

G4 OHF

Tel: [REDACTED]



Transport Scotland, the national transport agency  
*Còmhhdhail Alba, buidheann nàiseanta na còmhhdhail*

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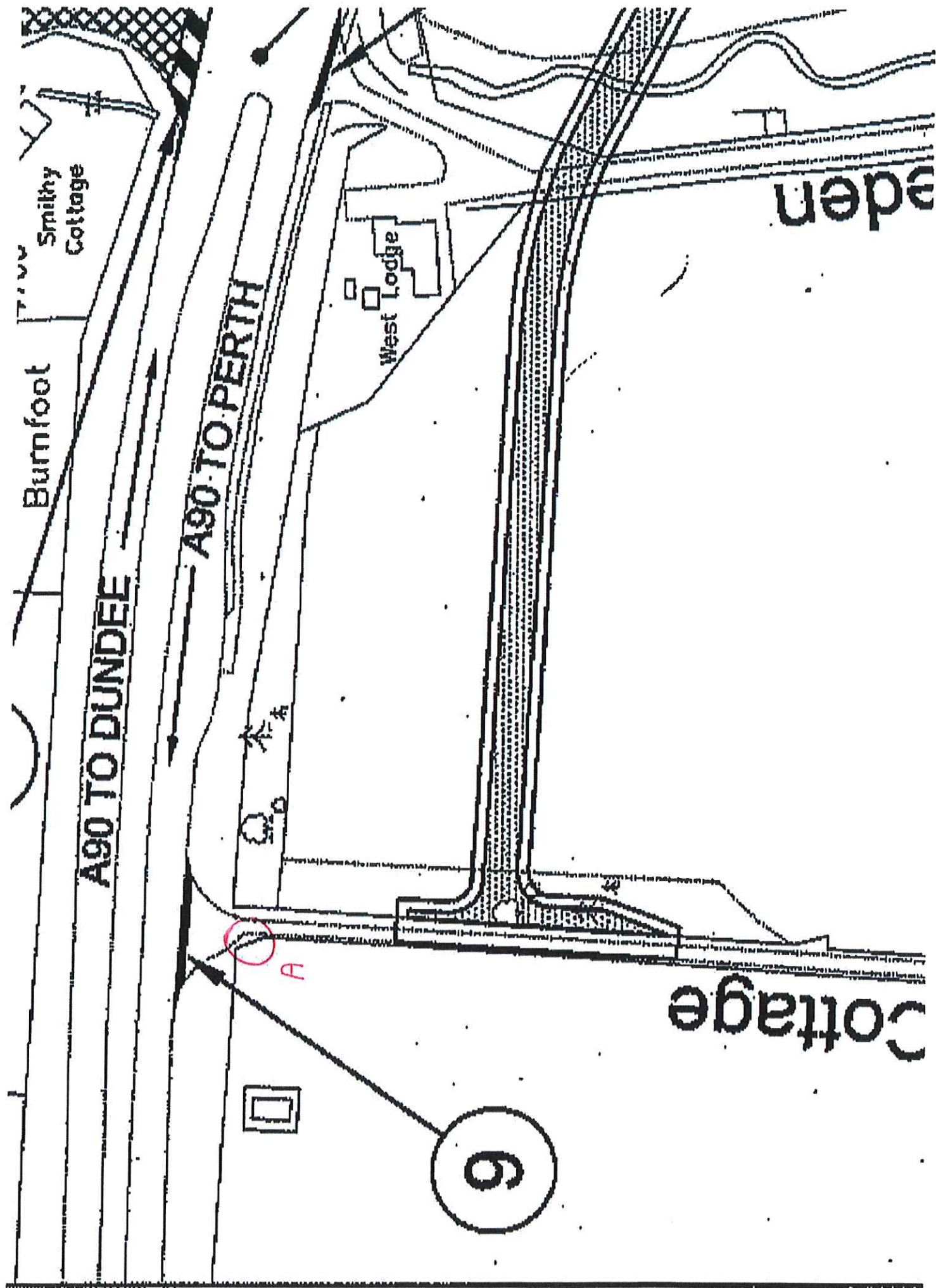
Tha am post-d seo (agus faidhle neo ceanglan còmhla ris) dhan neach neo luchd-ainmichte a-mhàin. Chan eil e ceadachd a chleachdadh ann an dòigh sam bith, a' toirt a-steach còraichean, foillseachadh neo sgaoileadh, gun chead. Ma 's e is gun d'fhuair sibh seo gun fhiosd', bu choir cur às dhan phost-d agus lethbhreac sam bith air an t-siostam agaibh agus fios a leigeil chun neach a sgaoil am post-d gun dàil. Dh'fhaodadh gum bi teachdaireachd sam bith bho Riaghaltas na h-Alba air a chlàradh neo air a sgrùdadh airson dearbhadh gu bheil an siostam ag obair gu h-èifeachdach neo airson adhbhar laghail eile. Dh'fhaodadh nach eil beachdan anns a' phost-d seo co-ionann ri beachdan Riaghaltas na h-Alba.

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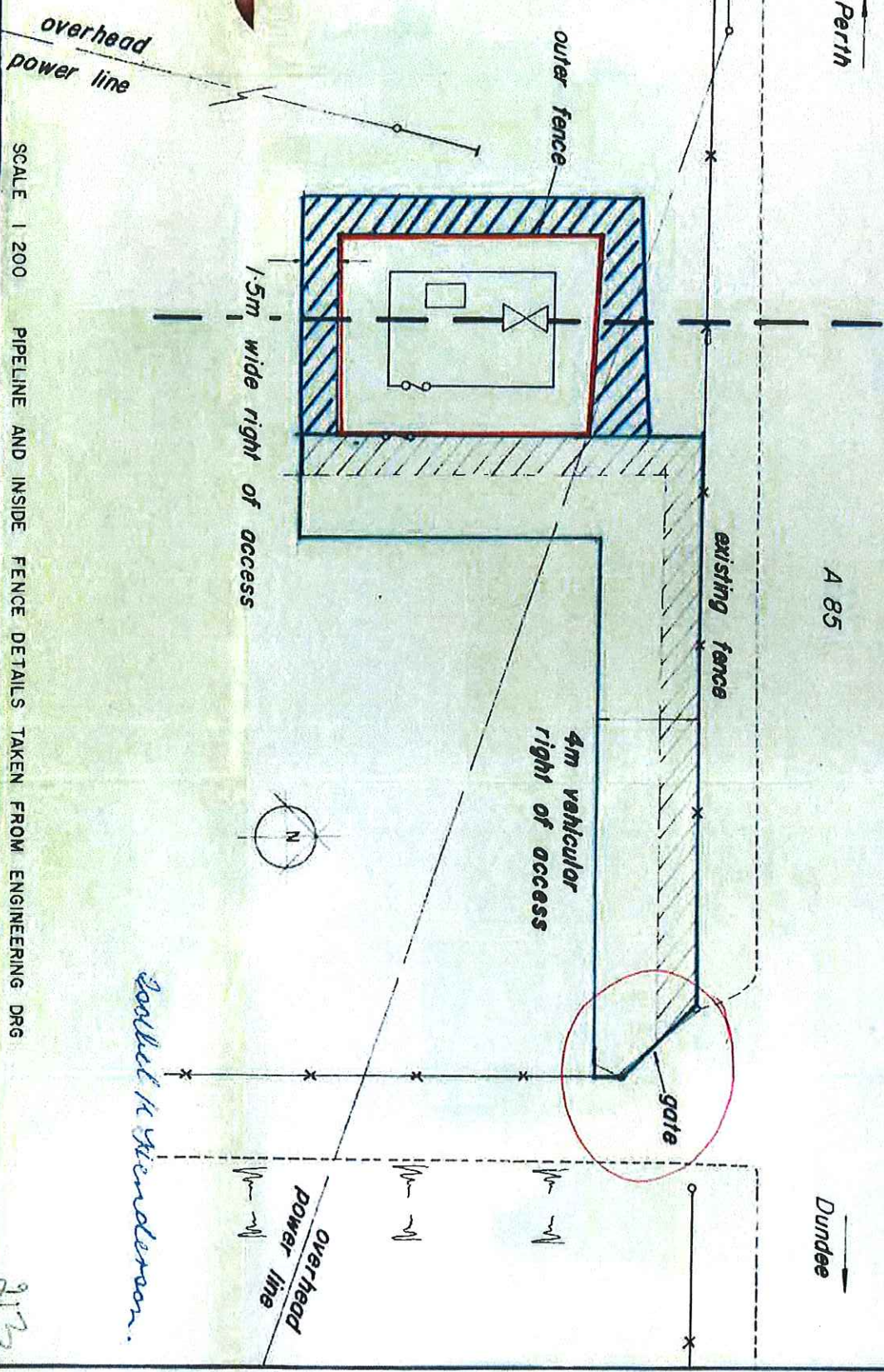
# SITE PLAN VALVE 14

FENCED AREA 79.18m<sup>2</sup>  
 SHADED AREA 101.43m<sup>2</sup>  
 4m ACCESS 92.90m<sup>2</sup>

Perth

A 85

Dundee



SCALE 1:200 PIPELINE AND INSIDE FENCE DETAILS TAKEN FROM ENGINEERING DRG

21.3

Doublet H. Henderson.



[REDACTED]

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**From:** [REDACTED]  
**Sent:** 11 December 2018 14:06  
**To:** [REDACTED]  
**Subject:** FW: A90 Kinfauns Interchange  
**Attachments:** A.pdf; Gate.pdf

<b>Tracking:</b>	<b>Recipient</b>	<b>Read</b>
	[REDACTED]	Read: 11/12/2018 14:07

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**From:** [REDACTED]  
**Sent:** 08 November 2018 10:40  
**To:** [REDACTED]  
**Subject:** RE: A90 Kinfauns Interchange

Good afternoon [REDACTED]

Apologies for the delay in replying.

I can confirm that the Stopping up of access No. 9 as per the Side Roads Order (your attached highlighted sketch refers) was to remove the direct the private means of access from [REDACTED] to the Trunk Road.

Had the Orders intended to remove any private right of access to the installation known as Valve 14 within the field enclosure in question then this would have been shown on the drawing with a separate "black bar" across its frontage, as per the legend ingiven with Side Roads Orders, in accordance with the Roads (Scotland) Act of 1984.

In doing so, we would also have needed to include a separate entry and detailed description within the text of the Schedule of that particular Order. (i.e. "The stopping up of that private means of access to the installation known as Valve Pump 14 as shown by the solid black bar numbered x, on drawing numbered x of x, etc")

Had the above actually occurred then we would also have needed to replace the existing right of access with an additional, suitable, alternative access prior to any physical "stopping up". This is a requirement of the Act.

As it is – none of this ever happened.

The access strategy in the design of the Scheme and by the implementation of Statutory Powers afforded by the Orders as published still allows for the continuing owners/ custodians of the Valve House to travel back up the private means of access (formerly to [REDACTED]) to the point where that particular access is stopped up against the Trunk Road carriageway.

The "stopping up" does not extend to the gate of the access track known as Valve 14 and nor was it ever intended to do so.

Coupled with this, with the conveyance of the land (described below) to the former owners, all prior rights for continued usage of the track up to the edge of the Trunk Road carriageway still

subsist today. This extends not only to yourselves but also to any adjoining properties/ field enclosures along the rest of the track to [REDACTED] that were not included within the Side Roads Order for "stopping up of private means of access".

I trust this is of assistance.

Regards,

[REDACTED]  
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Transport Scotland, the national transport agency  
*Còmhdaill Alba, buidheann nàiseanta na còmhdaill*

**From:** [REDACTED]  
**Sent:** 30 October 2018 14:03  
**To:** [REDACTED]  
**Subject:** RE: A90 Kinfauns Interchange

[REDACTED]  
Firstly many thanks for your email and documents, they are very useful. I have a further query on this that I would appreciate your view on.

The two attachments provide details of the same location.  
"A" being an excerpt from the 2005 Side Roads Order and I have highlighted the location (red circle) relative to Access 9 which is the stopped up access referred to in Part 4 of the Order. "Gate" is the title plan for the pipeline value site and again I have highlighted this same location with a red circle.

My query is if the specific access into field via the location circled would be in any way affected by the stopping up of Access 9 above. Our interpretation is that the stopping up is purely to prevent vehicles accessing the private road to [REDACTED] from the A90 and does not affect, in any way, access to the location circled in red on the plans. It is suggested by others that the stopping up at Access 9 thus prohibits us accessing this specific access to the field. We disagree hence our query.

Grateful for your comment.

Thanks & Regards  
[REDACTED]

[REDACTED] | INEOS FPS Limited | FPS Wayleaves Management | [REDACTED]  
[REDACTED]