

**Annex B - Extracts of submissions to the Cabinet Secretary for  
Transport, Infrastructure and Connectivity from March 2021 to May 2021**

**[Redacted]**

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**From:** [Redacted]  
**Sent:** 08 March 2021 16:53  
**To:** Cabinet Secretary for Transport, Infrastructure and Connectivity  
**Cc:** [Redacted]Chief Executive Transport Scotland; [Redacted]Transport Scotland Directors; [Redacted]

**Subject:** IMMEDIATE - A9 Dualling Forthcoming Made Orders  
**Attachments:** A9 Dualling - made orders advice - March 2021.doc

**Importance:** High

[Redacted]

### **IMMEDIATE – A9 DUALLING FORTHCOMING MADE ORDERS**

On behalf of [Redacted] please find attached immediate submission in relation to the A9 Dualling. As outlined in the submission the Cabinet Secretary may wish to announce the progression of the statutory processes for four further sections of the Programme at the RECC committee on Wednesday 10<sup>th</sup> March. A news release is currently in preparation which would also issue on 10<sup>th</sup> March and will be issued for approval shortly under separate cover.

Regards

[Redacted]

## **A9 DUALLING FORTHCOMING MADE ORDERS**

### **Purpose**

1. To outline the next steps for the A9 Dualling following the Scottish Ministers' Decisions that four further sets of Orders for the Programme may be made with modifications as proposed by Transport Scotland.

### **Priority**

2. Immediate. The Cabinet Secretary may wish to announce the progression of the statutory processes for the Programme at the RECC committee on Wednesday 10<sup>th</sup> March. We will arrange a co-ordinated press release.

### **Background**

3. The Scottish Government commitment to the £3 billion investment to dual the A9 between Perth and Inverness is one of the biggest transport infrastructure projects in Scotland's history. The Programme will bring benefits to local communities, businesses and road users living, travelling and working along the route. These include reduced journey times, improved journey time reliability and improve road safety for all users. In combination with the A96 Dualling Programme it will also complete the dual carriageway network between all of Scotland's cities.
4. The Programme was divided into a series of projects for the purposes of statutory promotion. Aside from the already complete Kincaig to Dalraddy project and the ongoing construction of the Luncarty to Birnam project, there are nine other projects in the Programme, eight of which are currently at various stages of the statutory processes. The remaining project between the Pass of Birnam and Tay Crossing has been the subject of a co-creative process, the outputs of which are being used to inform the ongoing route options assessment.
5. The orders for the project between Tomatin and Moy were made last week along with an associated announcement that the project will be progressed to construction procurement.
6. The Scottish Ministers published decisions to proceed with three projects over the course of last year and these have now been supplemented by a decision to proceed with a further project this week. These projects are:

Tay Crossing to Ballinluig – 8.2km

Pitlochry to Killiecrankie – 6.4km  
Glen Garry to Dalwhinnie – 9.5km  
Dalwhinnie to Crubenmore – 11km

7. Accordingly the making of the orders for these projects would finalise the statutory powers to construct a further 35.1km of dualling. In combination with the projects already completed or in ongoing construction or procurement, this would give powers to proceed with 61.7km or around 46% percent of the total programme. Given the extensive stakeholder and landowner input afforded during the process this is a significant milestone and further evidence of the progress being made on this ambitious programme despite ongoing challenges.

### **Programme and Next Steps**

8. Preparations are now underway to publish the made Orders for these projects and we expect to be in a position to commence this process in the coming months.
9. Publication of Made Orders will trigger a six week period during which any person aggrieved by the Orders may submit a challenge to the Court of Session for the suspension or quashing of the Orders. Such a challenge generally relates to procedural issues only.
10. Subject to there being no challenges or representations to each of the Made Orders, this would complete the statutory process for these four schemes and allow acquisition of necessary land to be undertaken.

### **Financial Implications**

11. The making of the orders does not come with a direct financial implication. The Cabinet Secretary is invited to note however that should land identified in the Compulsory Purchase Order not be acquired by means of GVD within three years from the making of the Order, the Order would fall.

### **Communications Handling**

12. The Cabinet Secretary may wish to announce that preparatory work is underway for making of the orders for these schemes at the RECC committee on 10 March 2020. Should the Cabinet Secretary wish to make such an announcement we will arrange a co-ordinated news release and related social media postings to announce this further significant milestone in the delivery of the programme to be brought forward for clearance under a separate cover.
13. The Cabinet Secretary is aware of recent press and political queries around the 2025 programme completion date. We continue to emphasise that A9 market consultation is currently underway to determine the most efficient delivery model for the programme and that we expect this process to conclude in summer 2021. This engagement is essential to allow us to be certain that setting a timetable for construction will not create extensive disruption on this lifeline route. The making of such a significant suite of orders however, underpins the commitment to progress delivery of the Programme as soon as practicable.

## **Conclusion**

14. You are invited to:

- **Confirm whether you wish to announce at Wednesday's RECC Committee meeting that preparatory work is underway for the making of orders on four further schemes that make up the dualling programme; and**
- **Note the proposed communications handling should such an announcement be made.**

## Extract from email dated 09 March 2021

[Redacted]

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**From:** [Redacted] **On Behalf Of** Cabinet Secretary for Transport, Infrastructure and Connectivity **Sent:** 09 March 2021 10:25

**To:** [Redacted]; Cabinet Secretary for Transport, Infrastructure and Connectivity [Redacted]

**Cc:** [Redacted]; Chief Executive Transport Scotland [Redacted] Transport Scotland Directors [Redacted]

**Subject:** IMMEDIATE - A9 Dualling Forthcoming Made Orders

Hi [Redacted]

Mr Matheson is content with the recommendation.

Many thanks

[Redacted]

## **A9 DUALLING PROGRAMME**

### **Top Lines**

- The £3 billion investment to dual the A9 between Perth and Inverness is one of the biggest transport infrastructure projects in Scotland's history, and this Government remains firmly committed to delivering it.
- We have already invested over £354 million to date delivering the dualling programme.
- Design is nearing completion (for eight of nine projects), delivery is underway and we have recently embarked on market consultation to determine the most efficient delivery model for the remainder of the programme.
- The only section not to have started the statutory process is between Pass of Birnam and the Tay Crossing which was subject to a Co-creative Process. A preferred option for this section is expected to be announced later this year.
- Where it was possible to do so, our consultants continue to advance design work on all our major road projects throughout the COVID Pandemic whilst complying with current restrictions.
- It remains too early to determine and confirm programme implications as a consequence of the pandemic.

### **We are the first Government to commit to dualling the A9 and we are working hard to deliver this ambitious programme which will bring benefits across Scotland**

- Work is continuing across the route, with road users already benefiting from the dualled stretch between Kinraig and Dalraddy (operational September 2017).
- Construction is well underway on the second stretch to be dualled between Luncarty and Birnam which is now expected to open to traffic in Winter 2021 having been delayed from Spring due to the impact of Covid 19.
- A Prior Information Notice (PIN) was published on 26th February 2021 signalling the start of procurement for the £115m construction contract for the Tomatin to Moy stretch, which is expected to be awarded in the second half of 2022.
- Delivery of the remaining sections can only be brought forward once approved under the relevant statutory procedures.
- The statutory right for individuals to have their say on our proposals cannot be set aside and it is essential that vital feedback is taken into account as we develop our plans.
- The dualling involves the compulsory acquisition of land and quite rightly an individual has the right to protect their property.
- However, I can confirm that we have now given the go-ahead to complete the statutory process for four further schemes with Orders to be made in the coming months, representing an further 35km of dualling.
- We also expect Public Local Inquiry Reports for a further three schemes shortly. Subject to positive decisions this would pave the way for completing the statutory processes for approximately 92% of the programme.

### **Our aim is to secure a strong and efficient delivery model, maximising the many benefits for road users, communities and businesses who live along or use this route**

- In order to expedite progress, in parallel with the remaining elements of the statutory processes, we are engaging with construction industry representatives to ensure that the remainder of the programme is delivered effectively and efficiently, balancing the considerable benefits against financial risk, impacts on local communities and journey times.
- After the challenging year we've just experienced, it's only right we listen to the industry to understand the ongoing challenges that they may face in delivering this critical programme.
- We expect this process to conclude in summer 2021

## **A96 DUALLING INVERNESS TO ABERDEEN**

### **Top Lines**

- We remain absolutely committed to completing the A96 Dualling programme.
- Dualling the A96 between Inverness and Aberdeen underlines our commitment to connecting Scotland's cities with a high quality transport system that will generate economic growth.
- This is a significant undertaking which requires careful in-depth planning and design.
- Delivery of each section of the programme can only commence if approved under the relevant statutory procedures and thereafter a timetable for progress can be set.
- Our intention is that more detailed programme milestones will be provided once the outcome of the statutory consents process for each section is known.

### **Design work is well underway on the dualling programme**

- Where it is possible to do so, our consultants continue to advance design work during the COVID pandemic, whilst complying with current restrictions.
- As we can't progress some preparatory work like site surveys, it is likely that there will be some impact on programme however although it is too early to say what the impact will be.
- On the Inverness to Nairn (including Nairn Bypass) section, following consideration of the Public Local Inquiry Reporters' Report the Scottish Ministers have decided to make the Orders for the scheme with Decision letters issued on 19 February 2021.
- Preparations are now underway to publish the made Orders for the scheme and we expect to be in a position to do this by this summer.
- At the same time we continue to advance the detailed development and assessment of the preferred options for the Hardmuir to Fochabers and East of Huntly to Aberdeen sections.