

NOTICE OF DECISION

A96 DUALLING INVERNESS TO NAIRN (INCLUDING NAIRN BYPASS) ENVIRONMENTAL IMPACT ASSESSMENT PARAGRAPH 7 OF SCHEDULE 1 OF THE ROADS (SCOTLAND) ACT 1984

The Scottish Ministers give notice that they have decided to proceed with the A96 Dualling Inverness to Nairn (including Nairn Bypass) project.

The Scottish Ministers have complied with paragraph 7(1A) of schedule 1 of the Roads (Scotland) Act 1984 by taking into consideration–

(a) the Environmental Statement available at: <https://www.transport.gov.scot/projects/a96-dualling-inverness-to-aberdeen/a96-inverness-to-nairn-including-nairn-bypass/document-library>;

(b) the opinions on that report and the project which were expressed in writing by: Historic Environment Scotland (HES); Scottish Environment Protection Agency (SEPA); NatureScot; the Highland Council; Findhorn, Nairn and Lossie Fisheries Trust; Highlands and Islands Airports Limited (HIAL); Highlands and Islands Transport Partnership (HITRANS); Balloch Community Council; Croy & Culloden Moor Community Council; and Auldearn Community Council; and

(c) the evidence presented to the Public Local Inquiry to the scheme, which was conducted between 30 October and 20 November 2018, and the Reporter’s reasoned conclusions and recommendations.

The Scottish Ministers have taken into consideration (a) and (b) by –

- Reviewing the Environmental Statement (ES) and residual effects as set out in the ES Chapter 21 (Summary of Significant Residual Effects) which concluded that with proposed mitigation the following topics had significant residual impacts: Noise and Vibration (Chapter 8), Landscape (Chapter 9), Visual (Chapter 10), Cultural Heritage (Chapter 14), People and Communities – Community and Private Assets (Chapter 15), and Materials (Chapter 17). It was concluded that with proposed mitigation there were significant residual (beneficial) effects on People and Communities – Effects on all Travellers (Chapter 16). The other topics including Air Quality (Chapter 7), Habitats and Biodiversity (Chapter 11), Geology, Soils, Contaminated Land and Groundwater (Chapter 12), Road Drainage and the Water Environment (Chapter 13) and Policies and Plans (Chapter 18) had no significant adverse residual effects.
- Reviewing the collated mitigation and monitoring requirements as set out in the ES Chapter 20 (Schedule of Environmental Commitments) and ensuring that the agreed requirements are incorporated into the construction contract(s), where appropriate.
- Reviewing the responses from the consultation bodies detailed in point (b), acknowledging comments and incorporating requirements into the Employer’s Requirements, where applicable. A summary of consultation responses received following publication of the ES, and how these have been considered is provided in Sections 9 and 10 of the Environmental Impact Assessment (EIA) Record of Decision.
- Reviewing other environmental information such as the Assessment carried out under The Conservation (Natural Habitats, etc.) Regulations 1994, as amended, which concluded that with mitigation measures, that the proposed Scheme would not result in an adverse effect on site integrity on the Inner Moray Firth Special Protection Area (SPA)/Ramsar site, Moray and Nairn Coast SPA/Ramsar sites and Loch Flemington SPA.

Reasons for Decision

The Scottish Ministers have decided to proceed with the project for the following reasons –

- The works would provide a number of benefits including improved journey times and reliability, delivering economic growth, improved connectivity and reduced rates and severity of accidents.
- An EIA has been undertaken as set out in the ES and has concluded that, with mitigation and monitoring measures in place, there will be no significant adverse residual effects in the following topics as a result of the proposed works:
 - Air Quality (Chapter 7);
 - Habitats and Biodiversity (Chapter 11);
 - Geology, Soils, Contaminated Land and Groundwater (Chapter 12);
 - Road Drainage and the Water Environment (Chapter 13); and
 - Policies and Plans (Chapter 18).
- The Assessment completed under The Conservation (Natural Habitats, etc.) Regulations 1994, as amended concluded that, with mitigation, the proposed Scheme would not result in an adverse effect on site integrity on the Inner Moray Firth SPA/Ramsar site, Moray and Nairn Coast SPA/Ramsar sites and Loch Flemington SPA.
- Consultation with Stakeholders was undertaken, following publication of the ES as set out in Sections 9 and 10 of the EIA Record of Decision.
- The mitigation and monitoring measures as set out in Sections 2, 10, 12 and 13 of the decision will be fully implemented and incorporated into the construction contracts, where appropriate.

A full copy of the Scottish Ministers' decision is available at

<https://www.transport.gov.scot/projects/a96-dualling-inverness-to-aberdeen/a96-inverness-to-nairn-including-nairn-bypass/>.



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