are determined.

As such, impact to local landscape and visual effects has been assessed as being 'no change' and has been scoped out of requiring further assessment.

## Biodiversity

A desktop study has been undertaken using [SiteLink](#) and has identified the River Spey Special Area of Conservation (SAC). The River flows from its source in the Monadhliath Mountains, through the Cairngorms National Park and out into the Moray Firth and flows directly beneath the bridge structure where the works are taking place. Due to the works taking place above and over this SAC, a Habitats Regulations Appraisal (HRA) has been undertaken. The HRA also covers all designated sites mentioned below.

[SiteLink](#) has also identified the lower River Spey- Spey Bay SAC. This designated site is located approximately 5km north of the works but is hydrologically connected to the River Spey SAC.

[SiteLink](#) has also identified the Moray and Nairn Coast Special Protection Area (SPA). Moray and Nairn Coast SPA comprises the Culbin Bars, Findhorn Bay and Spey Bay which, together, form the easternmost estuarine component of the Moray Basin ecosystem. This designated site is located approximately 450m northeast of the works.

[SiteLink](#) has also identified the Moray and Nairn Coast RAMSAR. This designated site is located approximately 450m northeast of the works.

Amey's Environmental Database notes one case of Japanese knotweed (*Reynoutria japonica*) in the verge of the A96 carriageway at the southern scheme extent.

There are no [Tree Preservation Orders \(TPOs\)](#) within the scheme extents.

[Scotland's Environment Map](#) has not identified any Ancient Woodland Inventory Scotland (AWIS) within the scheme extents however an area of ancient woodland (Site-56, Wood ID-8601, Bellie Wood) is located approximately 30m northeast of the works.

[Scotland's Environment Map](#) has not identified any Local or National Nature Reserves within 200m of the scheme.

An ecological walkover survey was undertaken on 10<sup>th</sup> March 2025 to identify any habitats or species constraints or opportunities.

Broadleaved plantation woodland (UKHab code: w1g) is located surrounding the bridge. Ancient woodland (wood ID: 8,601), is located directly parallel from bridge



works on the eastern side of the A96. The species composition of these woodlands are similar, comprising of holly (*Ilex aquifolium*), ferns, beech (*Fagus sylvatica*), birch (*Betula pendula*), bramble (*Rubus fruticosus*), ash (*Fraxinus excelsior*), gorse (*Ulex europaeus*), broom (*Cytisus scoparius*), and oak sp (*Quercus*).

No INNS were recorded on NBN Atlas. However, INNS were found within the scheme extents:

- Montbretia (*Crocsmia*) found within the southeastern section of woodland at NGR NJ 34101 59421.
- Himalayan balsam (*Impatiens glandulifera*) was found within the southern section of woodlands from NGR NJ 34079 59439 to NJ 34059 59423.
- White butterbur (*Petasites albus*) was found within scheme extents in the southern section of woodlands from NGR NJ 34079 59439 to NJ 34059 59423.
- Giant hogweed (*Heracleum mantegazzianum*) was found within the northeastern section of woodland at NGR NJ 34022 59508.

There are over 100 records of birds within 2km of the scheme extents. Habitats which provide suitable nesting habitat for common species of birds were recorded within scheme extent, within the scrub and woodlands.

Amey, as part of the Network Management Contract with Transport Scotland, is contractually obliged to create a management plan for various target species. The species within this category, found on site was rosebay willowherb (*Chamaenerion angustifolium*).

## Geology and soils

The [National Soil Map of Scotland](#) has identified the local soil type as alluvial soils.

A desktop study using [NatureScot's Sitelink](#) has not identified any geological sensitive sites within 1km of the scheme extents.

A desktop study using the [British Geological Survey Map](#) identifies the local geology types as the following:

- Bedrock geology: Fochabers Sandstone Formation - Sandstone with subordinate conglomerate, siltstone and mudstone. Sedimentary bedrock formed between 393.3 and 382.7 million years ago during the Devonian period.
- Superficial deposits: Alluvium - Clay, silt, sand and gravel. Sedimentary superficial deposit formed between 11.8 thousand years ago and the present during the Quaternary period.

The [Scottish Environment Protection Agency \(SEPA\) Water Classification Map](#) notes the groundwater in the area (ID: 150804, Spey Coastal) is considered to be in good condition.

There are no [landfill sites](#) within 2km of the scheme extents.

As a result of the works taking place strictly within the existing man-made footprint, it has been determined that the proposed scheme does not carry the potential to cause direct or indirect impact to geology or soils. As such, impact has been assessed as being 'no change' and has been scoped out of requiring further assessment.

## Material assets and waste

Table 1. Key materials required for activities.

| Activity          | Material Required   | Origin/ Content  |
|-------------------|---|--|
| Site construction | <ul style="list-style-type: none"> <li>• Bituminous surfacing materials (TS2010, EME2 binder/base);</li> <li>• Thermoplastic road markings;</li> <li>• Concrete;</li> <li>• Paint;</li> <li>• Iron milled in road stud shoes, thermoplastic reflective inserts;</li> <li>• Lubricant;</li> <li>• Vehicle fuel;</li> <li>• Oil;</li> <li>• Kerbing;</li> <li>• BEJ material;</li> <li>• Metal joint ; and</li> <li>• Nosing mortar.</li> </ul> | <p>A proportion of reclaimed asphalt pavement (RAP) is used in asphalt production. Typical RAP values for base and binder are 10% -15% with up to 10% in surface course.</p> <p>TS2010 surface course allows a wider array of aggregate sources to be considered when compared to typical stone mastic asphalt (SMA). As a result the use of TS2010 will reduce the usage of imported aggregates and increase the use of a wider range of sustainable aggregate sources.</p> <p>New metal components will contain a percentage of recycled content, with exact percentages dependent on supplier.</p> <p>A concrete mix using cement replacement products is proposed.</p> <p>Road studs will be obtained from recycled sources where possible.</p> <p>Road paint will be obtained from primary sources.</p> |

Table 2. Key Waste arising from activities.

| Activity          | Waste Arising  | Disposal/ Regulation  |
|-------------------|--|---|
| Site construction | <ul style="list-style-type: none"> <li>• Road planings;</li> </ul> | Where recycling is not feasible, waste material will be removed to a licenced waste facility. |

| Activity | Waste Arising   | Disposal/ Regulation   |
|----------|---|--|
|          | <ul style="list-style-type: none"> <li>Road studs;</li> <li>Waste Water from Hydro-demolition;</li> <li>Road kerbs; and</li> <li>Old BEJ material.</li> </ul> | <p>On-site investigations of the carriageway (including coring and testing) have not yet been undertaken.</p> <p>Any tar-contaminated planings will require removal off site for treatment/disposal at a licenced waste facility.</p> <p>All hydro-demolition wastewater will be filtered and treated before being disposed of at a licenced facility.</p> <p>Any road planings not contaminated with coal tar generated as a result of the works will be recovered in accordance with the criteria stipulated within SEPA document '<a href="#">Guidance on the Production of Fully Recoverable Asphalt Road Planings</a>'.</p> <p>Road studs will be recycled and reused where possible.</p> <p>All special waste will be transported by a licenced contractor to a licenced waste facility.</p> |

## Noise and vibration

The works are located within the rural setting of Fochabers North East Scotland, surrounded by areas of agricultural land use with small areas of residential and managed woodland.

The [AADF](#) in 2022 for the main A96 carriageway just outside the scheme extents (site no. 50782), accounted for 12,503 vehicles, with an average of 6.2% HGV. Baseline noise conditions at this location are likely influenced primarily by traffic travelling along the A96. [Noise Map Scotland](#) does not hold any data for this area.

There are approximately 23 residential properties within 300m of the works, with the closest property (The Old Toll House) located approximately 20m southwest of the works. These residential properties are classified as Noise Sensitive Receptors (NSRs).

No other NSRs are located within 300m of the works.

The works do not fall within a [Candidate Noise Management Area](#) (CNMA) as defined by the Transportation Noise Action Plan, Road Maps.

## Population and human health

Due to the nature of the works and all works restricted to the bridge structure, the study area for Population and Human Health has been reduced to 300m.

There are approximately 23 residential properties within 300m of the works, with the closest property (The Old Toll House) located approximately 20m southwest of the works.

A pedestrian footway is located on both sides of the bridge structure where the works are taking place.

There are no core paths within the scheme extents however [Core path](#) CP-FB08 is located on the Old Spey Bridge approximately 30m south of the works. This core path is also used as a cycleway.

The Speyside way pedestrian footway is located approximately 20m southeast of the works on the bridge.

Baxter's Food Group is located approximately 450m NW of the works.

There is no access to residential properties or the local road network within the scheme extents.

There are no laybys within the scheme extents.

There is streetlighting which runs along the westbound side of the carriageway for the full scheme extents.

## Road drainage and the water environment

A desktop study using SEPA's [Water Classification Hub](#) has identified the River Spey, A river (ID: 23065), located directly beneath the works. SEPA has classified this waterbody as having an overall status of 'Good Ecological Potential'.

No other watercourses have been identified within 500m of the works.

The [SEPA Water Classification Map](#) notes the groundwater in the area (ID: 150804, Spey Coastal) is considered to be in good condition.

Road drainage for the scheme is utilised in the form of top entry gullies.

The scheme is not located within a [Nitrate Vulnerable Zone](#).

SEPA's [Flood Map](#) has not identified any areas of flooding on the A96 carriageway within the scheme extents but the River Spey below is at high risk (10% chance) of flooding each year.

## Climate

### Carbon Goals

The Climate Change (Scotland) Act sets out the target and vision set by the Scottish Government for tackling and responding to climate change. The Act includes a target of reducing CO<sub>2</sub> emissions by 80% before 2050 (from the baseline year 1990).

The Scottish Government has since published its indicative Nationally Determined Contribution (NDC) to set out how it will instead reach net-zero by 2045, working to reduce emissions of all major greenhouse gases by at least 75% by 2030. By 2040, the Scottish Government is committed to reduce emissions by 90%, with the aim of reaching net-zero by 2045 at the latest.

Transport Scotland is committed to reducing carbon across Scotland's transport network, this commitment is being enacted through the Mission Zero for Transport. Transport is the largest contributor to harmful climate emissions in Scotland. In response to the climate emergency, TS are committed to reducing their emissions by 75% by 2030 and to a legally binding target of net-zero by 2045.

Amey's Company Wide Carbon Goal is to achieve Scope 1 and 2 net-zero carbon emissions, with a minimum of 80% absolute reduction on our emissions by 2035. Amey is aiming to be fully net-zero, including Scope 3 emissions, by 2040.

Amey are working towards a contractual commitment to have carbon neutral depots on the NE NMC network by 2028. Amey have set carbon goals for the NE NMC contract as a whole to be net-zero carbon by 2032.

### Policies and Plans

This Record of Determination (RoD) has been undertaken in accordance with Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017 (RSA EIA Regulations) along with Transport Scotland's Environmental Impact Assessment Guidance ([Guidance – Environmental Impact Assessments for road projects \(transport.gov.scot\)](#)). Relevant guidance, policies and plans accompanied with the Design Manual for Roads and Bridges ([Design Manual for Roads and Bridges \(DMRB\)](#)) LA 102 were used to inform this assessment.

# Description of main environmental impacts and proposed mitigation

## Air quality

### Impacts

- The use of vehicles, plant and generators during construction will result in emissions which will temporarily impact local air quality.
- On site construction activities carry the potential to produce airborne particulate matter and generate emissions that will have a temporary impact on local air quality.
- TM implemented during the scheme may result in an increase in vehicle emissions through idling vehicles and increased congestion. This may result in a temporary deterioration in local air quality.

### Mitigation

The following best practice as outlined in the [Guidance on the assessment of dust from demolition and construction \(2024\)](#) published by the Institute of Air Quality Management (IAQM), which includes the following mitigation relevant to this scheme will be followed:

- The site layout will be planned (including plant, vehicles and Non-Road Mobile Machinery (NRMM)) so that machinery and dust causing activities are located away from receptors, as far as reasonably practicable;
- Materials that have a potential to produce dust will be removed from site as soon as possible, unless being re-used on site (stockpiles will be covered or fenced to prevent wind whipping);
- Cutting, grinding or sawing equipment will be fitted or used in conjunction with suitable dust suppression techniques such as water sprays or local extraction, e.g. suitable local exhaust ventilation systems;
- Drop heights from conveyors and other loading or handling equipment will be minimised;
- Vehicles carrying wastes and materials will be covered when entering and leaving the work area to prevent escape of materials during transport;
- Equipment will be readily available on site to clean any dry spillages and spillages will be cleaned up as soon as reasonably practicable after the event using wet cleaning methods; and
- When not in use, plant, vehicles and NRMMs will be switched off and there will be no idling vehicles.

- Plant, vehicles and NRMM will be regularly maintained, paying attention to the integrity of exhaust systems to ensure such fuel operated equipment is not generating excessive fumes.
- Green driving techniques will be adopted, and effective route preparation and planning will be undertaken prior to works.
- Where possible, materials will be sourced locally.
- Surfaces will be swept where loose material remains following planing.

The residual significance of effects is not considered significant and does not warrant any further assessment in accordance with DMRB Guidance document LA 105: Air Quality.

## **Biodiversity**

### **Impacts**

- An HRA has been undertaken and concluded that there will be no Likely Significant Effect (LSE) to the River Spey SAC or the Lower River Spey – Spey Bay SAC and Moray and Nairn Coast SPA and Ramsar. The proposed scheme involves works to the bridge and will not directly impact the European Sites. There will be no long-term disturbance to key species, no habitat or species fragmentation, no reduction in species density, no change in the key indicators and the habitat area of the designated sites will not be reduced as a result of the works. Site specific best practice will ensure no LSE to the European Sites.
- Increase in night-time noise may result in temporary disturbance/nuisance for nocturnal species if active in proximity.
- Temporary lighting for the works may affect the foraging or commuting routes of nocturnal protected species which may be active in the surrounding area.
- In the absence of mitigation, work within woodland could have a potential effect on the root protection zones (RPZ) of the ancient woodland or through pollution.
- Works within 7m of Himalayan balsam, 5m of giant hogweed and 1m of montbretia and white butterbur could cause the unintentional spread of these species on and off site.
- Disturbance of the rosebay willowherb and their roots and rhizomes may cause the spread of this species within Transport Scotland land and land adjacent to the proposed works.
- The proposed works have the potential to impact the river embankment habitat if scaffolding surrounding the bridge structure is required for access or if pollution from the works reaches this habitat..
- While there is no vegetation clearance planned in this scheme birds may still be impacted in the absence of mitigation if they are nesting on the bridge structure or from noise disturbance.

## Mitigation

- If a protected species is seen on or near the scheme, all works will be stopped until the animal passes by. The E&S team will be contacted for any guidance if required, and the control room will be contacted for environmental record.
- When in use, any artificial light will be directional and directed at the area of works as far as reasonably practicable, reducing any light spill into the wider surroundings, and potentially sensitive habitat (e.g. woodland/structures).
- No vehicles, machinery or materials will be parked/stored on any soft verges.
- Effects from noise will be kept to a minimum through the use of appropriate mufflers and silencers fitted to machinery. All exhaust silencers will be checked at regular intervals to ensure efficiency.
- Operatives will avoid extraneous noise whilst on site and will be briefed using Noise and Vibration briefing.

## Woodland

Works within the woodlands will be kept to a minimum wherever possible. As the planned activities primarily focus on the underside of the bridge, the woodlands are unlikely to face significant damage or disturbance. Nonetheless, caution will be exercised in these habitats, particularly to avoid harm to tree root protection zones if construction vehicles are present to access the works area.

## Invasive Plant Species

The following buffers will be put in place to refrain from causing the spread of invasive non-native plant species on and off site:

- Montbretia- 1m
- Himalayan balsam- 7m
- White butterbur- 1m
- Giant hogweed- 5m

If this is not possible works will only proceed with a method statement which details the best practice guidance for limiting the spread of these species.

On site operatives will be given a toolbox talk for invasive non-native species Himalayan balsam and giant hogweed.

## Contractual Target Species

Rosebay willowherb was recorded within the scheme extents. As these are target species and have the potential to spread, the works will avoid stands of this species. Should works be anticipated to impact upon this species, Amey's landscaping team will be consulted to ensure the relevant management plan is followed.



## Birds

The proposed underside works (concrete repairs) will be delayed until after breeding bird season (March to August inclusive) to protect birds nesting in the bridge. Due to the underside works taking place later in the year, nest checks will not be required, however if the works are to proceed within nesting bird season, then nest checks are required every 48 hours prior to works commencing.

## Mammals

Attempts will be made to avoid working in the vicinity of the woodlands during nighttime hours and within two hours after sunrise and two hours before sunset (1st March to 31st October). As night works are expected, this will avoid unnecessary disturbance by ensuring that the height of lighting columns are as low as possible. Lighting hoods, cowls and shields will be utilised to focus light into the working areas and away from the surrounding environment and particularly away from watercourses.

General construction safeguards will also be followed and will include as a minimum:

- There will be a slow start up of equipment if required to gradually increase levels of noise and vibrations onsite, as sudden noises can be more disturbing.
- Where equipment can be used with hoods, doors or sleeves to reduce noise levels, these will be used wherever possible.
- Open excavations will be fenced off and/or covered to avoid animals becoming trapped or injured. A mammal ladder (e.g. wooden plank) will be erected to allow any mammals that may become trapped to escape. All excavations will be checked each morning to ensure no animals have become trapped overnight and an ecologist contacted for advice should any animals be encountered.
- Consideration will be given to where spoil is stored, mammal fencing will be considered if spoil is to be stored on site for long periods of time.
- No equipment will be stored within suitable habitat.

On the condition that the above mitigation measures and best practice are adhered to, the residual effect on local biodiversity is considered not significant.

Therefore, in accordance with DMRB Guidance document LA 108: Biodiversity, no further assessment is required.

## Material assets and waste

### Impacts

- The design life for the TS2010 surfacing proposed is estimated to be 20 years. This will reduce the requirement for maintenance to this section of road over the period.

- The works will result in contribution to resource depletion through use of virgin materials.
- Greenhouse gas (GHG) emissions will be generated by material production and transporting to and from site.
- Transportation and recovery of materials/waste will require energy deriving from fossil fuel, a non-renewable source.

## **Mitigation**

- Materials will be derived from recycled, secondary or re-used origin as far as practicable within the design specifications to reduce natural resource depletion and associated emissions.
- Any non-contaminated road planings arising from the works will be fully recycled in accordance with SEPA's guidance on the Production for Fully Recovered Asphalt Road Planings.
- Any tar-contaminated planings will be taken off site as special waste for treatment/disposal at a licenced waste facility.
- All waste metals will be removed from site and sent to a licensed facility where they will undergo recycling as far as practicable.

With best practice mitigation measures in place, the residual significance of effect on material assets and waste is considered to be neutral. Therefore, in accordance with DMRB Guidance document LA 110: Material Assets and Waste, no further assessment is required.

## **Noise and vibration**

### **Impacts**

- TS2010 road surfacing will be utilised, which will reduce mid to high frequencies of traffic noise levels. Nearby receptors may benefit from reduced noise as a result of the scheme.
- Works may be undertaken during night-time programming. As such, residential properties within 300m of the works may experience temporary disturbance due to an increase in noise levels.

### **Mitigation**

- Residential properties within 300m will be notified in advance of the works via letter drop, providing details of timings, nature, and duration of the works.
- Impacts from noise will be kept to a minimum through the use of appropriate mufflers and silencers fitted to machinery. All exhaust silencers will be checked at regular intervals to ensure efficiency.

- Plant and machinery will be switched off when not in use to reduce noise disruptions to the surrounding environment.
- Engine exhaust and vent silencers will be used where possible.
- The noisiest works will be scheduled for before 11:00pm where feasible.
- 'Soft start' techniques will be utilised with noise heavy equipment/plant/machinery in order to avoid disturbance.
- The delivery of materials to the scheme extents will be made during daytime and early evening hours where reasonably practicable, to reduce noise associated by traffic.
- Operatives will avoid extraneous noise whilst onsite and will be briefed using the Amey Noise and Vibration environmental briefing.
- Moray Council Environmental Health Team has been notified of the works due to the night-time programming.

With best practice mitigation measures in place, the residual significance of effect on noise and vibration is considered to be neutral. Therefore, in accordance with DMRB Guidance document LA 111: Noise and Vibration no further assessment is required.

## **Population and human health**

### **Impacts**

- TM has potential to cause slight levels of disruption to road users (i.e., congestion and increased travel times).
- Construction site lighting during night-time hours could cause disturbance for residential properties within view of the works.
- There is potential for the pedestrian footway within the scheme to be impacted during the works with potential restriction of use/access.
- Potential for bus stops to be closed during the works.
- The core path and cycleway within 300m of the works will not be impacted due to sufficient distancing and works restricted to the A96 carriageway boundary.

### **Mitigation**

- Advance traffic signs will be placed prior to works in an effort to minimise disturbance to vehicular travellers, and will inform road users of expected duration, timings, and any temporary TM arrangements/restrictions and Bus Stop closures.
- Artificial site lighting will be directional and pointed away from residential properties.

- In case of footway closures, operatives will have measures in place to allow pedestrians of all abilities to safely pass by the works. Any pedestrian diversions for the works will be clearly signed and accessible.
- If closure of the bus stop is required, a temporary bus stop and clear signage will be put in place.

## Road drainage and the water environment

### Impacts

- Potential for spills, leaks or seepage of fuels and oils associated with plant to escape and reach drainage systems if not controlled, which may impact the water environment.
- There is potential of discharge from hydro-demolition to contaminate the River Spey below.
- There is potential for watercourses to be polluted by concrete works which can affect the pH balance of the watercourse and harm aquatic life.
- If not appropriately controlled, debris and runoff from the works has the potential to enter nearby drains and watercourses and could detrimentally impact water quality.
- In the event of a flooding incident, debris may be mobilised and could enter the road drainage having a detrimental effect on the surrounding local water environment.

### Mitigation

- Best practice, as detailed by SEPA's Guidance for Pollution Prevention ([GPP5](#) and [GPP6](#)), will always be followed onsite. This will ensure that any potential debris/spills are not allowed to enter road drainage unchecked.
- Works will adhere to SEPA's [General Binding Rules](#) (GBR) GBR-6, GBR-9 and GBR-10A
- Appropriate measures will be implemented onsite to prevent any potential pollution to the natural water environment (e.g. debris, dust and hazardous substances). This will include, but will not be limited to, spill kits being present onsite at all times, and the use of funnels and drip trays when transferring fuel, and utilisation of drain covers/shielding boards.
- Any pollution incidences will be reported to the Amey control room.
- Operatives will conduct regular checks of the work site, especially in periods of heavy wind and rainfall.
- All debris which has the potential to be suspended in surface water and wash into the local water environment will be cleaned from the site following the works.
- Bunds will be provided around drums up to 205 litres with a buffer of 25% of their capacity, and around bulk storage to a capacity of 110% of the stored fuel/oil.

- All plant and fuel storage at the site compound will be located on hardstanding and sited more than 10m from any watercourse.
- All oils and fuels will be returned to storage area after use.
- During concrete repairs the bridge will be encapsulated as part of standard practice during this type of work.
- Storage and mixing of concrete will take place at least 10m away from watercourses.
- No washout from concrete mixing will be allowed to enter the water environment and will be taken off site for appropriate treatment.
- Effective containment measures (e.g., bunds, temporary barriers, sheeting) will be implemented to collect and control the wastewater generated during hydro-demolition.
- Sediment traps, filters, or settlement tanks will be used to remove suspended solids and debris from the wastewater before discharge or treatment.
- Precautions will be taken to prevent any debris, wastewater, or other contaminants from entering nearby water bodies (rivers, streams, lakes). This may involve using silt fences, cofferdams, or other protective measures.
- A waste management plan will be implemented for the removed concrete debris and any other waste generated. This includes segregation, storage, transportation, and disposal at licensed facilities. Concrete will be re-used or recycled where possible.
- Weather reports will be monitored prior to and during all construction activities. In the event of adverse weather/flooding events, all activities will temporarily stop, and only reconvene when deemed safe to do so, and when run-off/drainage can be adequately controlled to prevent pollution.
- Site staff will be briefed using the Water Pollution Prevention Toolbox Talk.

Providing all works operate in accordance with current best practice, as demonstrated by SEPA's GPPs the residual significance of effect on the water environment is considered to be neutral. Therefore, in accordance with DMRB Guidance document LA 113: Road drainage and the water environment no further assessment is required.

It has been determined that the proposed project will not have direct or indirect significant effects on the water environment.

## Climate

### Impacts

- GHG emissions will be emitted through the use of machinery, vehicles and materials used (containing recycled and virgin materials) and transporting to and from site.

## Mitigation

- Local suppliers will be used as far as reasonably practicable to reduce travel time and GHG emitted as part of the works.
- Vehicles/plant will not be left on when not in use to minimise and prevent unnecessary emissions.
- Further actions and considerations for this scheme are detailed in the above Material assets and waste section.

It has been determined that the proposed scheme will not have direct or indirect significant effects to climate.

## Vulnerability of the project to risks

As the works will be limited to the resurfacing of the carriageway and repairs of the bridge structure, there will be no change in vulnerability of the road to risks, or in severity of major accidents/disasters that would impact on the environment.

It has been determined that the proposed scheme will not alter the vulnerability of the existing trunk road infrastructure to risk of major accidents or disasters.

## Assessment of cumulative effects

The [Scottish Road Works Commissioner's](#) Interactive Map does not highlight any other works in the area at the time of construction.

The data collated from the [Scottish Pollutant Release Inventory \(SPRI\)](#) will not have a cumulative significant effect on the air quality within the scheme extents. The SPRI's identified are not releasing any significant pollutants that will have a detrimental impact on the local air quality and overall effect of the scheme.

[Moray Council's Planning Portal](#) does not highlight any proposed developments or planning applications on the A96 carriageway within 2km of the scheme.

Amey's current [programme of works](#) has not highlighted any other works on the A96 that will be undertaken in conjunction with the scheme.

No other nearby schemes which may result in a combined effect on nearby receptors have been identified.

Any future schemes will be programmed to take into account already programmed works, and as such any effect (such as from TM arrangements and potential construction noise) will be limited.

## Assessments of the environmental effects

Following assessment as detailed within this Record of Determination, and provided that mitigation measures are in place and best practice is followed, the residual impact is determined to be no change and there will be no significant effects on the environment.

The following environmental surveys/reviews have been undertaken:

- A design Initial Environmental Review of the scheme, undertaken by the Sustainability Solutions Team at Amey in April 2024 and then updated to cover construction works in May 2025.
- A Record of Determination was undertaken for the investigation works by the Sustainability Solutions Team at Amey in May 2024.
- Habitat Regulations Appraisal was undertaken by the Sustainability Solutions Team at Amey in May 2024 and then updated to cover construction works in May 2025.

## Statement of case in support of a Determination that a statutory EIA is not required

This is a relevant project in terms of section 55A (16) of the Roads (Scotland) Act 1984 as it is a project for the improvement of a road and the completed works (together with any area occupied by apparatus, equipment, machinery, materials, plant, spoil heaps, or other such facilities or stores required during the period of construction) are situated in whole or in part in the River Spey SAC which is a sensitive area within the meaning of regulation 2(1) of the Environmental Impact Assessment (Scotland) Regulations 1999.

The project has been subject to screening using the Annex III criteria to determine whether a formal Environmental Impact Assessment is required under the Roads (Scotland) Act 1984 (as amended by The Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017). Screening using Annex III criteria, reference to consultations undertaken and review of available information has not identified the need for a statutory EIA.

The project will not have significant effects on the environment by virtue of factors such as:

### Characteristics of the scheme:

- Construction activities are restricted to the existing carriageway boundary within made ground and as such there will be no residual change to the local landscape as a result of the works.
- No in-combination effects have been identified.
- Works are not expected to result in significant disturbance to protected species that may be present in the wider area.
- The risk of major accidents or disasters is considered to be low.
- As the works will be limited to the like-for-like replacement of the structural components, there is no change to the vulnerability of the road to the risk or severity of major accidents/disasters that would impact on the environment. No impacts on the environment are expected during the operational phase as a result of works.
- By removing the carriageway defects this will provide this part of the A96 carriageway with another life cycle, and significantly improve the ride quality, which will result in safer conditions, and positive operational impacts for road users.

#### **Location of the scheme:**

- Works are not located within an area designated for its specific landscape character or quality.
- The scheme will be confined to the existing carriageway boundary and as a result will not require any land take and will not alter any local land uses.
- The scheme is located within the River Spay SAC for which a HRA has been undertaken and found there will be no Likely Significant Effects.

#### **Characteristics of potential impacts of the scheme:**

- The successful completion of the scheme will afford benefits to road users due to improved condition and ride quality of the carriageway surface and better road drainage.
- The use of TS2010 road surfacing affords the benefits of a reduction in mid to high frequencies of traffic noise. As a result, ambient noise levels will likely decrease post construction.
- Containment measures of the working area will be in place to prevent debris or pollutants from entering the surrounding water environment.
- Materials will be derived from recycled, secondary or re-used origin as far as practicable within the design specifications.



## Annex A

“sensitive area” means any of the following:

- land notified under sections 3(1) or 5(1) (sites of special scientific interest) of the Nature Conservation (Scotland) Act 2004
- land in respect of which an order has been made under section 23 (nature conservation orders) of the Nature Conservation (Scotland) Act 2004
- a European site within the meaning of regulation 10 of the Conservation (Natural Habitats, &c.) Regulations 1994
- a property appearing in the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention for the Protection of the World Cultural and Natural Heritage
- a scheduled monument within the meaning of the Ancient Monuments and Archaeological Areas Act 1979
- a National Scenic Area as designated by a direction made by the Scottish Ministers under section 263A of the Town and Country Planning (Scotland) Act 1997
- an area designated as a National Park by a designation order made by the Scottish Ministers under section 6(1) of the National Parks (Scotland) Act 2000.



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