

[REDACTED]

10 February 2016

For the urgent attention of

[REDACTED]
Project Manager
A96 Dualling Inverness to Nairn
Buchanan House
68 Port Dundas Road
GLASGOW
G4 0HF

Dear [REDACTED]

Government purchase of [REDACTED] and [REDACTED]

Further to your conversation with [REDACTED] at Nairn Community Centre on Friday 5 February 2016, we write jointly to confirm our request that Transport Scotland consider the purchase of our two houses, which, should you continue to pursue the current preferred route bypassing Auldearn bypass, will be rendered uninhabitable by the development.

This request was made formally to [REDACTED] by [REDACTED] at a meeting on the morning of 25 August 2015 and then again by [REDACTED] to [REDACTED] at a meeting on the afternoon of 1 September 2015. We are all very annoyed to discover that this request has not been heard.

Your road development has put all of us under much emotional stress and anxiety and, having spoken to estate agents, under a great deal of financial pressure, as our properties are significantly devalued.

[REDACTED] and [REDACTED] have lived in our houses for 29 years and 14 years respectively and have invested vast sums of money in making these two, historic properties – properties with a combined age of over 700 years – into beautiful family homes. Neither family has ever had any intention of moving. However, your actions and your proposals are forcing us to move as our homes will no longer be habitable with the level of noise, light pollution, air pollution and intrusion.

Even if the road cannot be realigned following the purchase of our homes, the extra space may allow you to provide some kind of screening and flood prevention for the inhabitants of [REDACTED]

We now formally request a meeting with the appropriate person to discuss this further, bearing in mind that we will be seeking full market value and an appropriate level of compensation to cover moving costs and the fact that our lives have been turned upside down by this unexpected and indefensible turn of events.

We look forward to hearing from you at your earliest convenience.

Yours sincerely

[REDACTED] [REDACTED] [REDACTED]

cc: [REDACTED] Technical Director, Highways, Jacobs
Fergus Ewing, MSP

**Extract from A96 Dualling Inverness to Nairn (Including Nairn Bypass)
Progress Meeting Documentation – 16/02/16**

█ to arrange an early meeting with █ to set out the process for reviewing the alignment. Mini paper required to set out pros and cons. Response also required to recent letter regarding purchase of property.

Kintail House
 Beechwood Park
 Inverness IV2 3BW
 United Kingdom
 T +44 (0)1463 228 300
 F +44 (0)1463 228 333
 www.jacobs.com

Purpose	Consultation with [REDACTED] & [REDACTED]		
Project	A96 Dualling Inverness to Nairn (including Nairn Bypass)	Project No.	B2103500
Prepared by	[REDACTED]	Phone No.	01463 228300
Location	[REDACTED]	Date/Time	1/3/16 15:30
Participants	[REDACTED], [REDACTED] Jacobs ([REDACTED]), [REDACTED] Transport Scotland	Apologies	N/A
Distribution		File	B2103500/TR/PE/0090

Notes	Action
<p>Meeting with [REDACTED] regarding their request to have their property purchased by Transport Scotland</p>	
<p>1 [REDACTED] advised that the meeting was being held in response to the request from [REDACTED] (in their letter of 10/2/2016) that their property be bought out by Transport Scotland as part of the scheme. [REDACTED] advised that the purpose of the meeting was to explain the process that would be used in considering this request.</p>	NO
<p>2 [REDACTED] requested that all discussions regarding their request to have their property bought out be kept strictly confidential. [REDACTED] confirmed that all such discussions will be kept confidential.</p>	NO
<p>3 [REDACTED] advised that they have appointed a transport consultant who would be able to prove that the wrong route has been chosen for the scheme. They may wish to arrange a meeting between [REDACTED] and their transport consultant.</p>	NO
<p>4 [REDACTED] stated that she felt the consultation process to date has been handled badly and that the road will make their house uninhabitable.</p>	NO

Notes	Action
<p>5 [REDACTED] confirmed that based on the current design, the land owned by [REDACTED] would not be necessary for the construction of the scheme. However, in light of the request from [REDACTED] Transport Scotland would now consider whether moving the road alignment to pass through [REDACTED] property would be of benefit to the scheme. This would involve consideration of the change in environmental and other impacts associated with amending the road alignment. Transport Scotland would only consider changing the alignment to run through [REDACTED] property if this would provide benefit to the scheme.</p>	YES
<p>6 [REDACTED] asked that [REDACTED] Jacobs Landowner Consultation Manager not attend future meetings as she believes that [REDACTED] has not been passing information from their meetings to Transport Scotland.</p>	NO
<p>7 [REDACTED] advised that it is likely to take a number of months to conclude the review of an alternative alignment. [REDACTED] also advised that if the alignment was not moved then it was unlikely Transport Scotland would be willing to purchase [REDACTED] property based on its proximity to the current alignment of the proposed dual carriageway.</p>	NO
<p>8 [REDACTED] queried who made the final decision on whether their property would be purchased. [REDACTED] advised that the final decision would be made based on advice from Transport Scotland's A96 Dualling team.</p>	NO
<p>9 [REDACTED] queried how the assessment would be carried out, and asked if representatives from Transport Scotland would visit. [REDACTED] advised that the assessment would be produced by Jacobs and would take account of cost, environmental and other impacts. It is unlikely that further visits by Transport Scotland representatives will be necessary.</p>	NO
<p>10 [REDACTED] advised that they feel changes have been made to the design to benefit others, and to the detriment of residents north of Auldearn. They queried if the costs of compensation had been factored in to the route selection process. [REDACTED] confirmed that compensation costs had been factored into the assessment, based on advice from the District Valuer (DV).</p>	NO
<p>11 [REDACTED] noted that the Transport Scotland brochure, Guidance on the Compulsory Purchase Process and Compensation, mentions the possibility of a voluntary purchase of property by Transport Scotland. [REDACTED] confirmed that this is the option now being considered in their case. Valuation of the property would be undertaken by the DV, but [REDACTED] could argue their case if they felt the valuation was too low. Transport Scotland does not influence the valuation provided by the DV.</p>	NO

Notes	Action
<p>12 [REDACTED] asked how many times in the past Transport Scotland have purchased land voluntarily in the above manner. [REDACTED] advised that he was unable to quantify this.</p>	NO
<p>13 [REDACTED] advised that they would like to develop part of their plot as another house and asked that this be taken into account in the valuation of the property.</p>	NO
<p>14 [REDACTED] asked about compensation for the cost of moving home, should their property be purchased. [REDACTED] advised that as per the Transport Scotland Guidance on the Compulsory Purchase Process and Compensation brochure, various costs such as this could be claimed for under certain circumstances should land be purchased from the claimant.</p>	NO
<p>15 [REDACTED] advised again that it was unlikely Transport Scotland would voluntarily purchase [REDACTED] if the alignment was not changed such that the property fell within the Compulsory Purchase Order (CPO) boundary.</p>	NO
<p>16 [REDACTED] asked about blight. [REDACTED] advised that if Transport Scotland are served with a blight notice, this will be considered in accordance with the appropriate legislation. [REDACTED] asked for it to be noted that they feel their property has been blighted.</p>	NO
<p>17 [REDACTED] reiterated their request that their property and their neighbour's property at [REDACTED] [REDACTED] be shown on future drawings at exhibitions. [REDACTED] agreed to this request.</p>	YES
<p>18 The changes to the road layout at Nairn East junction as shown at the February 2016 drop-in sessions were discussed and [REDACTED] explained some of the reasons behind these. [REDACTED] stated that they feel these changes call into question the decision made at Stage 2 due to the increased costs associated with the revised design. [REDACTED] advised that the recent changes would not have affected the outcome of the Stage 2 Report, and in overall terms (including other locations where changes have been made) are anticipated to be approximately cost neutral, although design work is ongoing.</p>	NO
<p>19 [REDACTED] raised concerns about the impact on prime arable land with the preferred option compared to other options which had less impact on arable land.</p>	NO
<p>20 [REDACTED] advised that they believe their house will be devalued by approximately one third due to the presence of the new dual carriageway.</p>	NO

Consultation with [REDACTED]

1/3/16 15:30

Notes	Action
21 Flooding of Auldearn Burn was discussed. [REDACTED] advised that the previous owners of [REDACTED] were flooded. They also advised that the burn broke its banks in 2014.	YES

Note ref	Description	Assign To User	Complete By Date	Priority
5	Jacobs to consider an alternative alignment passing through [REDACTED]	[REDACTED]	1/5/16	High
17	Commitment made to show [REDACTED] & [REDACTED] on relevant future exhibition drawings.	[REDACTED]	30/9/16	Low
21	Note anecdotal information on flooding from Auldearn Burn (item 21 in notes of meeting)	[REDACTED]	10/6/16	Med

**Extract from A96 Dualling Inverness to Nairn (Including Nairn Bypass)
Progress Statement – 04/03/16**

Main activities within the previous period

Meetings held with [REDACTED]

**Extract from A96 Dualling Inverness to Nairn (Including Nairn Bypass)
Progress Meeting Documentation – 19/04/16**

Short discussion held on the dual carriageway alignment between Nairn East Junction and Courage, in relation to the request to acquire [REDACTED] and [REDACTED]. [REDACTED] noted that recent design effort had focussed on the horizontal design. Further work required to complete the assessment. [REDACTED] requested that the option assessment should be concluded by 5th May 2016.

**Extract from A96 Dualling Inverness to Nairn (Including Nairn Bypass)
Progress Statement – 22/04/16**

Main activities planned for the coming two weeks (25 Apr – 6 May 2016)

Preparation of design development/options papers, with priority to paper for alignment through [REDACTED]

**Extract from A96 Dualling Inverness to Nairn (Including Nairn Bypass)
Progress Statement – 06/05/16**

Main activities within the previous period

Assessment papers in preparation for design options at [REDACTED] and north of Auldearn.

Main activities planned for the coming two weeks (9 – 20 May 2016)

Preparation of design development/options papers, with priority to paper for alignment through [REDACTED]

**Extract from A96 Dualling Inverness to Nairn (Including Nairn Bypass)
Progress Meeting Documentation – 17/05/16**

General discussion of draft paper in relation to [REDACTED]. TS to consider and provide comments.

**Extract from A96 Dualling Inverness to Nairn (Including Nairn Bypass)
Progress Statement – 20/05/16**

Main activities within the previous period

Assessment paper issued for design option north of Auldearn.

A96
DUALLING
INVERNESS TO NAIRN
(incl. Nairn Bypass)

**A96 Dualling Inverness to Nairn
(including Nairn Bypass)**

**Russell's Wood – Auchnacloch – Penick
Alternative Alignment Report**

B2103500/HW/0100/RP/010

June 2016



**A96 Dualling Inverness to Nairn (including Nairn Bypass)
Russell's Wood - Auchnacloch - Penick
Alternative Alignment Report**



A96 Dualling Inverness to Nairn (including Nairn Bypass)

Project no: B2103500
Document title: Russell's Wood - Auchnacloch - Penick
Document No.: B2103500/HW/0100/RP/010
Revision: 2.0
Date: May 2016
Client name: Transport Scotland
Client no: B2103500
Project manager: [REDACTED]
Author: [REDACTED]
File name:

Jacobs U.K. Limited

160 Dundee Street
Edinburgh
EH11 1DQ
United Kingdom
T +44 (0)131 659 1500
F +44 (0)131 228 6177
www.jacobs.com

© Copyright 2016 Jacobs U.K. Limited. The concepts and information contained in this document are the property of Jacobs. Use or copying of this document in whole or in part without the written permission of Jacobs constitutes an infringement of copyright.

Limitation: This report has been prepared on behalf of, and for the exclusive use of Jacobs' Client, and is subject to, and issued in accordance with, the provisions of the contract between Jacobs and the Client. Jacobs accepts no liability or responsibility whatsoever for, or in respect of, any use of, or reliance upon, this report by any third party.

Document history and status

Revision	Date	Description	By	Review	Approved
1.0	13/05/16	Issued to Transport Scotland for review	[REDACTED]	[REDACTED]	[REDACTED]
2.0	15/06/16	Final	[REDACTED]	[REDACTED]	[REDACTED]

Contents

1.	Introduction.....	1
2.	Developed Preferred Option (March 2016).....	3
3.	Alternative Alignment (removal of property constraint)	4
4.	Comparison of Alignment Options.....	5
5.	Summary	8

Appendix A. General Arrangement Drawings of Options

1. Introduction

The Design Manual for Roads and Bridges (DMRB) Stage 2 preferred option for the A96 Dualling Inverness to Nairn (including Nairn Bypass) scheme was announced on 3 October 2014 and presented to the public at a series of exhibitions in October 2014. The alignment of the preferred option, as it passes to the west and north of Auldearn, follows an alignment through Russell's Wood and Auchnacloch Farm to Penick Farm and includes the proposed new Nairn East junction. Following the announcement of the preferred option the design has been further developed taking into account feedback from landowners and more detailed consideration of engineering, environmental and traffic factors. As part of the ongoing consultation process, drop-in sessions were held in February 2016 to present the proposed developed design (at January 2016) to the public. The further developed preferred option design (at March 2016) is shown in Figure 1.1.

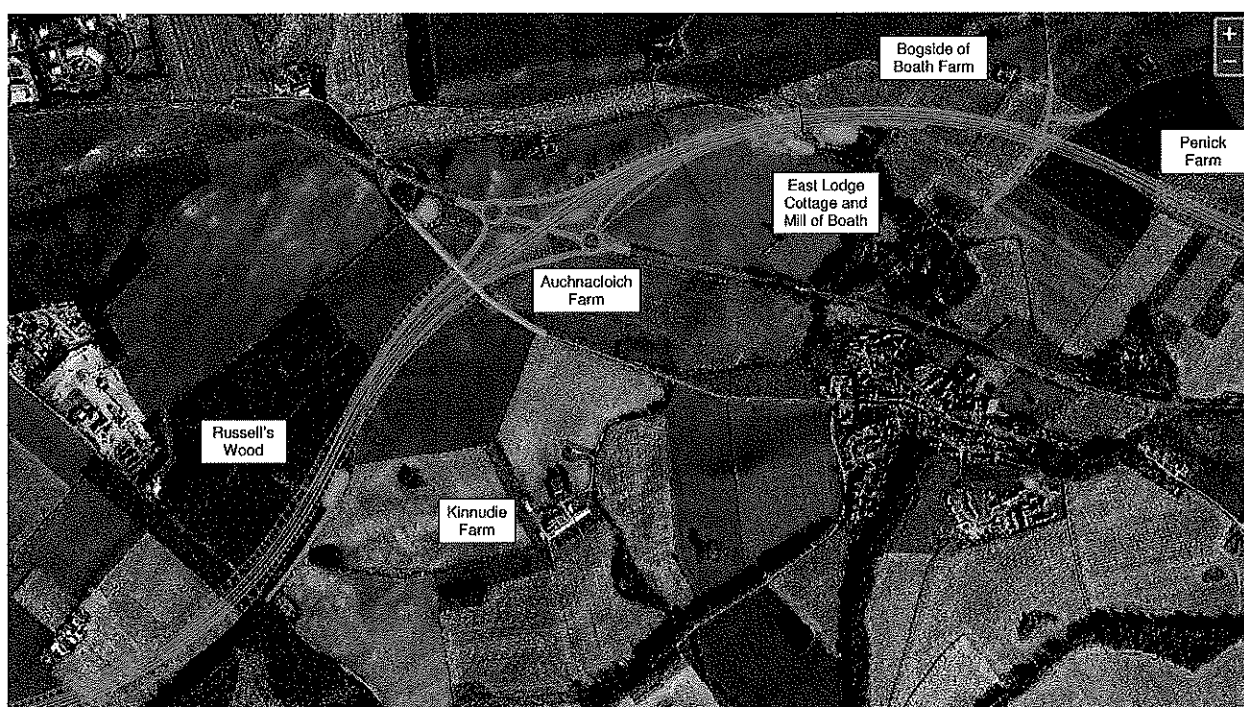


Figure 1.1 : Developed preferred option (at March 2016) at Russell's Wood – Auchnacloch - Penick Farm

Following consultation and the public drop-in sessions in February 2016, the owners at Mill of Boath and East Lodge Cottage requested consideration of an alternative alignment, which removes the constraint presented by their properties. This alternative alignment would require the compulsory purchase and demolition of Mill of Boath and East Lodge Cottage, contrary to Transport Scotland's position of avoiding property demolition where possible.

Following this request an alternative alignment has been developed for the section of the proposed A96 dual carriageway from Russell's Wood through Auchnacloch Farm to Penick Farm, which includes the Nairn East Junction and the re alignment of the B9111 Auchnacloch – Auldearn Road and the C1172 Auldearn – Station – Drum Road. The proposed alternative alignment and the developed preferred option design (March 2016) are shown on drawing B2103500/HW/0100/SK/135 contained in Appendix A.

This paper considers the assessment of the alternative alignment, in comparison to the developed preferred option (at March 2016), with the aim of determining whether this change presents an overall positive or negative impact on the Scheme proposals.

The extent of the alignment which is considered in this paper is approximately between chainage 23,855 and 28,790 in relation to the developed preferred option (March 2016). The extents of the developed preferred

**A96 Dualling Inverness to Nairn (including Nairn Bypass)
Russell's Wood - Auchnacloch - Penick
Alternative Alignment Report**



option being assessed were selected to accommodate dual carriageway design and maximise the benefits that can be realised by moving the mainline south into the Mill of Boath and East Lodge title. The dual carriageway design speed is 120kph with desirable minimum forward stopping sight distance of 295m. The B9111 and C1172 re-alignments are designed to a design speed of 85kph and 70kph respectively.

2. Developed Preferred Option (March 2016)

The dual carriageway alignment for the developed preferred option design (March 2016) curves out of Blackpark Farm on a 1,200m left-hand radius curve, followed by a 1,200m right-hand radius curve where it straightens out over the existing B9111 Auchnacloch – Auldearn Road, where the proposed Nairn East junction is located. The alignment continues onto a short straight through the Nairn East Junction before continuing on a 1,440m right-hand radius to the south of Waterloo Cottages and Bogside of Boath and across the Auldearn Burn and to the north of East Lodge Cottage and Mill of Boath. The alignment then straightens to continue along the south-western edge of Penick Farm.

The nearest edge of the proposed dual carriageway is approximately 555m from the closest residential building at Kinnudie Farm; 286m from the main building for Sleigh Landscaping on Granny Barbour's Road; 78m from the cluster of properties at Waterloo Cottages; 64m from East Lodge Cottage; 85m from Mill of Boath; 150m from The Wendy House; 348m from Boath House; 220m from the buildings at Boath Steading and 109m from Bogside of Boath.

The proposed Nairn East Junction is of a conventional dumb-bell arrangement with two roundabouts located on the existing A96 alignment at the same level as the existing road. The westbound merge and diverge slip roads tie directly into the east roundabout and the eastbound merge and diverge slips tie into the west roundabout. The B9111 Auchnacloch – Auldearn Road continues along its existing route, from Auldearn, with the vertical alignment altered to allow for it to pass under the proposed dual carriageway. The re aligned B9111 is located in a cutting approximately 4.5m deep, allowing for clearance of 5.3m under the bridge deck of the Nairn East Junction structure. Local access to the Dunbar Recreation Ground and Kinnudie Farm is maintained via local access from the existing B9111.

The existing C1172 Auldearn – Station – Drum Road will be realigned to the north of the existing C1172 through part of Bogside of Boath Farm and under the proposed dual carriageway on an alignment with a design speed of 70kph. Access to U3164 Penick Road, Bogside of Boath, Mill of Boath and East Lodge Cottage is maintained via connections from the realigned C1172.

The proposed dual carriageway between Ch 23,400 and 25,840 drains to surface water features SWF24 (indirect tributary of the River Nairn) and between Ch 25,840 and Ch 28,120 to surface water feature SWF26 (Auldearn Burn) at Ch 26,700.

There are a number of minor utilities located through this section which will require diversions, including a small Scottish Water sewage pumping chamber.

3. Alternative Alignment (removal of property constraint)

Following the request received from the owners at Mill of Boath and East Lodge Cottage, the alternative alignment was developed, based upon the developed preferred option (March 2016), for the proposed A96 dual carriageway where it passes through the Russell's Wood – Auchnacloch – Penick Farm section.

The nearest edge of the proposed dual carriageway is approximately 502m from the closest residential building at Kinnudie Farm; 286m from the main building for Sleigh Landscaping on Granny Barbour's Road; 137m from the cluster of properties at Waterloo Cottages; directly through East Lodge Cottage and Mill of Boath; 80m from The Wendy House; 228m from Boath House; 168m from the buildings at Boath Steading and 165m from Bogside of Boath.

The proposed alternative alignment curves out of Blackpark Farm as a 1,200m left-hand radius, followed by a long 1,800m right-hand radius, which continues till the alignment straightens down the south-western edge of Penick Farm. This 1,800m curve takes the proposed dual carriageway through Mill of Boath and East Lodge Cottage and moves the footprint of the Nairn East Junction slightly further east along the existing A96. The proposed form of the junction remains the same as for the developed preferred option (March 2016).

The B9111 Auchnacloch – Auldearn Road will continue along its existing route through an underpass, from Auldearn, with the proposed dual carriageway passing overhead. Compared to the developed preferred option the vertical alignment and road levels do not require any realignment of the B9111. Local access to the Dunbar Recreation Ground and Kinnudie farm is maintained via local access from the existing B9111.

The existing C1172 Auldearn – Station – Drum Road will be realigned in the same way to the developed preferred option (March 2016).

The proposed alternative alignment would drain to surface water features SWF24 (indirect tributary of the River Nairn) and SWF26 (Auldearn Burn) in a similar way to the developed preferred option (March 2016).

There are a number of minor utilities located through this section which would require diversions, including a small Scottish Water sewage pumping chamber.

4. Comparison of Alignment Options

The following table provides a comparison of the key assessment differences between the developed preferred option design (March 2016) and the alternative alignment which swings round from the Nairn East Junction on a larger radius curve (1,800m radius) through the properties of Mill of Boath and East Lodge Cottage, under the DMRB assessment topics.

Topic	Russell's Wood - Auchnacloch - Penick Farm Developed Preferred Option (March 2016)	Russell's Wood - Auchnacloch - Penick Farm Alternative Alignment	Comparison Comments
Dual Carriageway Alignment	Starting as part of a left-hand 1,200m radius, there follows a 1,200m radius right-hand curve, then into a straight as the alignment passes over the existing A96 before following a right hand 1,440m radius curve to the south-western edge of Penick Farm. Length of section quantified 4,936m between chainage 23,855 and 28,791.	Starting as part of a left-hand 1,200m radius, there follows a long 1,800m radius curve that passes over the existing A96 and continuing until it matches the developed preferred option along the south-western edge of Penick Farm. Length of section quantified 4,850m between chainage 23,855 and 28,705.	Alternative alignment is approximately 86m shorter in length.
Junction Layouts	The Nairn East Junction arrangement is a 'dumb-bell' two roundabout layout. The two roundabouts, east and west of the dual carriageway, are situated on the existing A96.	The Nairn East Junction arrangement is a 'dumb-bell' two roundabout layout. The two roundabouts, east and west of the dual carriageway, are situated on the existing A96. The layout is positioned approximately 100m further east than the Developed preferred option.	The junction layout for the alternative alignment would remain unchanged, but is located approximately 100m further east.
Local Roads and Private Accesses	The B9111 requires vertical realignment to allow for it to pass under the dual carriageway, maintaining the existing local road between Nairn and Auldearn. The C1172 is to be realigned under the mainline carriageway with local access to properties reinstated to the new side road alignment.	The B9111 is to remain as is with the proposed dual carriageway passing over. The C1172 is to be realigned under the mainline carriageway with local access to properties reinstated to the new side road alignment.	B9111 would no longer require to be realigned vertically as a consequence of the alternative alignment. The underpass structure C1172 layout would remain unchanged with new local access to Wendy House at Boath House via the U2997.
Departures from Standard	None.	None.	No change.
Topography and Land Use	Agriculture and forestry.	Agriculture, forestry and residential properties and gardens at Mill of Boath and East Lodge Cottage.	Alternative alignment would result in the demolition of two residential properties.
Geotechnics and Earthworks	Underlain by mainly sands and gravels. No known localised areas of alluvium or peat. Cut – 774,848m ³ (70% of which is assumed to be suitable) Fill – 702,372m ³	Underlain by mainly sands and gravels. No known localised areas of alluvium or peat. Cut – 675,073m ³ (70% of which is assumed to be suitable) Fill – 769,931m ³	The alternative alignment would result in a lower quantity of earthworks material arising from the cuttings and increased earthworks import material required for the embankments.
Hydrology	SWF26 (Auldearn Burn) is crossed close to perpendicular to the dual carriageway requiring works to the burn over a length of approximately 160m for a culvert and burn realignment.	SWF26 (Auldearn Burn) is crossed at a skew angle requiring works to the burn over a length of approximately 250m for a culvert and burn realignment.	The alternative alignment would result in a 90m increase to the length of works to the Auldearn Burn.
Structures	Structure over the existing A96, structure over the altered B9111 and structure over the realigned C1172.	Structure over the existing A96, structure over the existing B9111 and structure over the realigned C1172.	No change.
Utilities	Crosses various under and over-ground utilities, including a small Scottish Water sewage pumping chamber.	Crosses various under and over-ground utilities, including a small Scottish Water sewage pumping chamber.	No change.
Constructability	Offline section in accessible fields and woodland, online sections accessible from main roads.	Offline section in accessible fields and woodland, online sections accessible from main roads.	No change.
Non-Motorised User Assessment	The re-aligned B9111 will have provision for NMU.	Existing B9111 NMU provision will be retained.	No effect on NMU provision.

		Russell's Wood - Auchnacloch - Penick Farm		Comparison Comments	
Topic	Russell's Wood - Auchnacloch - Penick Farm	Developed Preferred Option (March 2016)	Alternative Alignment		
Air Quality	<p>Min distance to Kinnudie Farm – 554m</p> <p>Min distance to Waterloo Cottages – 78m</p> <p>Min distance to East Lodge – 64m</p> <p>Min distance to Mill of Boath – 85m</p> <p>Min distance to The Wendy House at Boath House – 150m</p> <p>Min distance to Boath House – 348m</p> <p>Min distance to Boath Steading – 220m</p> <p>Min distance to Bogside of Boath – 109m</p> <p>No significant impact expected as concentrations are expected to remain below AQO thresholds.</p>	<p>Min distance to Kinnudie Farm – 502m</p> <p>Min distance to Waterloo Cottages – 137m</p> <p>Min distance to East Lodge – N/A</p> <p>Min distance to Mill of Boath – N/A</p> <p>Min distance to The Wendy House at Boath House – 80m</p> <p>Min distance to Boath House – 288m</p> <p>Min distance to Boath Steading – 168m</p> <p>Min distance to Bogside of Boath – 165m</p> <p>No significant impact expected as concentrations are expected to remain below AQO thresholds.</p>	<p>Kinnudie Farm – Negative</p> <p>Waterloo Cottages – Positive</p> <p>East Lodge – N/A</p> <p>Mill of Boath – N/A</p> <p>The Wendy House at Boath House – Negative</p> <p>Boath House – Negative</p> <p>Boath Steading – Negative</p> <p>Bogside of Boath – Positive</p> <p>Overall results are expected to remain below AQO thresholds.</p>		
Noise and Vibration	<p>Min distance to Kinnudie Farm – 554m</p> <p>Min distance to Waterloo Cottages – 78m</p> <p>Min distance to East Lodge – 64m</p> <p>Min distance to Mill of Boath – 85m</p> <p>Min distance to The Wendy House at Boath House – 150m</p> <p>Min distance to Boath House – 348m</p> <p>Min distance to Boath Steading – 220m</p> <p>Min distance to Bogside of Boath – 109m</p>	<p>Min distance to Kinnudie Farm – 502m</p> <p>Min distance to Waterloo Cottages – 137m</p> <p>Min distance to East Lodge – N/A</p> <p>Min distance to Mill of Boath – N/A</p> <p>Min distance to The Wendy House at Boath House – 80m</p> <p>Min distance to Boath House – 288m</p> <p>Min distance to Boath Steading – 168m</p> <p>Min distance to Bogside of Boath – 165m</p>	<p>Kinnudie Farm – Negative</p> <p>Waterloo Cottages – Positive</p> <p>East Lodge – N/A</p> <p>Mill of Boath – N/A</p> <p>The Wendy House at Boath House – Negative</p> <p>Boath House – Negative</p> <p>Boath Steading – Negative</p> <p>Bogside of Boath – Positive</p> <p>Positive change for Waterloo Cottages and Bogside of Boath, negative change for The Wendy House at Boath House, Boath Steading, Boath House and Kinnudie Farm.</p>		
Landscape and Visual	<p>Min distance to Kinnudie Farm – 554m</p> <p>Min distance to Waterloo Cottages – 78m</p> <p>Min distance to East Lodge – 64m</p> <p>Min distance to Mill of Boath – 85m</p> <p>Min distance to The Wendy House at Boath House – 150m</p> <p>Min distance to Boath House – 348m</p> <p>Min distance to Boath Steading – 220m</p> <p>Min distance to Bogside of Boath – 109m</p>	<p>Min distance to Kinnudie Farm – 502m</p> <p>Min distance to Waterloo Cottages – 137m</p> <p>Min distance to East Lodge – N/A</p> <p>Min distance to Mill of Boath – N/A</p> <p>Min distance to The Wendy House at Boath House – 80m</p> <p>Min distance to Boath House – 288m</p> <p>Min distance to Bogside of Boath – 165m</p>	<p>Kinnudie Farm - magnitude of impact expected to be the same, even with decreased distance to receptor.</p> <p>Waterloo Cottages – magnitude of impact is expected to reduce due to increased distance from receptor.</p> <p>East Lodge – N/A.</p> <p>Mill of Boath – N/A.</p> <p>The Wendy House at Boath House – magnitude of impact is expected to increase due to decreased distance to receptor.</p> <p>Boath House – magnitude of impact is expected to increase due to decreased distance to receptor.</p> <p>Boath Steading – magnitude of impact is expected to increase due to decreased distance to receptor.</p> <p>Bogside of Boath - magnitude of impact is expected to reduce due to increased distance from receptor.</p>		
Road Drainage and the Water Environment	<p>The proposed dual carriageway between Ch 23,400 and 25,640 drains to surface water features SWF24 (indirect tributary of the River Nairn) and surface water feature SWF26 (Auldearn Burn) at Ch 26,700.</p>	<p>The proposed alternative alignment would drain to surface water features SWF24 (indirect tributary of the River Nairn) and SWF26 (Auldearn Burn) in a similar way to the developed preferred option (March 2016).</p>	<p>Drainage locations remain at the same burn locations, chainage differs slightly.</p>		
Geology and Soils	<p><i>Refer to Geotechnics and Earthworks above</i></p>				
Habitats and Biodiversity	<p>Passes through agricultural land after leaving Russell's Wood.</p>	<p>Passes through agricultural land after leaving Russell's Wood.</p>	<p>Reduced impact on Russell's Wood due to reduced land take.</p>		

Topic	Russell's Wood - Auchnacloch - Penick Farm Developed Preferred Option (March 2016)	Russell's Wood - Auchnacloch - Penick Farm Alternative Alignment	Comparison Comments
Cultural Heritage	Passes through north west side of the Auldearn Battlefield.	Passes through north west side, closer to the centre, of the Auldearn Battlefield with increased severance of the Auldearn Battlefield compared to the developed preferred option (March 2016). Potentially affecting setting of listed buildings, Boath House (class 1) and Boath Steading (class 2).	Increased severance of the Auldearn Battlefield and closer proximity to listed buildings. Historic Building recording required on demolition of properties.
Effects on All Travellers	No significant impacts currently expected on path network in this location.	No significant impacts currently expected on path network in this location.	No change.
Materials	Road pavement areas: Mainline – 94,706m ² Naim East Junction – 23,732m ² B9111 – 2,876m ² C1172 – 2,588m ² Total Pavement Area – 123,902m ²	Road pavement areas: Mainline – 93,128m ² Naim East Junction – 23,168m ² B9111 – 0m ² C1172 – 3,498m ² Total Pavement Area – 119,804m ²	Total reduction in pavement area – 4,098 m ² . C1172 pavement requirements increased due to additional access road to Wendy House at Boath House Hotel.
Community and Private Assets	Land area required for scheme, including 5m boundary (March 2016): 102 Bognaturan Wood – 10,682 m ² 32 Blackpark Farm – 63,908 m ² 123 Russell's Wood – 43,236 m ² 54 Kinnudie Farm – 41,085 m ² 119 Auchnacloch Farm – 98,356 m ² 21 A96 Trunk Road – 13,452 m ² 81 Bogside of Boath Farm – 88,350 m ² 246 Mill of Boath – 0 m ² 90 East Lodge – 0 m ² 89 Boath House Hotel – 0 m ² 24 Penick Farm – 68,531 m ² 60 The Highland Council Recreational Ground – 63 m ² Total Land Area Required – 427,663 m ²	Land area required for scheme, including 5m boundary: 102 Bognaturan Wood – 10,394 m ² 32 Blackpark Farm – 63,449 m ² 123 Russell's Wood – 28,349 m ² 54 Kinnudie Farm – 40,525 m ² 119 Auchnacloch Farm – 97,388 m ² 21 A96 Trunk Road – 12,988 m ² 81 Bogside of Boath Farm – 77,193 m ² 246 Mill of Boath – 1,052 m ² 90 East Lodge – 4,741 m ² 89 Boath House Hotel – 7,383 m ² 24 Penick Farm – 67,036 m ² 60 The Highland Council Recreational Ground – 0 m ² Total Land Area Required – 410,508 m ²	102 Bognaturan Wood – 288 m ² decrease 32 Blackpark Farm – 459 m ² decrease 123 Russell's Wood – 14,887 m ² decrease 54 Kinnudie Farm – 560 m ² decrease 119 Auchnacloch Farm – 968 m ² decrease 21 A96 Trunk Road – 454 m ² decrease 81 Bogside of Boath Farm – 11,157 m ² decrease 246 Mill of Boath – 1,052 m ² increase 90 East Lodge – 4,741 m ² increase 89 Boath House Hotel – 7,383 m ² increase 24 Penick Farm – 1,495 m ² decrease 60 The Highland Council Recreational Ground – 63 m ² decrease Total reduction in land area required – 17,155 m ²
Traffic & Economics	-	The decrease in the length of the dual carriageway alignment of 86m from the developed preferred option will have a negligible positive impact on the journey time; however due to increased overall cost, will have slight negative impact on economic benefits.	Negligible positive change in journey time and slight negative change to economics, due to cost increase for Alternative alignment.
Works Cost Estimate (based on comparable costs of earthworks, pavement and land)	Series 600 Earthworks £8,802,000 Series 700 Pavements £8,566,000 Land and compensation £873,000 Sub-total £18,241,000	Series 600 Earthworks £10,054,000 Series 700 Pavements £8,289,000 Land and compensation £1,646,000 Sub-total £19,989,000	Increase in cost of earthworks due to the increase fill and reduced cut requirements. Reduction in cost of pavement due to decrease in road pavement area. Increase in land and compensation costs Increase in comparative cost of £1.75m (based on earthworks, pavement, land and compensation costs only).

5. Summary

The developed preferred option (March 2016) and an alternative alignment have been considered for the section of proposed dual carriageway from Russell's Wood to Penick Farm (approximately chainage 23,855 to 28,791). The alternative alignment would require the demolition of Mill of Boath and East Lodge Cottage.

Overall with regard to engineering and traffic factors there is no material difference between the options. The alternative alignment is slightly shorter and there is no requirement to re align the B9111 Auchnacloch – Auldearn Road. However the alternative alignment requires a greater quantity of imported fill, which adds to the already high imported fill requirement for the Scheme and also requires the acquisition of two residential properties resulting in an increase in the comparative cost

The properties most directly affected by the proposed alternative alignment are Waterloo Cottages, Bogside of Boath, the Wendy House, Boath House and Boath Steading. With regards to air quality, noise, landscape and visual impacts, the relative assessment outcomes are positive for Waterloo Cottage and Bogside of Boath and negative for the Wendy House, Boath House and Boath Steading.

The alternative alignment has increased impact on the Auldearn Battlefield, moving the mainline closer to the centre of the battlefield. The alternative alignment also brings the mainline closer to the listed buildings at Boath House (class 1) and Boath Steading (class 2).

With regard to land required for the scheme, the alternative alignment affects a greater number of landowners with 1 additional private asset affected, Boath House.

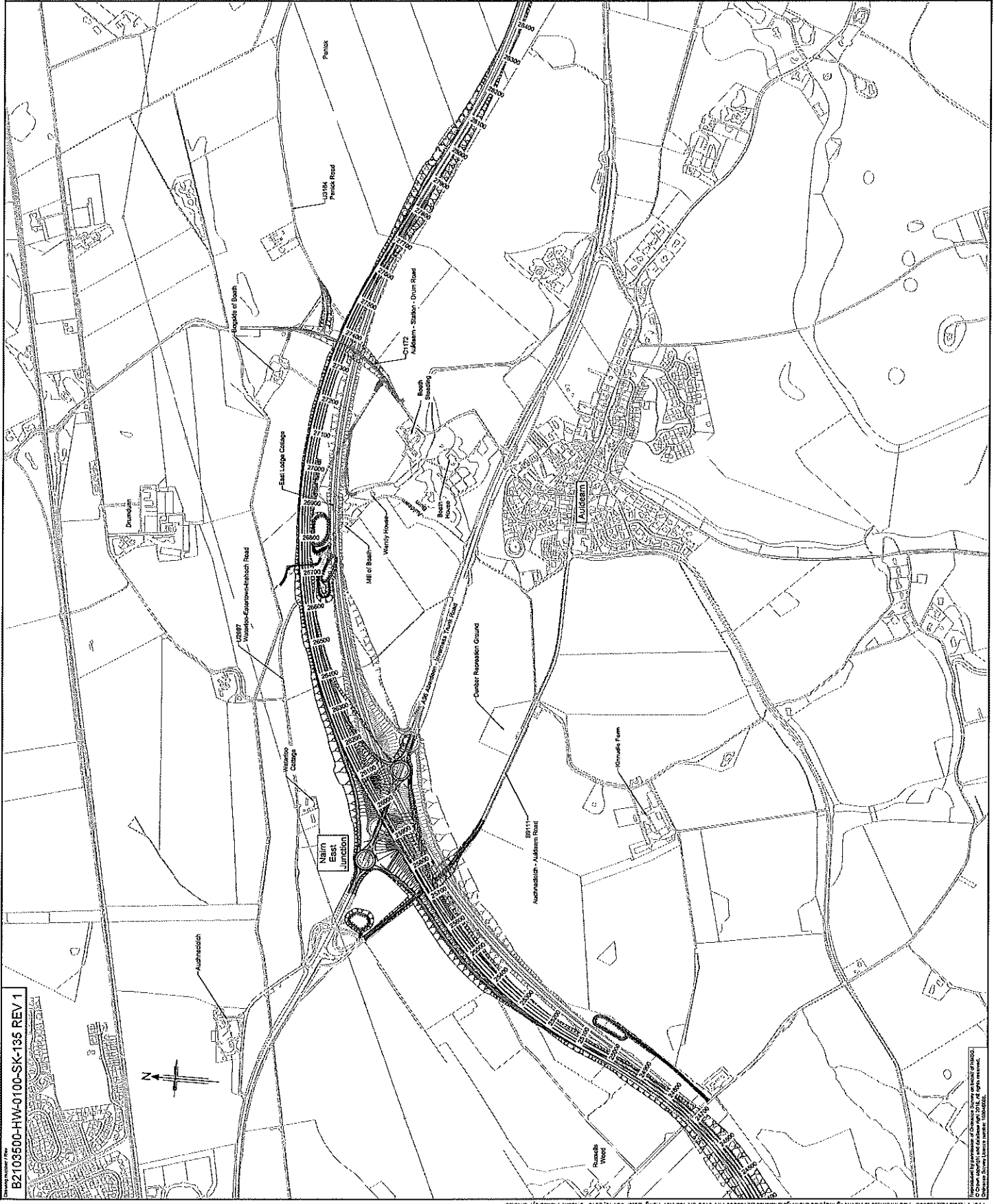
The estimated cost differential between the options is approximately £1.75m higher for the alternative alignment than the developed preferred option.

On balance, the above assessment outcomes do not support the proposed alternative alignment. As such it is recommended that the developed preferred option at this location remains the preferred option for the scheme.

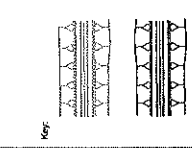
Appendix A. General Arrangement Drawings of Options

B2103500-HW-0100-SK-135

B2103500-HW-0100-SK-135 REV 1



- Notes:**
1. All dimensions are in meters, unless shown otherwise.
 2. This drawing is for information only. Information is subject to ongoing design development.



CG Mastermap was obtained in November 2015 and is for illustration purposes only.

Rev	Date	Description	By	App'd
1	12/03/2015	FOR INFORMATION	...	...
2	23/03/2015	FOR INFORMATION	...	...
3	23/03/2015	FOR INFORMATION	...	...
4	23/03/2015	FOR INFORMATION	...	...
5	23/03/2015	FOR INFORMATION	...	...
6	23/03/2015	FOR INFORMATION	...	...
7	23/03/2015	FOR INFORMATION	...	...
8	23/03/2015	FOR INFORMATION	...	...
9	23/03/2015	FOR INFORMATION	...	...
10	23/03/2015	FOR INFORMATION	...	...
11	23/03/2015	FOR INFORMATION	...	...
12	23/03/2015	FOR INFORMATION	...	...
13	23/03/2015	FOR INFORMATION	...	...
14	23/03/2015	FOR INFORMATION	...	...
15	23/03/2015	FOR INFORMATION	...	...
16	23/03/2015	FOR INFORMATION	...	...
17	23/03/2015	FOR INFORMATION	...	...
18	23/03/2015	FOR INFORMATION	...	...
19	23/03/2015	FOR INFORMATION	...	...
20	23/03/2015	FOR INFORMATION	...	...
21	23/03/2015	FOR INFORMATION	...	...
22	23/03/2015	FOR INFORMATION	...	...
23	23/03/2015	FOR INFORMATION	...	...
24	23/03/2015	FOR INFORMATION	...	...
25	23/03/2015	FOR INFORMATION	...	...
26	23/03/2015	FOR INFORMATION	...	...
27	23/03/2015	FOR INFORMATION	...	...
28	23/03/2015	FOR INFORMATION	...	...
29	23/03/2015	FOR INFORMATION	...	...
30	23/03/2015	FOR INFORMATION	...	...
31	23/03/2015	FOR INFORMATION	...	...
32	23/03/2015	FOR INFORMATION	...	...
33	23/03/2015	FOR INFORMATION	...	...
34	23/03/2015	FOR INFORMATION	...	...
35	23/03/2015	FOR INFORMATION	...	...
36	23/03/2015	FOR INFORMATION	...	...
37	23/03/2015	FOR INFORMATION	...	...
38	23/03/2015	FOR INFORMATION	...	...
39	23/03/2015	FOR INFORMATION	...	...
40	23/03/2015	FOR INFORMATION	...	...
41	23/03/2015	FOR INFORMATION	...	...
42	23/03/2015	FOR INFORMATION	...	...
43	23/03/2015	FOR INFORMATION	...	...
44	23/03/2015	FOR INFORMATION	...	...
45	23/03/2015	FOR INFORMATION	...	...
46	23/03/2015	FOR INFORMATION	...	...
47	23/03/2015	FOR INFORMATION	...	...
48	23/03/2015	FOR INFORMATION	...	...
49	23/03/2015	FOR INFORMATION	...	...
50	23/03/2015	FOR INFORMATION	...	...
51	23/03/2015	FOR INFORMATION	...	...
52	23/03/2015	FOR INFORMATION	...	...
53	23/03/2015	FOR INFORMATION	...	...
54	23/03/2015	FOR INFORMATION	...	...
55	23/03/2015	FOR INFORMATION	...	...
56	23/03/2015	FOR INFORMATION	...	...
57	23/03/2015	FOR INFORMATION	...	...
58	23/03/2015	FOR INFORMATION	...	...
59	23/03/2015	FOR INFORMATION	...	...
60	23/03/2015	FOR INFORMATION	...	...
61	23/03/2015	FOR INFORMATION	...	...
62	23/03/2015	FOR INFORMATION	...	...
63	23/03/2015	FOR INFORMATION	...	...
64	23/03/2015	FOR INFORMATION	...	...
65	23/03/2015	FOR INFORMATION	...	...
66	23/03/2015	FOR INFORMATION	...	...
67	23/03/2015	FOR INFORMATION	...	...
68	23/03/2015	FOR INFORMATION	...	...
69	23/03/2015	FOR INFORMATION	...	...
70	23/03/2015	FOR INFORMATION	...	...
71	23/03/2015	FOR INFORMATION	...	...
72	23/03/2015	FOR INFORMATION	...	...
73	23/03/2015	FOR INFORMATION	...	...
74	23/03/2015	FOR INFORMATION	...	...
75	23/03/2015	FOR INFORMATION	...	...
76	23/03/2015	FOR INFORMATION	...	...
77	23/03/2015	FOR INFORMATION	...	...
78	23/03/2015	FOR INFORMATION	...	...
79	23/03/2015	FOR INFORMATION	...	...
80	23/03/2015	FOR INFORMATION	...	...
81	23/03/2015	FOR INFORMATION	...	...
82	23/03/2015	FOR INFORMATION	...	...
83	23/03/2015	FOR INFORMATION	...	...
84	23/03/2015	FOR INFORMATION	...	...
85	23/03/2015	FOR INFORMATION	...	...
86	23/03/2015	FOR INFORMATION	...	...
87	23/03/2015	FOR INFORMATION	...	...
88	23/03/2015	FOR INFORMATION	...	...
89	23/03/2015	FOR INFORMATION	...	...
90	23/03/2015	FOR INFORMATION	...	...
91	23/03/2015	FOR INFORMATION	...	...
92	23/03/2015	FOR INFORMATION	...	...
93	23/03/2015	FOR INFORMATION	...	...
94	23/03/2015	FOR INFORMATION	...	...
95	23/03/2015	FOR INFORMATION	...	...
96	23/03/2015	FOR INFORMATION	...	...
97	23/03/2015	FOR INFORMATION	...	...
98	23/03/2015	FOR INFORMATION	...	...
99	23/03/2015	FOR INFORMATION	...	...
100	23/03/2015	FOR INFORMATION	...	...



DMRB STAGE 3
RUSSELLS WOOD -
AUCHNACLOCH - PENICK
ALTERNATIVE ALIGNMENT

FOR INFORMATION
 1:5000 @ A1
 DO NOT SCALE

Client: **TRANSPORT SCOTLAND**
 Project: **RUSSELLS WOOD - AUCHNACLOCH - PENICK**

Drawn by: **B2103500-HW-0100-SK-135**
 Rev: **1**

This drawing is not to be used in whole or part other than for the authorized purpose and project as defined on this drawing. Refer to the contract for full terms and conditions.

A96

DUALLING

INVERNESS TO NAIRN

(incl. Nairn Bypass)

© Crown copyright 2016

You may re-use this information (excluding logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/> or e-mail: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.



[REDACTED]

From: [REDACTED]
Sent: 29 March 2017 15:48
To: [REDACTED]
Subject: FW: Routine: A96 Inverness to Nairn (including Nairn Bypass) - Briefing regarding refusal to purchase 2 properties on the preferred option

From: [REDACTED] **On Behalf Of** Cabinet Secretary for Economy, Jobs and Fair Work
Sent: 21 June 2016 12:23
To: [REDACTED]; Cabinet Secretary for Economy, Jobs and Fair Work
Cc: Minister for Transport and the Islands; Cabinet Secretary for the Rural Economy and Connectivity; PS/Transport Scotland; [REDACTED]; Transport Scotland Directors; [REDACTED]; [REDACTED] Special Adviser; [REDACTED]; Press Transport Scotland; Transport Scotland Media; [REDACTED]; [REDACTED]; Communications Economy
Subject: RE: Routine: A96 Inverness to Nairn (including Nairn Bypass) - Briefing regarding refusal to purchase 2 properties on the preferred option

[REDACTED]

Thanks for this.

Mr Brown is content with your proposed course of action.

[REDACTED]

[REDACTED] | Private Secretary to Keith Brown MSP, Cabinet Secretary for Economy, Jobs and Fair Work
The Scottish Government | St Andrew's House, Edinburgh, EH1 3DG | Web: www.gov.scot
Tel: [REDACTED] | [REDACTED] | Email: [REDACTED]

From: [REDACTED]
Sent: 17 June 2016 16:39
To: Cabinet Secretary for Economy, Jobs and Fair Work
Cc: Minister for Transport and the Islands; Cabinet Secretary for the Rural Economy and Connectivity; PS/Transport Scotland; [REDACTED]; Transport Scotland Directors; [REDACTED]; [REDACTED] Special Adviser; [REDACTED]; Press Transport Scotland; Transport Scotland Media; [REDACTED]; [REDACTED]; Communications Economy
Subject: Routine: A96 Inverness to Nairn (including Nairn Bypass) - Briefing regarding refusal to purchase 2 properties on the preferred option

[REDACTED]

Please find below a briefing to Cabinet Secretary for Economy, Jobs and Fair Work in which he is asked to note our proposals:

A96 Inverness to Nairn (including Nairn Bypass)

Routine. However, an early response would be appreciated so that we issue the letters in early course.

Background

Transport Scotland has received a request from the owners of two properties ([REDACTED] of [REDACTED] and [REDACTED] of [REDACTED]) that we give consideration to the purchase of their properties on a voluntary basis which are in close proximity to the proposed line of the A96 Dualling Inverness to Nairn (including Nairn Bypass) scheme. Neither of the properties are under threat of Compulsory Purchase with none of their land required for the construction, operation or maintenance of the scheme.

Transport Scotland advised both property owners, [REDACTED] and [REDACTED], that we would look into the possibility of realigning the scheme in order that both of their properties would be required for the construction of the scheme. Transport Scotland has reviewed the design determine whether there would be an overall benefit to the scheme in taking forward an alignment which passes through their land title and has considered such an alternative alignment. A review has been undertaken which involved consideration of the relative costs, benefits and impacts of this alternative alignment compared with the developed preferred option for the scheme.

The review concluded:

- Overall with regard to engineering and traffic factors there is no material difference between the alternative alignment and the developed preferred option. The alternative alignment would be slightly shorter with no requirement to a local road. However the alternative alignment requires a greater quantity of imported fill, which adds to the already high imported fill requirement for the scheme; construction of a new access road to an adjacent property and also the additional cost of purchasing two residential properties results in an overall increase in the comparative cost.
- With regards to air quality, noise, landscape and visual impacts, the relative assessment outcomes of the 5 neighbouring properties affected by alternative alignment are positive for 2 of them and negative for 3.
- The alternative alignment has an increased impact on the Auldearn Battlefield, moving the dual carriageway closer to the centre of the battlefield. The alternative alignment also brings the dual carriageway closer to a class 1 and class 2 listed buildings.
- With regard to land required for the scheme, the alternative alignment affects a greater number of landowners with 3 additional private assets affected.
- The estimated cost differential is of the order of £1.75m higher for the alternative alignment than the developed preferred option. I note that only significant cost items (including earthworks, pavement and land compensation) have been considered in calculating this cost.

Based on the conclusions of the review, Transport Scotland does not consider that there are overall benefits to the scheme in taking forward an alternative alignment which passes through [REDACTED] and [REDACTED] land title. Therefore, having given due consideration to their request to voluntarily purchase their properties, they will be advised that Transport Scotland is unable to agree to this request.

Although it is acknowledged that the scheme is likely to result in a number of adverse effects on both properties, it is not considered that these effects are such as to result in an unacceptable effect on those who reside in both properties. It is considered by Transport Scotland that the effects of the proposed scheme are broadly comparable to a number of other properties in proximity to the proposed preferred option, and that the effects are also broadly similar to the effects of similar trunk road schemes promoted by Scottish Ministers.

Transport Scotland is meeting with [REDACTED] and a transportation specialist on Monday 20 June to discuss concerns they have in relation to the preferred option for the scheme. At the meeting [REDACTED] may wish to discuss their request that we give consideration to the purchase of their properties on a voluntary basis.

Transport Scotland will continue to develop the preferred option over the coming months and aim to publish draft Orders and an Environmental Statement later in 2016.

Conclusion

The Minister is asked to note that Transport Scotland intends to issue letters to [REDACTED] and [REDACTED] informing them that regrettably we are unable to voluntarily purchase their properties on the basis that their land is not required for the construction, maintenance and operation of the scheme.

Regards,



[REDACTED]
Project Administrator
MTRIPS Design and Development Team 3

Tel: [REDACTED]
Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF

For agency and travel information visit our [website](#)

Transport Scotland, the national transport agency
Còmhdaidh Alba, buidheann nàiseanta na còmhdaidh

[REDACTED]

From: TS A96 Dualling Public Consultation Mailbox
Sent: 22 June 2016 15:18
To: [REDACTED]
Subject: A96 Dualling Inverness to Nairn (Including Nairn Bypass) - Response to request to purchase your property

Dear [REDACTED]

Please find attached a copy of a letter that we have issued by post to you today.



A14674983#2.pdf

Regards,

[REDACTED]



[REDACTED]
Project Administrator
MTRIPS Design and Development Team 3

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

For agency and travel information visit our [website](#)

Transport Scotland, the national transport agency
Còmhdaidh Alba, buidheann nàiseanta na còmhdaidh



Our ref:
A96
Dualling/A14670258

Date:
22 June 2016

Dear [REDACTED]

**A96 Dualling Inverness to Nairn (including Nairn Bypass)
Voluntary Purchase of [REDACTED]**

I refer to your letter of 10 February 2016 in which you requested that Transport Scotland consider the purchase of your property at [REDACTED] as a result of the A96 Dualling Inverness to Nairn (including Nairn Bypass) scheme proposals. As you are aware, your property is not included within the land proposed to be acquired as part of the Compulsory Purchase Order (CPO) for the scheme. As a result of your request, we have considered two options as detailed below:

- 1) Voluntary purchase of your property based on the current alignment (the developed preferred option); and
- 2) A change to the alignment which would result in your property being included within the CPO for the scheme.

Our response in relation to each of these options is provided below.

Option 1 – Voluntary purchase based on the current alignment

Further to your meeting with [REDACTED] of Transport Scotland and [REDACTED] of Jacobs on 1 March 2016, having considered your request, I regret to inform you that Transport Scotland is unable to voluntarily purchase [REDACTED] on the basis of the position of the developed preferred option as your land is not required for the construction, maintenance and operation of the scheme. Transport Scotland does not consider that the effects of the scheme on your property would render it uninhabitable.

Option 2 – Alternative alignment resulting in [REDACTED] being included within the CPO for the scheme

In line with Transport Scotland's normal practice on road infrastructure schemes, the scheme design has been developed, as far as it is possible, to avoid the need to demolish residential properties. Following your request, Transport Scotland has reviewed the design to determine whether there would be an overall benefit to the scheme in taking forward an alignment which passes through [REDACTED] and has considered such an alternative alignment. A review has been undertaken which involved consideration of the relative costs, benefits and impacts of this alternative alignment

compared with the developed preferred option as at March 2016. I advise that the conclusions of this review are as follows:

- Overall with regard to engineering and traffic factors there is no material difference between the alternative alignment and the developed preferred option. The alternative alignment would be slightly shorter with no requirement to re align the B9111 Auchnacloch – Auldearn Road. However the alternative alignment requires a greater quantity of imported fill, which adds to the already high imported fill requirement for the scheme; construction of a new access road to the [REDACTED] and also the additional cost of purchasing two residential properties results in an overall increase in the comparative cost.
- Other than [REDACTED] and [REDACTED], the properties most directly affected by the proposed alternative alignment are [REDACTED], [REDACTED], the [REDACTED], [REDACTED] and [REDACTED]. With regards to air quality, noise, landscape and visual impacts, the relative assessment outcomes are positive for [REDACTED] and [REDACTED] and negative for the [REDACTED], [REDACTED] and [REDACTED].
- The alternative alignment has an increased impact on the Auldearn Battlefield, moving the dual carriageway closer to the centre of the battlefield. The alternative alignment also brings the dual carriageway closer to the listed buildings at [REDACTED] (class 1) and [REDACTED] (class 2).
- With regard to land required for the scheme, the alternative alignment affects a greater number of landowners with 3 additional private assets affected.
- The estimated cost differential is of the order of £1.75m higher for the alternative alignment than the developed preferred option. I note that only significant cost items (including earthworks, pavement and land compensation) have been considered in calculating this cost.

Based on the conclusions of the review, Transport Scotland does not consider that there are overall benefits to the scheme in taking forward an alternative alignment which passes through [REDACTED]. Therefore, having given due consideration to your request to purchase your property, I advise that Transport Scotland is unable to agree to this request based on an alternative alignment passing through your property.

Transport Scotland will continue to develop the preferred option over the coming months and aim to publish draft Orders and an Environmental Statement later in 2016. I confirm that, for the avoidance of doubt, your land is not required for the construction of the developed preferred option and we therefore reject your formal request for the purchase of [REDACTED].

I understand that this is not the outcome you may have hoped for but trust the above is of assistance.

Yours sincerely

[REDACTED]

[REDACTED]
Project Manager

Meeting Minutes



Kintail House
 Beechwood Park
 Inverness IV2 3BW
 United Kingdom
 T +44 (0)1463 228 300
 F +44 (0)1463 228 333
 www.jacobs.com

Subject Consultation Meeting re SUDS ponds

Project A96 Dualling Inverness to Nairn (Including Nairn Bypass) **Project No.** B2103500

Prepared by [REDACTED] **Phone No.** [REDACTED]

Location Jacobs, Kintail House **Date/Time** 05 April 2018 10:00-11:30

Participants [REDACTED] –
 Bowls (agent to [REDACTED])
 [REDACTED]
 [REDACTED] Jacobs
 [REDACTED] – Jacobs

Apologies None

Copies to [REDACTED] **File** B2103500/TR [REDACTED]

Notes	Action
1 [REDACTED] gave background to the review of the SUDS locations near [REDACTED] and [REDACTED]. [REDACTED] presented the alternative SUDS locations, to the north of the dual carriageway, for discussion.	
2 [REDACTED] suggested that [REDACTED]' initial position would likely be for the SUDS to remain on the south side of the carriageway for the following: <ul style="list-style-type: none"> • Loss of prime land • Severed land less useful • Reduces visual and amenity impacts In the interests of good relations with neighbours [REDACTED] would like to be given the opportunity to give proper consideration to the relocation proposal with clarification on a few points.	
3 [REDACTED] asked if the Eastern SUDS access track would only be for Transport Scotland or could [REDACTED] use the track to access fields? Jacobs to clarify.	Jacobs
4 [REDACTED] [REDACTED] [REDACTED] [REDACTED]	Jacobs
5 [REDACTED] queried if the perceived flood risk is just being transferred from south to north? [REDACTED] noted that Transport Scotland's position is that there is no increased flood risk and that the SUDS are there to reduce flood risk.	

Notes	Action
6 [REDACTED] requested a copy of the drawing of the alternative SUDS proposal to present to his clients for discussion.	Jacobs
7 [REDACTED] noted a general concern about the detailed design of the scheme being left to the contractor to undertake. He noted that some of his clients would be more comfortable, and possibly willing to remove their objections, if some level of clarity and certainty could be given to their practical concerns e.g. land drainage. [REDACTED] responded that full details of drainage proposals etc could not be provided at present but that further information on the contractual arrangements and matters of principal could potentially be provided if required. Specific requirements relating to individual landowners can be incorporated in the contract where appropriate.	
8 [REDACTED] requested that the discussions regarding the SUDS relocation be kept confidential at present.	

Note ref	Description	Assign To User	Complete By Date	Priority
3	[REDACTED] to discuss with TS if the Eastern SUDS access track be available for use by [REDACTED]	[REDACTED]	30/4/18	Med
4	[REDACTED]	[REDACTED]	30/4/18	Med
6	[REDACTED] to discuss with TS issuing preliminary drawings for consideration by [REDACTED]	[REDACTED]	30/4/18	Med

**Extract from A96 Dualling Inverness to Nairn (Including Nairn Bypass)
Progress Statement - 06/04/18**

Main activities within this period

Meeting held on SUDS ponds at [REDACTED] with Bowlts on the 05/04/18.

Main activities planned for the coming 2 weeks (09 April – 20 April 2018)

Formal proposal for SUDS pond at [REDACTED] to be sent to Bowlts.

**Extract from A96 Dualling Inverness to Nairn (Including Nairn Bypass)
Progress Meeting Documentation – 17/05/18**

Progress Summary This Period

Environmental Reporting + Modelling

Auldearn Burn culvert design progressing, and also consideration of alternative SuDS ponds locations.



A96 Dualling Inverness to Nairn (Including Nairn Bypass)

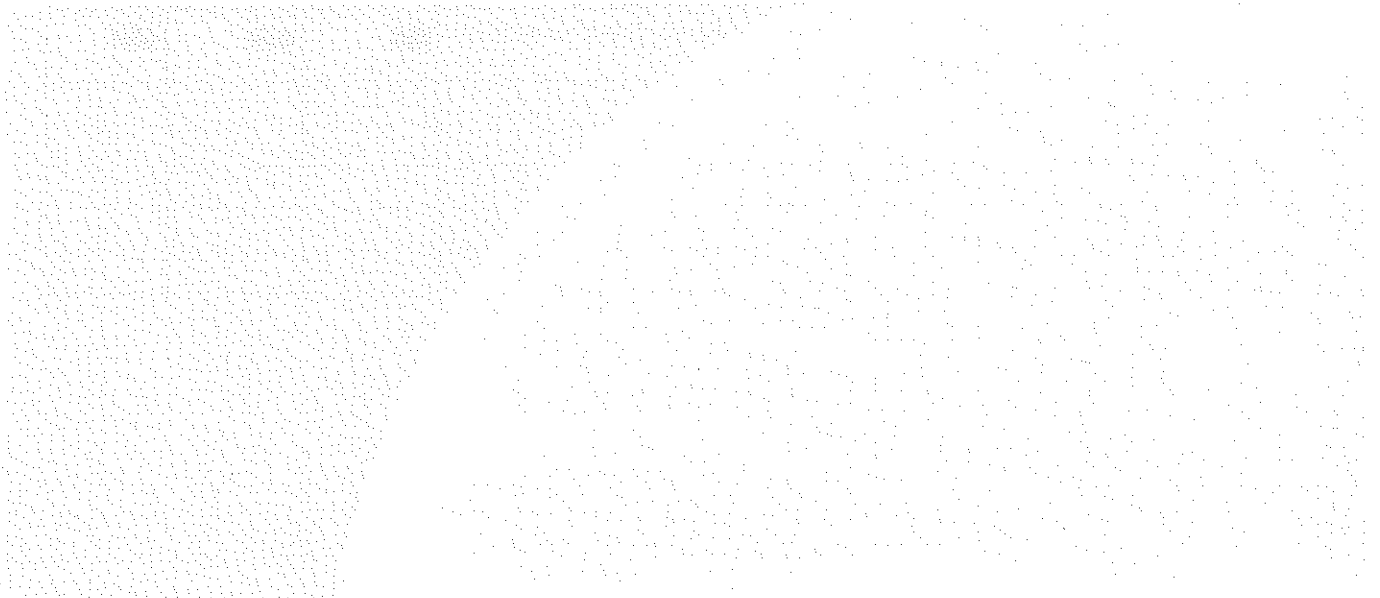
Transport Scotland

Auldearn Burn Retention Ponds Location

A96PIN-JAC-EWE-26700-RP-CI-0001 | P00

01/05/18

TS/MTRIPS/SER/2014/06



**A96 Dualling Inverness to Nairn (Including Nairn Bypass)
Auldearn Burn Retention Ponds Location**



A96 Dualling Inverness to Nairn (Including Nairn Bypass)

Project No: A96PIN
Document Title: Auldearn Burn Retention Ponds Location
Document No.: A96PIN-JAC-EWE-26700-RP-CI-0001
Revision: P00
Date: 01/05/18
Client Name: Transport Scotland
Client No: TS/MTRIPS/SER/2014/06
Project Manager: [REDACTED]
Author: [REDACTED]
File Name: C:\pwworking\jacobs_uk_highways_ss4\herdg\dms66163\A96PIN-JAC-EWE-26700-RP-CI-0001.docx

Jacobs U.K. Limited

160 Dundee Street
Edinburgh
EH11 1DQ
United Kingdom
T +44 (0)131 659 1500
F +44 (0)131 228 6177
www.jacobs.com

© Crown copyright 2018. You may re-use this information (excluding logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/> or e-mail: psi@nationalarchives.gsi.gov.uk. Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

Limitation: This document has been prepared on behalf of, and for the exclusive use of Jacobs' client, and is subject to, and issued in accordance with, the provisions of the contract between Jacobs and the client. Jacobs accepts no liability or responsibility whatsoever for, or in respect of, any use of, or reliance upon, this document by any third party.

Document history and status

Revision	Date	Description	By	Review	Approved
P00	01/05/2018	Design Assessment Report of the relocation of the Auldearn Retention ponds	[REDACTED]	[REDACTED]	[REDACTED]

Contents

1.	Introduction.....	3
2.	Auldearn Burn retention ponds alternative location	4
3.	Conclusion	5

1. Introduction

The Design Manual for Roads and Bridges (DMRB) Stage 3 development of the preferred option for the A96 Dualling Inverness to Nairn (including Nairn Bypass) Scheme was completed and draft road Orders published in November 2016. The proposed Scheme includes two retention ponds; Auldearn West Retention Pond and Auldearn East Retention Pond, which are both located on the south side of the proposed A96 with separate access tracks provided via the Waterloo – Eastertown – Inshoch Road (U2997), as shown in Figure 1. The drainage design for the proposed Scheme has been developed in accordance with Sustainable Drainage Systems (SUDS) guidance and through consultation with the Scottish Environment Protection Agency (SEPA), which is the regulator for activities that may impact the water environment or flood risk. The Auldearn retention ponds will manage the runoff from the proposed A96 dual carriageway and attenuate the discharge into the Auldearn Burn.

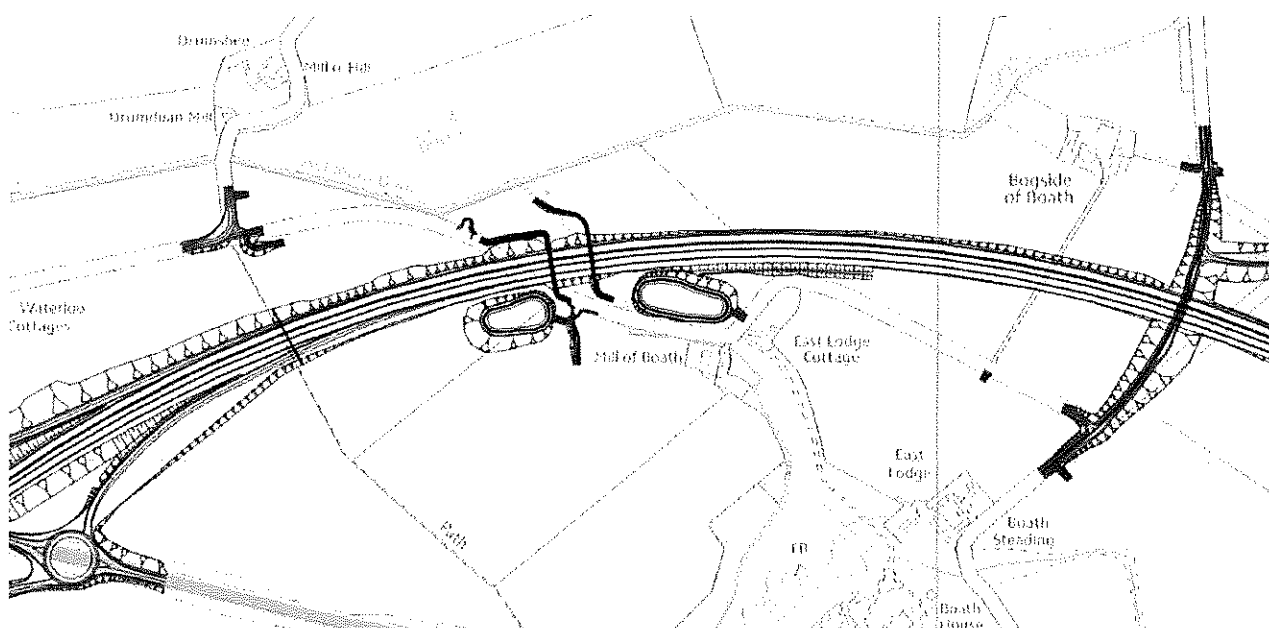


Figure 1 DMRB Stage 3 SUDS ponds at Auldearn

Letters of objection were received from the residents of East Lodge Cottage (Mr and Mrs Bailey) and Mill of Boath (Mr and Mrs Urquhart), regarding the location of the Auldearn ponds.

Transport Scotland's objection response letter of 23 November 2017 to Mr & Mrs Bailey responded to the points of objection and explained the reasons for the positioning of the ponds as follows.

"The SUDS ponds have been positioned on the south side of the dual carriageway to avoid the flood risk area associated with the Auldearn Burn and minimise impacts on Bogside of Boath Farm. The area of land chosen for the pond between the U2997 road and the proposed dual carriageway is more badly severed from the remainder of Bogside of Boath Farm than would be the case for the alternative potential pond location to the north of the dual carriageway. This area of land was therefore chosen as a more appropriate pond location to limit the extent of land acquired on the north side of the proposed dual carriageway. As stated above, appropriate mitigation has been incorporated in the scheme design in the area surrounding this pond."

Further, the topography of the land on the south of the proposed dual carriageway, whilst being higher than that on the north side, is still low lying in the context of the entire scheme and is necessary to be above the Auldearn Burn in order to allow outfall.

A site meeting was held at East Lodge Cottage and Mill of Boath on Friday 26 January 2018, which included; the Baileys, Urquharts, Jacobs, Transport Scotland and Mr Fergus Ewing MSP (acting in his capacity as constituency MSP). Following the meeting, Transport Scotland confirmed that it would be technically feasible to

move the SUDS ponds to the north side of the proposed dual carriageway and undertook to present a proposal to the affected landowner in order to determine whether an alternative design could be taken forward through voluntary agreement. This alternative design was considered in the interests of positive engagement with local residents.

The assessment of the alternative SUDS ponds and the potential issues are set out in this report.

2. Auldearn Burn retention ponds alternative location

The alternative design for the two SUDS ponds at the Auldearn Burn, placed north of the dual carriageway is shown on drawing A96PIN-JAC-HDG-26700-SK-CI-0003 P00. The drawing indicates the required size of ponds located in the areas of land to the north of the dual carriageway and outside the modelled flood risk extent for the Auldearn Burn. For both the proposed Scheme and the alternative pond proposal, the SUDS ponds are located above and away from the extent of flooding modelled for the 0.5% Annual Exceedance Probability (AEP) event including an allowance for climate change. This is in line with SEPA technical guidance. The location of the SUDS ponds cannot therefore affect the flood mechanism for the design event.

The purpose of the SUDS ponds is to provide attenuation of the flows from the drainage system to prevent flooding and water quality issues. The discharge rate for the SUDS ponds is limited to the Greenfield Runoff Rate (the 50% AEP event) for the footprint of the SUDS pond itself. Incoming flows greater than this are stored in the pond. This means that for a 50% AEP event the flows in Auldearn Burn are unchanged compared to the baseline. For events more severe than this they are in fact very slightly reduced.

Access to the ponds is required for future maintenance purposes. This access is indicated and for the east pond a new access track would be required heading east across existing agricultural land and connecting to the local road network at the access to Bogside of Boath Farm at the realigned Auldearn – Station – Drum Road (C1172). Direct access from the proposed dual carriageway is not considered suitable for reasons of road safety and access from the Waterloo – Eastertown – Inshoch Road (U2997) would have required an additional crossing of the Auldearn Burn downstream of the proposed Scheme which would have been more expensive than the access track routed towards the Auldearn – Station Drum Road (C1172).

The land areas identified for the alternative proposal are 1.758Ha for construction and maintenance of the ponds and 0.532Ha for the access track to the east pond, giving a total of 2.29Ha. The land area identified to the south of the proposed scheme which could be removed from the draft CPO is a combined area of 1.731Ha. Overall the alternative proposal would increase the overall land area acquired for the scheme by 0.559Ha, which is mainly due to the land required for the access track to the east pond.

The proposed Scheme crosses a medium pressure SGN gas main close to the Auldearn Burn at approximately ch26600-ch26800. The alternative location for the east pond lies over the line of this gas main where it passes through the field to the north of the proposed Scheme. As a result, the alternative pond proposal would require a longer and more expensive diversion of the medium pressure gas main.

In terms of the earthworks excavation for the ponds, the alternative pond locations require less excavation than the locations in the proposed Scheme. However, taken in the context of the overall scheme this results in a lower quantity of site-won earthworks material, and given that the scheme requires a net import of material, this leads to an increase in the earthworks cost estimate given that imported material is estimated at a cost rate higher than site-won material.

Evaluation Summary

The main technical differences between the pond locations are:

- Quantity of excavation for the ponds
- Length of access tracks to the ponds

- Length of diversion of the medium pressure gas main

Table 1 provides a comparison between the proposed location of the SUDS ponds and the alternative location.

Table 1 Evaluation of DMRB Stage 3 Design and Alternative Design for retention ponds at Auldearn Burn

	DMRB Stage 3 Design		Alternative Design	
	West Pond	East Pond	West Pond	East Pond
Bulk Quantities				
Cut	10,014m ³	13,059m ³	1,137m ³	1,298m ³
Fill	59m ³	225m ³	181m ³	797m ³
Net	9,953m ³	12,834m ³	956m ³	501m ³
	Net surplus of 22,787m ³ used elsewhere on scheme		Net surplus of 1,753m ³ used elsewhere on scheme	
Access Track	Access is provided from the U2997. Length – 27m	Access is provided from the U2997. Length – 16m	Access would be provided from the U2997. Length – 36m	It is not appropriate to provide direct access to this pond from the proposed A96 therefore an access track would be provided from the C1172 Length – 608m
Invert Level	14.34mAOD	14.34mAOD	14.00mAOD	14.44mAOD
Land Area (m ²)	10,230m ²	7,080m ²	6,440m ²	11,140m ² plus 5,320 for access track
Estimated length of medium pressure gas main diversion	n/a	130m	n/a	370m
Comparative Cost	The cost of the alternative design is estimated to be approximately £50,000 more than the Stage 3 design based on the changes related to earthworks volumes, access track lengths and the diversion length for the medium pressure gas main.			

3. Conclusion

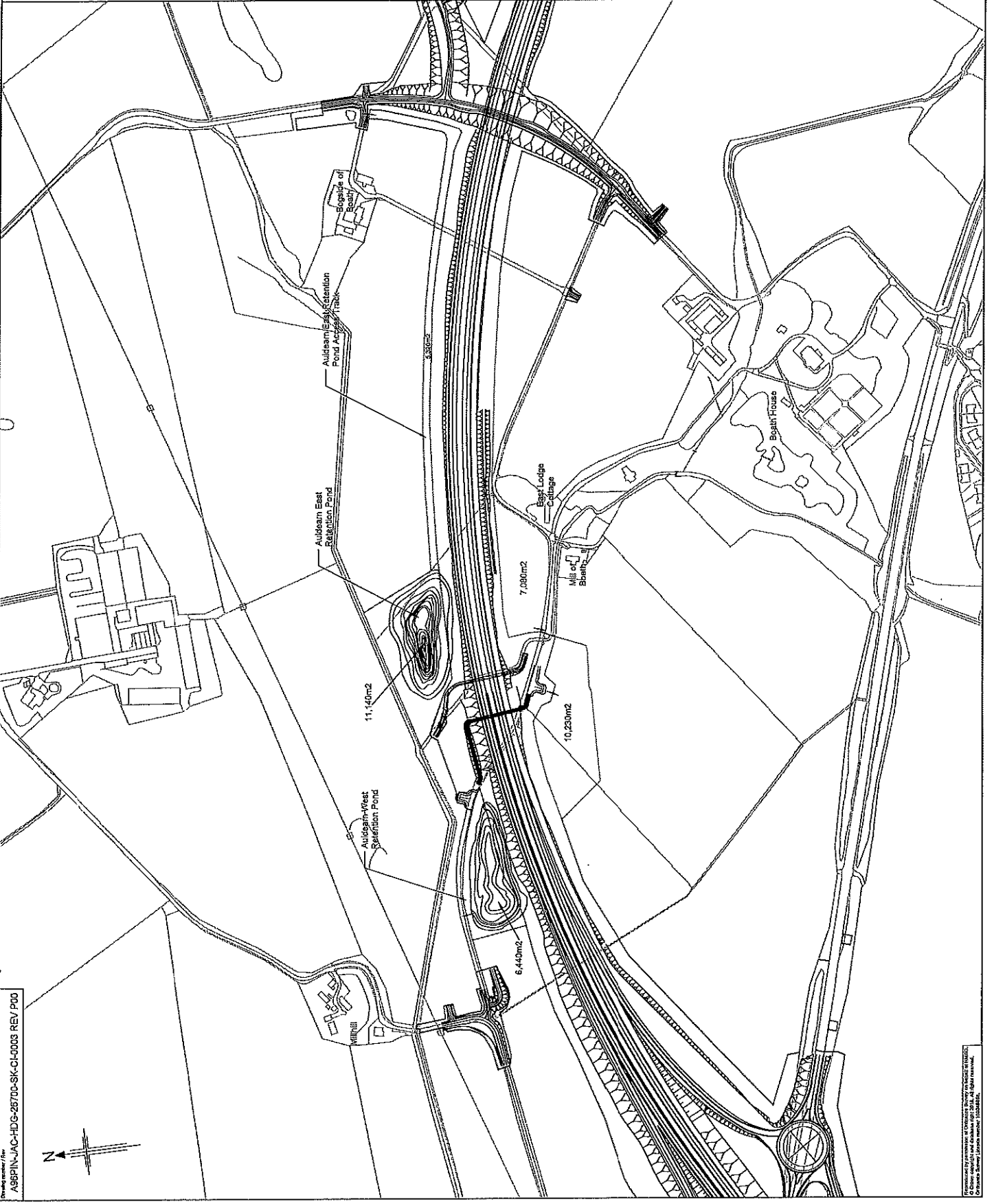
An alternative design for the two retention ponds at the Auldearn Burn has been prepared. The evaluation of the design has demonstrated that while the alternative pond locations are technically feasible, the alternative design would require an increase in the land area required for the scheme, a longer access track for the east pond and a longer diversion for a medium pressure gas main. In addition, the quantity of site-won material would be lower leading to an overall increase in imported material. Taken together these changes would result in a higher overall cost to the scheme for the alternative design.

This assessment demonstrates that the alternative pond design is not better than the proposed Scheme.

**A96 Dualling Inverness to Nairn (including Nairn Bypass)
Auldearn Burn Retention Ponds Location**



Drawing number / Rev
ABBPIN-JAC-HDG-28700-SK-CI-0003 REV P00



Notes:
 1. All dimensions are in metres unless stated otherwise.
 2. This drawing is for illustration only.

Key:
 CPO Boundary Published November 2016
 Additional Land Required
 Land to be removed from the CPO if Retention Ponds released
 Potential Future Access

OS Mastermap was obtained in November 2016 and is for illustration purposes only.

REV	REV DATE	PREPARED BY	CHECKED BY	DATE
1				

JACOBS
 TRANSPORT
 SCOTLAND
 CONSULTING
 ENGINEERS



**DMRB STAGE 3
 ALTERNATIVE LOCATION
 OF AULDEARN WEST AND EAST
 RETENTION PONDS**

FOR INFORMATION	
Scale	1:3000 @ A1
Drawing No.	28700/03
Sheet No.	01

Drawing number
ABBPIN-JAC-HDG-28700-SK-CI-0003

Project
P00

This drawing is for information only and should not be used for construction purposes and should not be relied upon for any legal or other purposes. Refer to the contract for full terms and conditions.

**Extract from A96 Dualling Inverness to Nairn (Including Nairn Bypass)
Progress Meeting Documentation – 15/05/18
Progress Summary This Period**

Landowner Objectors

Formal proposal re [REDACTED] SUDS pond proposal being prepared for issue to
Bowlts (on behalf of [REDACTED])

Planned Summary Next Period

Formal proposal for SUDS pond at [REDACTED] to be sent to Bowlts.

Subject: FW: SUDS Ponds at [REDACTED]
Attachments: A96PIN-JAC-HDG-26700-SK-CI-0003-Auldearn Alternative Ponds P00-2.pdf

From: [REDACTED]
Sent: 25 May 2018 15:28
To: [REDACTED]
Cc: [REDACTED]

Subject: SUDS Ponds at [REDACTED]

Dear [REDACTED]

As discussed at our meeting on 5th April, Transport Scotland have been asked to give consideration to the possible relocation of two SUDS ponds within land owned by your clients, [REDACTED] at [REDACTED]. This is in response to representations from nearby residents who advised that your clients were willing to accommodate the relocation. For the avoidance of doubt, Transport Scotland do not consider that the alternative pond locations would be better than the current proposed positions, but are willing to consider relocation in the interests of positive engagement with local residents.

The alternative pond locations being considered are shown on the attached plan (Drawing Number A96PIN-JAC-HDG-26700-SK-CI-0003 Rev. P00), along with potential access routes. An indication of the potential land required for the alternative ponds is also shown, along with an indication of the land currently included in the draft Compulsory Purchase Order (CPO) that could potentially be removed from the CPO before it is made, if it is no longer required for the SUDS ponds. It should be noted that these boundaries are preliminary and subject to further design development and assessment.

I have provided below some further details in relation to the SUDS ponds at this alternative location, as requested at our meeting on 5th April:


Use of Access Track

You queried whether [REDACTED] would be able to use the access track to the eastern SUDS pond. Transport Scotland have confirmed that they may be content in principle for [REDACTED] to make use of this track following construction subject to discussion on the purposes for which they wish to make use of the track. For clarity, Transport Scotland would intend to retain ownership of the track following construction.

Process

You asked for further details on the process of acquisition of the additional land. I can confirm that Transport Scotland would acquire the additional land through voluntary acquisition should both parties reach agreement. The exact legal mechanism for this voluntary acquisition would be the subject of further discussion. However, the voluntary acquisition would need to be complete in advance of the proposed date of making the CPO with sufficient time to allow the CPO to be amended to exclude the land for the current proposed SUDS ponds.

The voluntary acquisition would not proceed until after the outcome of the Public Local Inquiry is known, assessment of the environmental impacts of the proposed works and any necessary consents and permissions are in place. In the meantime you will appreciate that Transport Scotland will be insisting at the public local Inquiry on the road scheme as contained within the draft road Orders - including the existing locations of the two SUDS ponds - given that there can be no guarantee that voluntary acquisition will be agreed, any environmental assessment will be satisfactory or necessary consents and permissions granted for the relocation.



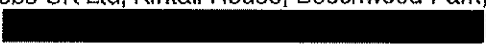
I trust this helps to provide clarification. I would appreciate if you could confirm with your clients whether they would be willing, in principle, to have the SUDS ponds relocated and to sell the necessary land voluntarily, allowing a reduction in the CPO area to reflect the relocation of the two ponds. Any agreement in principle would of course be subject to satisfactory conclusion of detailed negotiation, further consideration by Transport Scotland of whether they wish to proceed with this change, and the outcome of the Public Local Inquiry.

Yours Sincerely,

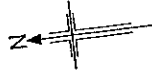


Stakeholder Co-ordinator – A96 Dualling Inverness to Nairn (including Nairn Bypass)

Jacobs UK Ltd, Kintail House, Beechwood Park, Inverness, IV2 3BW

Tel.  www.transport.gov.scot/project/a96-inverness-nairn-including-nairn-bypass

Drawn by: JAC
 A96PIN-JAC-HDG-26700-SK-CI-0003 REV/P00



- Notes:
- All dimensions are in metres unless stated otherwise.
 - The drawing is for discussion only.
- Key:
- CFO Boundary Published November 2016
 - Additional Land Required
 - Land to be removed from the CFO if Retention Ponds reduce
 - Potential Future Access

CS Membership was obtained in November 2015 and is for illustrative purposes only.

NO	REV	DATE	BY	CHKD	APP

Project: A96PIN-JAC-HDG-26700-SK-CI-0003
 Title: ALTERNATIVE LOCATION OF AULDEARN WEST AND EAST RETENTION PONDS



DMRB STAGE 3
 ALTERNATIVE LOCATION
 OF AULDEARN WEST AND EAST
 RETENTION PONDS

FOR INFORMATION		BOUNDARY SCALE
Scale	1:1000	1:1000
Sheet No.	26700-03	26700-03
Block No.		

Drawing number: A96PIN-JAC-HDG-26700-SK-CI-0003 | P00
 This drawing is not to be used in whole or part other than for the intended purpose and project as defined on this envelope. Refer to the contract for full terms and conditions.

**Extract from A96 Dualling Inverness to Nairn (Including Nairn Bypass)
Progress Statement - 25/05/18**

Main activities within this period

Alternative SUDS pond plan for [REDACTED] issued to Bowlts 25/5/18.

[REDACTED]

Subject: FW: SUDS Ponds at [REDACTED]

From: [REDACTED]
Sent: 29 May 2018 12:02
To: [REDACTED]
Subject: [EXTERNAL] RE: SUDS Ponds at [REDACTED]

Our Ref: [REDACTED]
Date: 29th May 2018

Dear [REDACTED]

Many thanks for this. I will take instructions and get back to you shortly.

Just in case the question arises, I assume that it is a case of both ponds being relocated or none being relocated, i.e. would it be feasible to have the Auldearn West retention pond relocated, but the Auldearn East left where it was, or indeed is this desirable from your point of view?

With kind regards,

[REDACTED]

From: [REDACTED]
Sent: 25 May 2018 15:29
To: [REDACTED]
Cc: [REDACTED]

Subject: SUDS Ponds at [REDACTED]

Dear [REDACTED]

As discussed at our meeting on 5th April, Transport Scotland have been asked to give consideration to the possible relocation of two SUDS ponds within land owned by your clients, [REDACTED] at [REDACTED]. This is in response to representations from nearby residents who advised that your clients were willing to accommodate the relocation. For the avoidance of doubt, Transport Scotland do not consider that the alternative pond locations would be better than the current proposed positions, but are willing to consider relocation in the interests of positive engagement with local residents.

The alternative pond locations being considered are shown on the attached plan (Drawing Number A96PIN-JAC-HDG-26700-SK-CI-0003 Rev. P00), along with potential access routes. An indication of the potential land required for the alternative ponds is also shown, along with an indication of the land currently included in the draft Compulsory Purchase Order (CPO) that could potentially be removed from the CPO before it is made, if it is no longer required for the SUDS ponds. It should be noted that these boundaries are preliminary and subject to further design development and assessment.

I have provided below some further details in relation to the SUDS ponds at this alternative location, as requested at our meeting on 5th April:

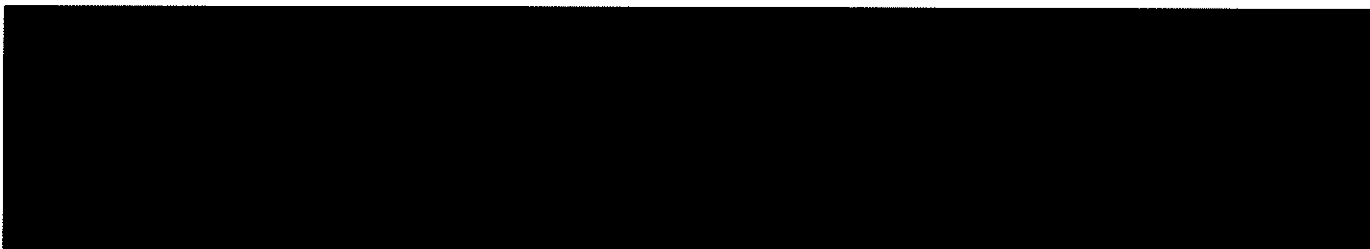
Use of Access Track

You queried whether [REDACTED] would be able to use the access track to the eastern SUDS pond. Transport Scotland have confirmed that they may be content in principle for [REDACTED] to make use of this track following construction subject to discussion on the purposes for which they wish to make use of the track. For clarity, Transport Scotland would intend to retain ownership of the track following construction.

Process

You asked for further details on the process of acquisition of the additional land. I can confirm that Transport Scotland would acquire the additional land through voluntary acquisition should both parties reach agreement. The exact legal mechanism for this voluntary acquisition would be the subject of further discussion. However, the voluntary acquisition would need to be complete in advance of the proposed date of making the CPO with sufficient time to allow the CPO to be amended to exclude the land for the current proposed SUDS ponds.

The voluntary acquisition would not proceed until after the outcome of the Public Local Inquiry is known, assessment of the environmental impacts of the proposed works and any necessary consents and permissions are in place. In the meantime you will appreciate that Transport Scotland will be insisting at the public local inquiry on the road scheme as contained within the draft road Orders - including the existing locations of the two SUDS ponds - given that there can be no guarantee that voluntary acquisition will be agreed, any environmental assessment will be satisfactory or necessary consents and permissions granted for the relocation.



I trust this helps to provide clarification. I would appreciate if you could confirm with your clients whether they would be willing, in principle, to have the SUDS ponds relocated and to sell the necessary land voluntarily, allowing a reduction in the CPO area to reflect the relocation of the two ponds. Any agreement in principle would of course be subject to satisfactory conclusion of detailed negotiation, further consideration by Transport Scotland of whether they wish to proceed with this change, and the outcome of the Public Local Inquiry.

Yours Sincerely,

[REDACTED]

Stakeholder Co-ordinator – A96 Dualling Inverness to Nairn (including Nairn Bypass)

Jacobs UK Ltd, Kintail House, Beechwood Park, Inverness, IV2 3BW

Tel. [REDACTED] www.transport.gov.scot/project/a96-inverness-nairn-including-nairn-bypass

NOTICE - This communication may contain confidential and privileged information that is for the sole use of the Intended recipient. Any viewing, copying or distribution of, or reliance on this message by unintended recipients is strictly prohibited. If you have received this message in error, please notify us immediately by replying to the message and deleting it from your computer.

1180 Eskdale Road, Winnersh, Wokingham RG41 5TU
Registered in England and Wales under number 2594504



A96 Dualling Inverness to Nairn Telecom Record

To	██████████ Jacobs	Organisation (if relevant) / Phone No.	
From	██████████ Bowfts	Organisation (if relevant) / Phone No.	
Date/Time	29/5/18 – 12.45pm		
Track Record Person ID	██████████		
Land Plot ID (if relevant)			
Subject	SUDS Pond relocation		

Notes	Action
<p>██████████ acting on behalf of ██████████ and ██████████ called with regard to the email ██████████ had sent asking for feedback on the possible relocation of SUDS ponds within ██████████</p>	
<p>██████████ advised that he had discussed the email with ██████████ but as yet there was no conclusive feedback. He asked if there was any engineering reason for moving the ponds.</p> <p>██████████ confirmed that although it was feasible to move the ponds, there was no engineering reason why the ponds needed to be moved. Transport Scotland's position was that the alternative location for the ponds would not be better than the current location.</p> <p>██████████ asked about flood risk. ██████████ advised that the scheme, including the SUDS ponds had been designed to avoid increasing flood risk, particularly for properties such as ██████████ and ██████████. Detailed modelling has been carried out, and Transport Scotland's position will be that there is no reason to move the ponds in terms of flood risk.</p> <p>██████████ advised that the reasons for choosing the pond position as per the Environmental Statement were as set out in a previous email, and that the reason for considering their relocation was in the interests of positive engagement with nearby residents.</p> <p>██████████ to discuss further with his clients.</p>	

Please fill in actions where notes above.

Subject	Description	Assign To User	Complete By Date	Priority

**Extract from A96 Dualling Inverness to Nairn (Including Nairn Bypass)
Progress Statement - 25/05/18**

Main activities within this period

Alternative SUDS pond plan for [REDACTED] issued to Bowlts 25/5/18.

[REDACTED]

Subject: FW: SUDS Ponds at [REDACTED]

From: [REDACTED]
Sent: 04 June 2018 12:14
To: [REDACTED]
Subject: RE: SUDS Ponds at [REDACTED]

[REDACTED]

Sorry for the delay in responding. The proposal Transport Scotland are currently considering is for relocation of both ponds. We would appreciate if you could provide your clients' view on relocation of the two ponds rather than just one.

Regards,

[REDACTED]

[REDACTED]

Stakeholder Co-ordinator – A96 Dualling Inverness to Nairn (including Nairn Bypass)

Jacobs UK Ltd, Kintail House, Beechwood Park, Inverness, IV2 3BW
Tel. [REDACTED] | www.transport.gov.scot/project/a96-inverness-nairn-including-nairn-bypass

From: [REDACTED]
Sent: 29 May 2018 12:02
To: [REDACTED]
Subject: [EXTERNAL] RE: SUDS Ponds at [REDACTED]

Our Ref: [REDACTED]
Date: 29th May 2018

Dear [REDACTED]

Many thanks for this. I will take instructions and get back to you shortly.

Just in case the question arises, I assume that it is a case of both ponds being relocated or none being relocated, i.e. would it be feasible to have the [REDACTED] West retention pond relocated, but the [REDACTED] East left where it was, or indeed is this desirable from your point of view?

With kind regards,

[REDACTED]

From: [REDACTED]
Sent: 25 May 2018 15:29
To: [REDACTED]
Cc: [REDACTED]

[REDACTED]

Subject: SUDS Ponds at [REDACTED]

Dear [REDACTED]

As discussed at our meeting on 5th April, Transport Scotland have been asked to give consideration to the possible relocation of two SUDS ponds within land owned by your clients, [REDACTED] at [REDACTED]. This is in response to representations from nearby residents who advised that your clients were willing to accommodate the relocation. For the avoidance of doubt, Transport Scotland do not consider that the alternative pond locations would be better than the current proposed positions, but are willing to consider relocation in the interests of positive engagement with local residents.

The alternative pond locations being considered are shown on the attached plan (Drawing Number A96PIN-JAC-HDG-26700-SK-CI-0003 Rev. P00), along with potential access routes. An indication of the potential land required for the alternative ponds is also shown, along with an indication of the land currently included in the draft Compulsory Purchase Order (CPO) that could potentially be removed from the CPO before it is made, if it is no longer required for the SUDS ponds. It should be noted that these boundaries are preliminary and subject to further design development and assessment.

I have provided below some further details in relation to the SUDS ponds at this alternative location, as requested at our meeting on 5th April:

Use of Access Track

You queried whether [REDACTED] would be able to use the access track to the eastern SUDS pond. Transport Scotland have confirmed that they may be content in principle for [REDACTED] to make use of this track following construction subject to discussion on the purposes for which they wish to make use of the track. For clarity, Transport Scotland would intend to retain ownership of the track following construction.

Process

You asked for further details on the process of acquisition of the additional land. I can confirm that Transport Scotland would acquire the additional land through voluntary acquisition should both parties reach agreement. The exact legal mechanism for this voluntary acquisition would be the subject of further discussion. However, the voluntary acquisition would need to be complete in advance of the proposed date of making the CPO with sufficient time to allow the CPO to be amended to exclude the land for the current proposed SUDS ponds.

The voluntary acquisition would not proceed until after the outcome of the Public Local Inquiry is known, assessment of the environmental impacts of the proposed works and any necessary consents and permissions are in place. In the meantime you will appreciate that Transport Scotland will be insisting at the public local inquiry on the road scheme as contained within the draft road Orders - including the existing locations of the two SUDS ponds - given that there can be no guarantee that voluntary acquisition will be agreed, any environmental assessment will be satisfactory or necessary consents and permissions granted for the relocation.

[REDACTED]

I trust this helps to provide clarification. I would appreciate if you could confirm with your clients whether they would be willing, in principle, to have the SUDS ponds relocated and to sell the necessary land voluntarily, allowing a reduction in the CPO area to reflect the relocation of the two ponds. Any agreement in principle would of course be subject to satisfactory conclusion of detailed negotiation, further consideration by Transport Scotland of whether they wish to proceed with this change, and the outcome of the Public Local Inquiry.

Yours Sincerely,

[REDACTED]
Stakeholder Co-ordinator – A96 Dualling Inverness to Nairn (including Nairn Bypass)

Jacobs UK Ltd, Kintail House, Beechwood Park, Inverness, IV2 3BW

Tel. [REDACTED] www.transport.gov.scot/project/a96-inverness-nairn-including-nairn-bypass

NOTICE - This communication may contain confidential and privileged information that is for the sole use of the intended recipient. Any viewing, copying or distribution of, or reliance on this message by unintended recipients is strictly prohibited. If you have received this message in error, please notify us immediately by replying to the message and deleting it from your computer.

Jacobs U.K. Limited
1180 Eskdale Road, Winnersh, Wokingham RG41 5TU
Registered in England and Wales under number 2594504

**Extract from A96 Dualling Inverness to Nairn (Including Nairn Bypass)
Progress Meeting Documentation – 19/06/18**

Progress Summary This Period

Drawing showing alternative location for [REDACTED] SUDS issued to Bowlts
(on behalf of [REDACTED]) for comment 25/5/18, response awaited.

[REDACTED]

Subject: FW: SUDS Ponds at [REDACTED]

From: [REDACTED]
Sent: 29 June 2018 10:10

To: [REDACTED]
Subject: FW: SUDS Ponds at [REDACTED]

[REDACTED]

[REDACTED]

I was just wondering if you are in a position yet to provide any feedback from [REDACTED] in relation to the SUDS ponds?

Thanks

[REDACTED]

[REDACTED]

Stakeholder Co-ordinator – A96 Dualling Inverness to Nairn (including Nairn Bypass)

Jacobs UK Ltd, Kintail House, Beechwood Park, Inverness, IV2 3BW
Tel. [REDACTED] | www.transport.gov.scot/project/a96-inverness-nairn-including-nairn-bypass

From: [REDACTED]
Sent: 04 June 2018 12:14

To: [REDACTED]
Subject: RE: SUDS Ponds at [REDACTED]

[REDACTED]

Sorry for the delay in responding. The proposal Transport Scotland are currently considering is for relocation of both ponds. We would appreciate if you could provide your clients' view on relocation of the two ponds rather than just one.

Regards,

[REDACTED]

[REDACTED]

Stakeholder Co-ordinator – A96 Dualling Inverness to Nairn (including Nairn Bypass)

Jacobs UK Ltd, Kintail House, Beechwood Park, Inverness, IV2 3BW
Tel. [REDACTED] | www.transport.gov.scot/project/a96-inverness-nairn-including-nairn-bypass

From: [REDACTED]
Sent: 29 May 2018 12:02

To: [REDACTED]
Subject: [EXTERNAL] RE: SUDS Ponds at [REDACTED]

Our Ref: [REDACTED]
Date: 29th May 2018

Dear [REDACTED]

Many thanks for this. I will take instructions and get back to you shortly.

Just in case the question arises, I assume that it is a case of both ponds being relocated or none being relocated, i.e. would it be feasible to have the [REDACTED] West retention pond relocated, but the [REDACTED] East left where it was, or indeed is this desirable from your point of view?

With kind regards.
[REDACTED]

From: [REDACTED]
Sent: 25 May 2018 15:29
To: [REDACTED]
Cc: [REDACTED]
[REDACTED]
Subject: SUDS Ponds at [REDACTED]

Dear [REDACTED]

As discussed at our meeting on 5th April, Transport Scotland have been asked to give consideration to the possible relocation of two SUDS ponds within land owned by your clients, [REDACTED] at [REDACTED]. This is in response to representations from nearby residents who advised that your clients were willing to accommodate the relocation. For the avoidance of doubt, Transport Scotland do not consider that the alternative pond locations would be better than the current proposed positions, but are willing to consider relocation in the interests of positive engagement with local residents.

The alternative pond locations being considered are shown on the attached plan (Drawing Number A96PIN-JAC-HDG-26700-SK-CI-0003 Rev. P00), along with potential access routes. An indication of the potential land required for the alternative ponds is also shown, along with an indication of the land currently included in the draft Compulsory Purchase Order (CPO) that could potentially be removed from the CPO before it is made, if it is no longer required for the SUDS ponds. It should be noted that these boundaries are preliminary and subject to further design development and assessment.

I have provided below some further details in relation to the SUDS ponds at this alternative location, as requested at our meeting on 5th April:

Use of Access Track

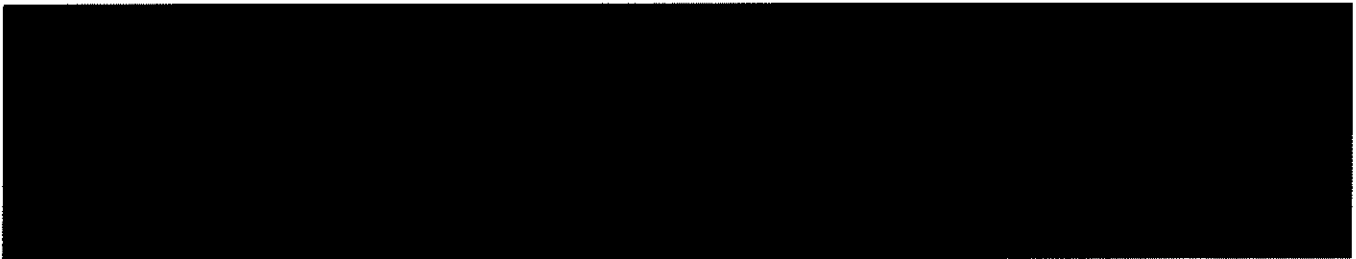
You queried whether [REDACTED] would be able to use the access track to the eastern SUDS pond. Transport Scotland have confirmed that they may be content in principle for [REDACTED] to make use of this track following construction subject to discussion on the purposes for which they wish to make use of the track. For clarity, Transport Scotland would intend to retain ownership of the track following construction.

Process

You asked for further details on the process of acquisition of the additional land. I can confirm that Transport Scotland would acquire the additional land through voluntary acquisition should both parties reach agreement. The

exact legal mechanism for this voluntary acquisition would be the subject of further discussion. However, the voluntary acquisition would need to be complete in advance of the proposed date of making the CPO with sufficient time to allow the CPO to be amended to exclude the land for the current proposed SUDS ponds.

The voluntary acquisition would not proceed until after the outcome of the Public Local Inquiry is known, assessment of the environmental impacts of the proposed works and any necessary consents and permissions are in place. In the meantime you will appreciate that Transport Scotland will be insisting at the public local inquiry on the road scheme as contained within the draft road Orders - including the existing locations of the two SUDS ponds - given that there can be no guarantee that voluntary acquisition will be agreed, any environmental assessment will be satisfactory or necessary consents and permissions granted for the relocation.



I trust this helps to provide clarification. I would appreciate if you could confirm with your clients whether they would be willing, in principle, to have the SUDS ponds relocated and to sell the necessary land voluntarily, allowing a reduction in the CPO area to reflect the relocation of the two ponds. Any agreement in principle would of course be subject to satisfactory conclusion of detailed negotiation, further consideration by Transport Scotland of whether they wish to proceed with this change, and the outcome of the Public Local Inquiry.

Yours Sincerely,



Stakeholder Co-ordinator -- A96 Dualling Inverness to Nairn (including Nairn Bypass)

Jacobs UK Ltd, Kintail House, Beechwood Park, Inverness, IV2 3BW

Tel. [redacted] | www.transport.gov.scot/project/a96-inverness-nairn-including-nairn-bypass

NOTICE - This communication may contain confidential and privileged information that is for the sole use of the intended recipient. Any viewing, copying or distribution of, or reliance on this message by unintended recipients is strictly prohibited. If you have received this message in error, please notify us immediately by replying to the message and deleting it from your computer.

Jacobs U.K. Limited
1180 Eskdale Road, Winnersh, Wokingham RG41 5TU
Registered in England and Wales under number 2594504



A96 Dualling Inverness to Nairn Telecom Record

To	[REDACTED]	Organisation (if relevant) / Phone No.	Bowlts
From	[REDACTED]	Organisation (if relevant) / Phone No.	Jacobs
Date/Time	5/7/18 10am		
Track Record Person ID	[REDACTED]		
Land Plot ID (if relevant)			
Subject	SUDS Pond relocation		

Notes	Action
[REDACTED] called [REDACTED] for an update with regard to discussions with his client, [REDACTED] with regard to the alternative SUDS pond locations put to them for consideration within [REDACTED]	
[REDACTED] advised that he had emailed [REDACTED] against last week but had not had a response yet.	
[REDACTED] advised that Transport Scotland were keen to get a response within the next week or two so that they could decide how to take this matter forward as the Public Local Inquiry approaches.	
[REDACTED] confirmed that he would push [REDACTED] to respond on this matter as soon as possible.	

Please fill in actions where notes above.

Subject	Description	Assign To User	Complete By Date	Priority

[REDACTED]

Subject: FW: SUDS Ponds at [REDACTED]

From: [REDACTED]
Sent: 10 July 2018 14:42
To: [REDACTED]
Subject: [EXTERNAL] RE: SUDS Ponds at [REDACTED]

Our Ref: [REDACTED]

Dear [REDACTED]

I refer to your email below and our subsequent telephone conversations.

I now have instructions from my clients that they would prefer to see the two SUDS ponds remain in the positions currently proposed.

If you want to discuss further, please do not hesitate to give me a call.

Regards

[REDACTED]

Bowlts Chartered Surveyors
Barnhill, Pluscarden, by Elgin, Moray, IV30 8TZ
Tel: (01343) 890400 : Fax: (01343) 890222
Direct Line: [REDACTED]
E-mail: [REDACTED] ; website: www.bowlts.com

From: [REDACTED]
Sent: 25 May 2018 15:29
To: [REDACTED]
Cc: [REDACTED]
Subject: SUDS Ponds at [REDACTED]

Dear [REDACTED]

As discussed at our meeting on 5th April, Transport Scotland have been asked to give consideration to the possible relocation of two SUDS ponds within land owned by your clients, [REDACTED] at [REDACTED]. This is in response to representations from nearby residents who advised that your clients were willing to accommodate the relocation. For the avoidance of doubt, Transport Scotland do not consider that the alternative pond locations would be better than the current proposed positions, but are willing to consider relocation in the interests of positive engagement with local residents.

The alternative pond locations being considered are shown on the attached plan (Drawing Number A96PIN-JAC-HDG-26700-SK-CI-0003 Rev. P00), along with potential access routes. An indication of the potential land required for the alternative ponds is also shown, along with an indication of the land currently included in the draft

Compulsory Purchase Order (CPO) that could potentially be removed from the CPO before it is made, if it is no longer required for the SUDS ponds. It should be noted that these boundaries are preliminary and subject to further design development and assessment.

I have provided below some further details in relation to the SUDS ponds at this alternative location, as requested at our meeting on 5th April:

Use of Access Track

You queried whether [REDACTED] would be able to use the access track to the eastern SUDS pond. Transport Scotland have confirmed that they may be content in principle for [REDACTED] to make use of this track following construction subject to discussion on the purposes for which they wish to make use of the track. For clarity, Transport Scotland would intend to retain ownership of the track following construction.

Process

You asked for further details on the process of acquisition of the additional land. I can confirm that Transport Scotland would acquire the additional land through voluntary acquisition should both parties reach agreement. The exact legal mechanism for this voluntary acquisition would be the subject of further discussion. However, the voluntary acquisition would need to be complete in advance of the proposed date of making the CPO with sufficient time to allow the CPO to be amended to exclude the land for the current proposed SUDS ponds.

The voluntary acquisition would not proceed until after the outcome of the Public Local Inquiry is known, assessment of the environmental impacts of the proposed works and any necessary consents and permissions are in place. In the meantime you will appreciate that Transport Scotland will be insisting at the public local inquiry on the road scheme as contained within the draft road Orders - including the existing locations of the two SUDS ponds - given that there can be no guarantee that voluntary acquisition will be agreed, any environmental assessment will be satisfactory or necessary consents and permissions granted for the relocation.



I trust this helps to provide clarification. I would appreciate if you could confirm with your clients whether they would be willing, in principle, to have the SUDS ponds relocated and to sell the necessary land voluntarily, allowing a reduction in the CPO area to reflect the relocation of the two ponds. Any agreement in principle would of course be subject to satisfactory conclusion of detailed negotiation, further consideration by Transport Scotland of whether they wish to proceed with this change, and the outcome of the Public Local Inquiry.

Yours Sincerely,



Stakeholder Co-ordinator – A96 Dualling Inverness to Nairn (including Nairn Bypass)

Jacobs UK Ltd, Kintail House, Beechwood Park, Inverness, IV2 3BW

Tel. [REDACTED] | www.transport.gov.scot/project/a96-inverness-nairn-including-nairn-bypass

NOTICE - This communication may contain confidential and privileged information that is for the sole use of the intended recipient. Any viewing, copying or distribution of, or reliance on this message by unintended recipients is strictly prohibited. If you have received this message in error, please notify us immediately by replying to the message and deleting it from your computer.

[REDACTED]

Subject: FW: SUDS Ponds at [REDACTED]

From: [REDACTED]
Sent: 10 July 2018 14:45

To: [REDACTED]
Subject: RE: SUDS Ponds at [REDACTED]

[REDACTED]

Thank you for getting back to me on this. I will pass this response on to Transport Scotland and I will get back in touch if there are any further queries they wish to raise with you.

Kind regards,

[REDACTED]

[REDACTED]

Stakeholder Co-ordinator – A96 Dualling Inverness to Nairn (including Nairn Bypass)

Jacobs UK Ltd, Kintail House, Beechwood Park, Inverness, IV2 3BW
Tel: [REDACTED] | www.transport.gov.scot/project/a96-inverness-nairn-including-nairn-bypass

From: [REDACTED]
Sent: 10 July 2018 14:42

To: [REDACTED]
Subject: [EXTERNAL] RE: SUDS Ponds at [REDACTED]

Our Ref: [REDACTED]

Dear [REDACTED]

I refer to your email below and our subsequent telephone conversations.

I now have instructions from my clients that they would prefer to see the two SUDS ponds remain in the positions currently proposed.

If you want to discuss further, please do not hesitate to give me a call.

Regards

[REDACTED]

Bowlts Chartered Surveyors
Barnhill, Pluscarden, by Elgin, Moray, IV30 8TZ
Tel: (01343) 890400 :: Fax: (01343) 890222
Direct Line: [REDACTED]
E-mail: [REDACTED] :: website: www.bowlts.com

From: [REDACTED]
Sent: 25 May 2018 15:29
To: [REDACTED]
Cc: [REDACTED]
Subject: SUDS Ponds at [REDACTED]

Dear [REDACTED]

As discussed at our meeting on 5th April, Transport Scotland have been asked to give consideration to the possible relocation of two SUDS ponds within land owned by your clients, [REDACTED] at [REDACTED]. This is in response to representations from nearby residents who advised that your clients were willing to accommodate the relocation. For the avoidance of doubt, Transport Scotland do not consider that the alternative pond locations would be better than the current proposed positions, but are willing to consider relocation in the interests of positive engagement with local residents.

The alternative pond locations being considered are shown on the attached plan (Drawing Number A96PIN-JAC-HDG-26700-SK-CI-0003 Rev. P00), along with potential access routes. An indication of the potential land required for the alternative ponds is also shown, along with an indication of the land currently included in the draft Compulsory Purchase Order (CPO) that could potentially be removed from the CPO before it is made, if it is no longer required for the SUDS ponds. It should be noted that these boundaries are preliminary and subject to further design development and assessment.

I have provided below some further details in relation to the SUDS ponds at this alternative location, as requested at our meeting on 5th April:

Use of Access Track

You queried whether [REDACTED] would be able to use the access track to the eastern SUDS pond. Transport Scotland have confirmed that they may be content in principle for [REDACTED] to make use of this track following construction subject to discussion on the purposes for which they wish to make use of the track. For clarity, Transport Scotland would intend to retain ownership of the track following construction.

Process

You asked for further details on the process of acquisition of the additional land. I can confirm that Transport Scotland would acquire the additional land through voluntary acquisition should both parties reach agreement. The exact legal mechanism for this voluntary acquisition would be the subject of further discussion. However, the voluntary acquisition would need to be complete in advance of the proposed date of making the CPO with sufficient time to allow the CPO to be amended to exclude the land for the current proposed SUDS ponds.


The voluntary acquisition would not proceed until after the outcome of the Public Local Inquiry is known, assessment of the environmental impacts of the proposed works and any necessary consents and permissions are in place. In the meantime you will appreciate that Transport Scotland will be insisting at the public local inquiry on the road scheme as contained within the draft road Orders - including the existing locations of the two SUDS ponds - given that there can be no guarantee that voluntary acquisition will be agreed, any environmental assessment will be satisfactory or necessary consents and permissions granted for the relocation.

[REDACTED]


I trust this helps to provide clarification. I would appreciate if you could confirm with your clients whether they would be willing, in principle, to have the SUDS ponds relocated and to sell the necessary land voluntarily, allowing a

reduction in the CPO area to reflect the relocation of the two ponds. Any agreement in principle would of course be subject to satisfactory conclusion of detailed negotiation, further consideration by Transport Scotland of whether they wish to proceed with this change, and the outcome of the Public Local Inquiry.

Yours Sincerely,


Stakeholder Co-ordinator – A96 Dualling Inverness to Nairn (Including Nairn Bypass)

Jacobs UK Ltd, Kintail House, Beechwood Park, Inverness, IV2 3BW

Tel.  | www.transport.gov.scot/project/a96-inverness-nairn-including-nairn-bypass

NOTICE - This communication may contain confidential and privileged information that is for the sole use of the intended recipient. Any viewing, copying or distribution of, or reliance on this message by unintended recipients is strictly prohibited. If you have received this message in error, please notify us immediately by replying to the message and deleting it from your computer.

Jacobs U.K. Limited
1180 Eskdale Road, Winnersh, Wokingham RG41 5TU
Registered in England and Wales under number 2594504

**Extract from A96 Dualling Inverness to Nairn (Including Nairn Bypass)
Progress Meeting Documentation – 17/07/18**

Progress Summary This Period

Drawing showing alternative location for [REDACTED] SUDS issued to Bowlts
(on behalf of [REDACTED]) for comment 25/5/18. Response received -
preference for ponds to remain as shown.

Major Transport Infrastructure Projects

Michelle Rennie
Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF
Direct Line: [REDACTED]
michelle.ennie@transport.gov.scot



Mr Fergus Ewing MSP
112 Church Street
Inverness
Highland
IV1 1EP

Our ref:
2018/0004598

Date:
10th August 2018

Dear Mr Ewing,

A96 Dualling Inverness to Nairn (Including Nairn Bypass)

[REDACTED]

I refer to my letter of 22 February 2018 and Roy Brannen's letter of 14 March 2018 regarding the A96 Dualling Inverness to Nairn (including Nairn Bypass) scheme and our undertaking to investigate the potential relocation of the two SuDS (drainage) ponds in proximity to [REDACTED] and [REDACTED], from the south to the north side of the proposed dual carriageway at the request of your constituents [REDACTED]

Since our previous correspondence, Transport Scotland's consultants, Jacobs, have undertaken design work for the relocated ponds and necessary access tracks in order for the affected landowner to the north side of the dual carriageway to understand the implications of the requested change. I can now confirm that we have discussed the potential relocation of the ponds with the affected landowner to the north side of the proposed dual carriageway through their agent, Bowlts, including a meeting on 5 April 2018. The landowner has advised that their preference is for the ponds to remain as currently proposed on the south side of the dual carriageway and have confirmed that they will not consent to the voluntary acquisition of the land required to relocate the ponds to the north side of the proposed scheme.

I therefore regret that we are unable to consider the request to relocate the ponds any further and advise that Transport Scotland will proceed as outlined in the published draft Orders and Environmental Statement. I am sorry this is not the outcome your constituents had hoped for.

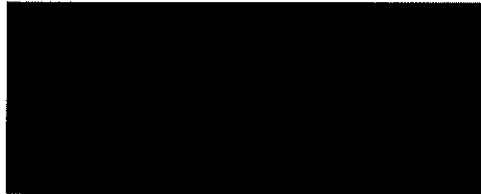
As you will be aware there are a number of objections to this project which we have tried to resolve but remain outstanding, and these will now be considered at the Public Local Inquiry into the scheme which is due to be held later this year.



I hope this is helpful.

I am copying this reply to the Cabinet Secretary for Transport, Infrastructure and Connectivity, Michael Matheson MSP.

Yours sincerely



MICHELLE RENNIE
Director of Major Transport Infrastructure Projects

[REDACTED]

From: [REDACTED]
Sent: 13 August 2018 10:15
To: [REDACTED]
Cc: [REDACTED]
Subject: Letters to Mr Ewing, [REDACTED]
Attachments: LT [REDACTED] re SUDS ponds.pdf; LT [REDACTED] re SUDS pond.pdf; Letter- MR- Fergus Ewing [REDACTED] 10th August 2018 .pdf

[REDACTED]

As discussed on our earlier call, please see attached copies of the issued correspondence regarding the SUDS pond relocation.

Any queries, please let me know.

Thanks,

[REDACTED]

Assistant Project Manager

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

[REDACTED]

10 August 2018

CG3/DM3/31358/00003

**MORTON
FRASER**
LAWYERS

Please reply to our Edinburgh office:
A96 Team
T: 0131 247 1000 | F: 0131 247 1007
E: a96dualling@morton-fraser.com

Dear Sir and Madam

**A96 Dualling Inverness to Nairn (including Nairn Bypass)
Potential Relocation of SUDS Ponds**

We act on behalf of Transport Scotland in respect of the forthcoming Public Local Inquiry into the proposed dualling of the A96 trunk road between Inverness and Nairn (including Nairn Bypass) ("the proposed Scheme").

We refer to correspondence between Mr Fergus Ewing MSP and Transport Scotland regarding the proposed Scheme and the potential relocation of the two SUDS (drainage) ponds in proximity to [REDACTED] and [REDACTED] from the south side to the north side of the proposed dual carriageway.

Although Transport Scotland remains satisfied with the location of the ponds as proposed in the draft Orders and Environmental Statement, in the interests of positive engagement with local residents our client has reviewed the position of the SUDS ponds closest to [REDACTED] and [REDACTED].

Our client's consultants, Jacobs, have undertaken design work for the relocated ponds and necessary access tracks in order for the affected landowner to the north side of the dual carriageway to understand the implications of the requested change. Our client has discussed the potential relocation of the ponds with the affected landowner to the north side of the proposed dual carriageway through their agent, Bowlts, including at a meeting on 5 April 2018. The landowner has advised that their preference is for the ponds to remain as currently proposed on the south side of the dual carriageway and has confirmed that they will not consent to the voluntary acquisition of the land required to relocate the ponds to the north side of the proposed Scheme.

We therefore regret that our client is unable to consider the request to relocate the ponds any further and advise that Transport Scotland will proceed as outlined in the draft Orders and Environmental Statement.

Edinburgh
Quartermile Two
2 Lister Square
Edinburgh EH3 9GL
DX ED119
t: 0131 247 1000
f: 0131 247 1007

Glasgow
145 St Vincent Street
Glasgow G2 5JF
DX GW68
t: 0141 274 1100
f: 0141 274 1129

Morton Fraser LLP is a limited liability partnership. Registered in Scotland No SC300472. Registered office: Quartermile Two, 2 Lister Square, Edinburgh, EH3 9GL.
A list of partners may be inspected at our offices.
Authorised and regulated by the Financial Conduct Authority
C:\USERS\CG3\APPDATA\LOCAL\FWBS\COMS\0IEL\MS\GLO\IMS_LIVE\DOCUMENTS\14788954.1.DOCX

CG3/DM3/31358.00003 1

10/08/18

www.morton-fraser.com

INTERLAW

We hope this update is of assistance, and can confirm that Mr Fergus Ewing MSP and [REDACTED] [REDACTED] have also been updated in this regard.

Yours faithfully

[REDACTED]

For Morton Fraser LLP