

Annex B – Email and extracts from briefing document to the Cabinet Secretary for Transport, Infrastructure and Connectivity from Transport Scotland for meeting with Fergus Ewing MSP on 28 November 2018.

[Redacted]

**From:** [Redacted]  
**Sent:** 27 November 2018 16:01  
**To:** Cabinet Secretary for Transport, Infrastructure and Connectivity  
**Cc:** [Redacted] Chief Executive Transport Scotland; Communications  
 Economy; DG Economy; [Redacted] [Redacted] [Redacted]  
 [Redacted] [Redacted] Press Transport Scotland; Transport Scotland  
 Directors; Transport Scotland Media; Transport Scotland Secretariat; [Redacted]  
 [Redacted]; [Redacted] [Redacted] [Redacted] [Redacted]  
 [Redacted] Cabinet Secretary for the Rural Economy

**Subject:** A96 Dualling East of Huntly to Aberdeen - Mr Matheson meeting with Fergus Ewing - wednesday 28 Nov @12:30

**Attachments:** A96 Dualling East of Huntly to Aberdeen - Ministerial Engagement Briefing - Fergus Ewing MSP.doc

**Tracking:**

Recipient	Read
Cabinet Secretary for Transport, Infrastructure and Connectivity	
[Redacted]	Deleted: 27/11/2018 16:13
Chief Executive Transport Scotland	
Communications Economy	
DG Economy	
[Redacted]	
[Redacted]	
[Redacted]	Read: 27/11/2018 16:04
[Redacted]	Read: 27/11/2018 16:18
Press Transport Scotland	
Transport Scotland Directors	
Transport Scotland Media	
Transport Scotland Secretariat	
[Redacted]	
[Redacted]	
[Redacted]	
[Redacted]	
[Redacted]	
[Redacted]	
Cabinet Secretary for the Rural Economy	
[Redacted]	Read: 27/11/2018 16:09
[Redacted]	Read: 27/11/2018 16:07
[Redacted]	Read: 27/11/2018 16:04
[Redacted]	Read: 28/11/2018 09:06

[Redacted]

Please see attached briefing note for Mr Matheson’s meeting with the Cabinet Secretary for the Rural Economy tomorrow regarding the A96 East of Huntly to Aberdeen scheme. As agreed I have copied Mr Ewing into this e-mail

Regards

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**From:** [REDACTED] On Behalf Of Cabinet Secretary for Transport, Infrastructure and Connectivity  
**Sent:** 21 November 2018 17:16  
**To:** Cabinet Secretary for the Rural Economy <[CabSecRE@gov.scot](mailto:CabSecRE@gov.scot)>; Cabinet Secretary for Transport, Infrastructure and Connectivity <[CabSecTIC@gov.scot](mailto:CabSecTIC@gov.scot)>  
**Cc:** [REDACTED]  
**Subject:** RE: Dualling of A95 East of Huntly - SG Ref 2018/0037501 also refers

Hi [REDACTED]

That suits our diary.

Many thanks

[REDACTED]  
Assistant Private Secretary to Michael Matheson MSP, Cabinet Secretary for Transport, Infrastructure & Connectivity  
The Scottish Government | Web: [www.gov.scot](http://www.gov.scot)  
Tel: [REDACTED] | Email: [CabSecTIC@gov.scot](mailto:CabSecTIC@gov.scot)

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**From:** [REDACTED] n Behalf Of Cabinet Secretary for the Rural Economy  
**Sent:** 21 November 2018 16:41  
**To:** Cabinet Secretary for Transport, Infrastructure and Connectivity <[CabSecTIC@gov.scot](mailto:CabSecTIC@gov.scot)>; Cabinet Secretary for the Rural Economy <[CabSecRE@gov.scot](mailto:CabSecRE@gov.scot)>  
**Cc:** [REDACTED]  
**Subject:** RE: Dualling of A95 East of Huntly - SG Ref 2018/0037501 also refers

Hi

I have had a look at diaries and Mr Ewing would be available to meet at 12:30 on Wednesday 28 November. Grateful if you can confirm this is suitable, if so I will issue diary requests.

Thanks,

[REDACTED]  
Assistant Private Secretary  
Cabinet Secretary for Rural Economy

[CabsecRE@gov.scot](mailto:CabsecRE@gov.scot)

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**From:** [REDACTED] **On Behalf Of** Cabinet Secretary for Transport, Infrastructure and Connectivity  
**Sent:** 21 November 2018 16:24  
**To:** Cabinet Secretary for the Rural Economy <[CabSecRE@gov.scot](mailto:CabSecRE@gov.scot)>; Cabinet Secretary for Transport, Infrastructure and Connectivity <[CabSecTIC@gov.scot](mailto:CabSecTIC@gov.scot)>  
**Cc:** [REDACTED]  
**Subject:** RE: Dualling of A95 East of Huntly - SG Ref 2018/0037501 also refers

Ok - can you look for a slot in the diary?

[REDACTED] | Private Secretary to Michael Matheson MSP, Cabinet Secretary for Transport, Infrastructure and Connectivity  
The Scottish Government | St Andrew's House, Edinburgh, EH1 3DG | Web: [www.gov.scot](http://www.gov.scot)  
Tel: [REDACTED] | Mob: [REDACTED] | Email: [CabSecTIC@gov.scot](mailto:CabSecTIC@gov.scot)

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**From:** [REDACTED] **On Behalf Of** Cabinet Secretary for the Rural Economy  
**Sent:** 21 November 2018 16:06  
**To:** Cabinet Secretary for Transport, Infrastructure and Connectivity <[CabSecTIC@gov.scot](mailto:CabSecTIC@gov.scot)>  
**Cc:** [REDACTED] Cabinet Secretary for the Rural Economy <[CabSecRE@gov.scot](mailto:CabSecRE@gov.scot)>; [REDACTED]  
**Subject:** RE: Dualling of A95 East of Huntly - SG Ref 2018/0037501 also refers

Mr Ewing continues to receive correspondence related to the A96 and the potential impacts on agriculture land and farms.

As below, he suggested a meeting with Mr Matheson and would welcome an update.

Happy to discuss.

[REDACTED]  
Private Secretary  
Cabinet Secretary for the Rural Economy

2N.11

St Andrews House



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**From:** [REDACTED] On Behalf Of Cabinet Secretary for the Rural Economy

**Sent:** 15 November 2018 08:43

**To:** [REDACTED] Cabinet Secretary for Transport, Infrastructure and Connectivity <[CabSecTIC@gov.scot](mailto:CabSecTIC@gov.scot)>

**Cc:** Cabinet Secretary for the Rural Economy <[CabSecRE@gov.scot](mailto:CabSecRE@gov.scot)>; [REDACTED]

**Subject:** FW: Dualling of A95 East of Huntly - SG Ref 2018/0037501 also refers

[REDACTED] – copy to you as related to 2018/0037501 to which you are the action officer.

[REDACTED] – Mr Ewing has noted the potential impacts on agriculture and would welcome a discussion with Mr Matheson.

Copying [REDACTED] as lead ARE officials.

Thanks and happy to discuss.

[REDACTED]  
Private Secretary

Cabinet Secretary for the Rural Economy

2N.11

St Andrews House

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**From:** Ewing F (Fergus), MSP <[Fergus.Ewing.msp@parliament.scot](mailto:Fergus.Ewing.msp@parliament.scot)>

**Sent:** 14 November 2018 20:10

**To:** Cabinet Secretary for the Rural Economy <[CabSecRE@gov.scot](mailto:CabSecRE@gov.scot)>

**Subject:** Fwd: Dualling of A95 East of Huntly - SG Ref 2018/0037501 also refers

Sent from my iPhone



The North routes would take as much as 800 ha of land out of production permanently; this would reduce the area's ability to contribute 25% of Scotland's primary production. (when a 100m wide road goes through a field the bits of the field either side become less economically viable, odd shaped smaller parcels. It is estimated that for every 1 ha lost, 4 ha will become less economically viable. So 800 ha lost and 3200ha becomes less economically viable on this section alone). ***This is at variance to Scottish Government Planning Policy (2014) because there is an alternative route.***

85 farms are potentially bisected on all the planned northern routes. This land is some of Scotland's most productive and the rest is small woodland areas, which provide valuable wildlife corridors across Aberdeenshire. All of these wildlife corridors will be lost as the road will cut them. In addition the production of the 800 ha that will be lost, which represents around £686,000 per year, plus another £139,000 in CAP payments. Whilst these sums may appear small, many farms operate with very small margins and the loss of a couple of ha can have a large impact.

However, it is not the acreage lost that will be the main problem. Fields have to be a certain size to cultivate with modern machinery and cutting through a farm may render a much larger area of land a marginal for cultivation. Farms bisected by the A96 will be rendered unmanageable unless an underpass or bridge is provided for each at an unthinkable incremental cost. Getting machinery from one part of the farm to another will require expensive detours and slow moving farm machinery with cause traffic holdups. It may be impossible to move livestock from one part of the farm to another, without a large logistical and expensive transport exercise. For the Northern Route, any combination of the pink, green, violet and blue routes result in between 40-46 split farms. If the impact down the supply chain for whisky is considered, the loss of barley from the acreage lost equates to a loss of 48,459 bottles of Whiskey per km of new road- no road could ever be worth such a price.

To compensate Scotland will have to import more barley to sustain the Whiskey industry. In addition to the impact on farming, there is also a parallel tourist economy, which contributes to the rural economy. Quite a few farms offer B&B accommodation, which may be blighted by the new road routes. In addition a large part of the Aberdeenshire countryside has shooting and fishing businesses which will be impacted by the presence of the road and some shoots and fishing beats may become untenable. This will also impact wildlife as shooting estates tend to be beneficial for wildlife by protecting many diverse habitats and indirectly providing food for the ecosystems. There are also many equestrian businesses along the proposed route and not only will grazing be affected, but also areas for riding tuition will be subject to road noise, which could be a safety hazard for these businesses. In addition, many farm tracks and roads used by these businesses will be bisected by the new roadway and will not be usable, further segmenting and isolating the rural communities. ***It is important that the impact of any planned route on the rural economy and countryside management must be considered and the future sustainability habitats, the rural economy and food production, so as not to contravene the Scottish Governments policy documents on preserving the rural economy and the food and drink industry.***

#### **ADVERSE ENVIRONMENTAL/HEALTH & WELLBEING/BIODIVERSITY & HISTORICAL IMPACTS**

**Tier 2 Strategic Environment Assessment (SEA) – selection of a Northern Route is at complete odds with the assessments findings/recommendations. i.e. Northern route has highest impact**

**“Major effect” rating on :**

- Soil and geodiversity
- Water and flooding risk – acknowledged increased risk to Kintore/Port Elphinstone/Inverurie
- Population and human health
- Historic environment
- Landscape

**Specifically :**

- The routes would release around 1.7 Million tons of CO<sub>2</sub> from construction and operation over 30 years *in contravention of the Climate Change (Scotland) act to reduce our emissions 80% by 2050 and at variance to Scottish Government Planning Policy (2014).*
- The CO<sub>2</sub> released on the proposed routes from Huntly to Kintore over 30 years is estimated to be around 1,710,000 tons compared to 100,000 tons for upgrading the existing A96. *At variance to Scottish Government Planning Policy (2014).*
- The routes would damage the wildlife and their means of getting from one habitat to another by cutting corridors. *At variance to Scottish Government Planning Policy (2014).*
- The Northern routes would permanently damage the landscape and make the countryside more urban.
- The routes would destroy the setting of many important, protected, local historic features. *Contrary to Historic Scotland guidelines and at variance to Scottish Government Planning Policy (2014).*
- The routes would destroy the “sense of place” of Inverurie as a market town in the country.
- The routes would destroy the tranquillity of the countryside; tranquillity is important for health – especially mental health. 1 in 6 people suffer with mental health issues.
- The routes would introduce an unacceptable level of noise pollution; noise pollution is associated with increased risks of high blood pressure, heart disease and stroke. Daytime noise levels above 60dB (eg: an A road) give a 5% or 9% increased risk of stroke in adults and the elderly respectively. Night-time noise above 55dB is associated with increased stroke risk in people over 65. A busy dual carriageway has levels of approximately 75Db. *Contrary to HSE regulations.*
- The routes have many elevated sections which would have a larger noise impact.
- 27 protected species live in the area of the route.
- The routes would lead to huge loss of historic landscapes
- Fish Farms/Ponds – The Northern Routes potentially passes in close proximity to fish farms and ponds with predictable consequences.
- **Loss of “set aside” areas of woodland. – Countryside (Scotland Act 1967 applies) -** The proposed route on section V3 destroys an area of land “set aside” for woodland planted in 1998 as part of the Aberdeen and East Moray Conservation Project (Aberdeenshire Council/SNH/FWAG Scotland)
- **Hydrology -** V3 route cuts through Kinmuck Hill, which is a prolific upward flowing aquifer. Cutting into this hill will have unknown consequences on neighbouring wells, private water supplies and the water table for the whole area.
- **Pollution of groundwater/wells (SEPA Pollution Prevention PPG5 applies) –** Route V3 elevation extends to 150m and frequently suffers from drifting snow and black ice in the winter. Extensive gritting and de-icing is required several times a day to keep the road open. *The planned V3 route contravenes section 1.1- Legal Regulations of The Water Resources Act 1991.*

Like yourself, I am somebody with a deep love of Scotland, the Scottish countryside and mountains. Every year I stand on the top of Seana Bhragh and suck in the majesty of An Teallach, Suilven and Stac Pollaidh to the North. I have to confess that my heart sinks a bit when momentarily glancing to the east and I witness the relentless “march of the windmills” extending from Lairg to now beyond Rosehall. Up to now I have consoled myself in the knowledge that such blatant vandalism of our landscape is a price worth paying to secure the environment for future generations to enjoy. I will be far less tolerant in future if Transport Scotland are allowed to disregard:

- Climate Change Policy that is now written into law
- Planning policy
- Environmental Policy
- SEPA policy and guidance – particularly on bridge building across flood plains
- And finally this road will fail all 9 of Transport Scotland’s own key objectives

I attended a meeting with AmeyArup yesterday where they let it be known that the only reason the A96 is not being dualled in its current location through Inverurie is that they are operating on the

strict instructions from SG that no houses are to be demolished. It seems that the potential of bad PR for demolishing a few houses outweighs ruining the lives of countless others. I think this particular debate has a long way to run, particularly when the central belt media get wind of the vast sums of public money that could potentially be wasted.

In reality, everybody who lives in these houses could be given £5 million each to move to one of the many vacant houses in Inverurie and Transport Scotland would still be many hundreds of millions in the black on the deal! Common sense says that somehow, Transport Scotland must inject a sense of realism into the subject and perhaps then more desperately needed money can be directed into areas where the justification is without question. (as I know you are all acutely aware).

There is already a very recent precedent (Haudagain roundabout in Aberdeen) where property has been demolished to make way for new infrastructure. I understand 131 residential/community premises have gone and a garden land-take from a further 108 residential properties. This is a massive CPO programme compared to the requirements to dual the existing A96 where it is.

In summary, I am looking for you to support the reinstatement of dualling the A96 in situ as part of the DMRB Stage 2 assessment. To disregard this option (cheapest, quickest, best meets Transport Scotland's objectives, facilitates an integrated transport system, protects the environment and local business, agriculture community etc) is at best gross misuse of the public finances.

Finally good luck at the "Politician of the Year Awards" next Thursday.

Best wishes.....

[Redacted signature]

Tel [Redacted]

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The Cabinet Secretary has agreed to meet with the Cabinet Secretary for the Rural Economy on Wednesday 28<sup>th</sup> November at 12.30pm.

The meeting follows the recent Initial Route Option Public Exhibition events held for the A96 Dualling East of Huntly to Aberdeen scheme in Inverurie, Huntly and Blackburn between 8<sup>th</sup> and 11<sup>th</sup> October 2018.

Significant feedback has been received from members of the public as a result of public exhibition events. This feedback includes comments on the potential effects that an offline dual carriageway could have on the rural environment of the area, which includes extensive farmland.

It is understood that Cabinet Secretary for the Rural Economy wishes to discuss the scheme and the concerns being raised at a short meeting following receipt of correspondence from [REDACTED]

An opportunity for you to reassure the Cabinet Secretary for Rural Economy that you are aware of the concerns raised, that significant development of the initial route options is now required to minimise the environmental and severance effects associated with the A96 Dualling East of Huntly to Aberdeen scheme, and that meaningful engagement forms a key part of our work as we develop our plans.

The Scottish Government has given a commitment to completing the dualling of the A96 between Inverness and Aberdeen by 2030.

Meaningful engagement with communities and other stakeholders forms a key part of our work to ensure that communities, businesses and individuals affected by the work are kept fully informed and their vital feedback taken into account.

The A96 Dualling is a significant undertaking which requires careful in-depth planning and design. Following the appointment of a Consultant in July 2017 route options assessment work is now well underway on the section of the A96 between East of Huntly to Aberdeen.

The initial options under consideration for this section of the A96 Dualling were presented to the public at events held in Inverurie, Huntly and Blackburn between 8-11 October. 2,141 people attended the exhibitions over the 4 days.

The initial route options exhibitions presented the “corridors” that are being considered rather than specific road geometry. The initial route options will now be the subject of significant design development and appraisal in accordance with the DMRB Stage 2 Route Option Assessment process. This will involve more detailed environmental appraisal of each route option, including assessments on air quality, noise and vibration, people and communities, policy and plans, materials, cultural heritage, landscape and visual (including land severance), nature conservation, geology, soils, hydrology, contaminated land, road drainage, the water environment. This work in tandem with detailed engineering, traffic and economic assessment will enable identification of a preferred route option for the scheme, which we anticipate will occur in 2019.

Detailed ecology surveys, supplementing the record data and on-site observations gathered to date, will commence in the winter of 2018/2019 and will continue for 2 years to inform the Environmental Impact Assessment for the scheme.

## **Annex A**

- The A96 Dualling is a significant undertaking which requires careful in-depth planning and design. Following the appointment of a Consultant in July 2017 route options assessment work is well underway on the section of the A96 between East of Huntly to Aberdeen. It is expected that the route options assessment process will take approximately 2 years to complete with a preferred option expected to be announced in 2019.
- The overall timetable for the dualling programme is set by the Scottish Government's commitment to complete the dualling between Inverness and Aberdeen by 2030. The phasing for individual elements will take shape during the future stages of design and development work we will be progressing.
- AmeyArup Joint Venture was appointed as design consultant to Transport Scotland in July 2017. The initial route options being considered for the scheme were presented at a series of public exhibition events held in Inverurie, Huntly and Blackburn between 8<sup>th</sup> and 11<sup>th</sup> October 2018 for vital feedback and comment.
- Following the Initial Route Options exhibitions we are aware of the concerns expressed by rural communities and landowners regarding the development of proposals for the A96 Dualling East of Huntly to Aberdeen scheme (Eastern Section) along with the concerns of others in relation to our ambitious programme to dual the A96.
- Meaningful engagement with communities forms a key part of our work as we develop our plans. The work we are progressing includes a rolling programme of regular engagement with local communities (e.g. the Initial Route Options Exhibitions held in October 2018 and the subsequent Community Council Forum meetings held in early November 2018) and other stakeholders to ensure that communities, businesses and individuals affected by the work are kept fully informed and their vital feedback taken into account. Two campaigns established to provide comment on this scheme include The Save Bennachie Alliance and A96 Action Group, their feedback is vital to this process and will be considered in full along with the concerns expressed by other groups that we might receive.
- Transport Scotland has produced an 'Engaging with Communities' document for the A96 Dualling Programme, which outlines how engagement will be taken forward during the design and assessment process.
- Further public consultation will be held as part of our ongoing engagement to give the local community and road users the chance to comment on our

developing plans for the route before we announce the emerging preferred option.