

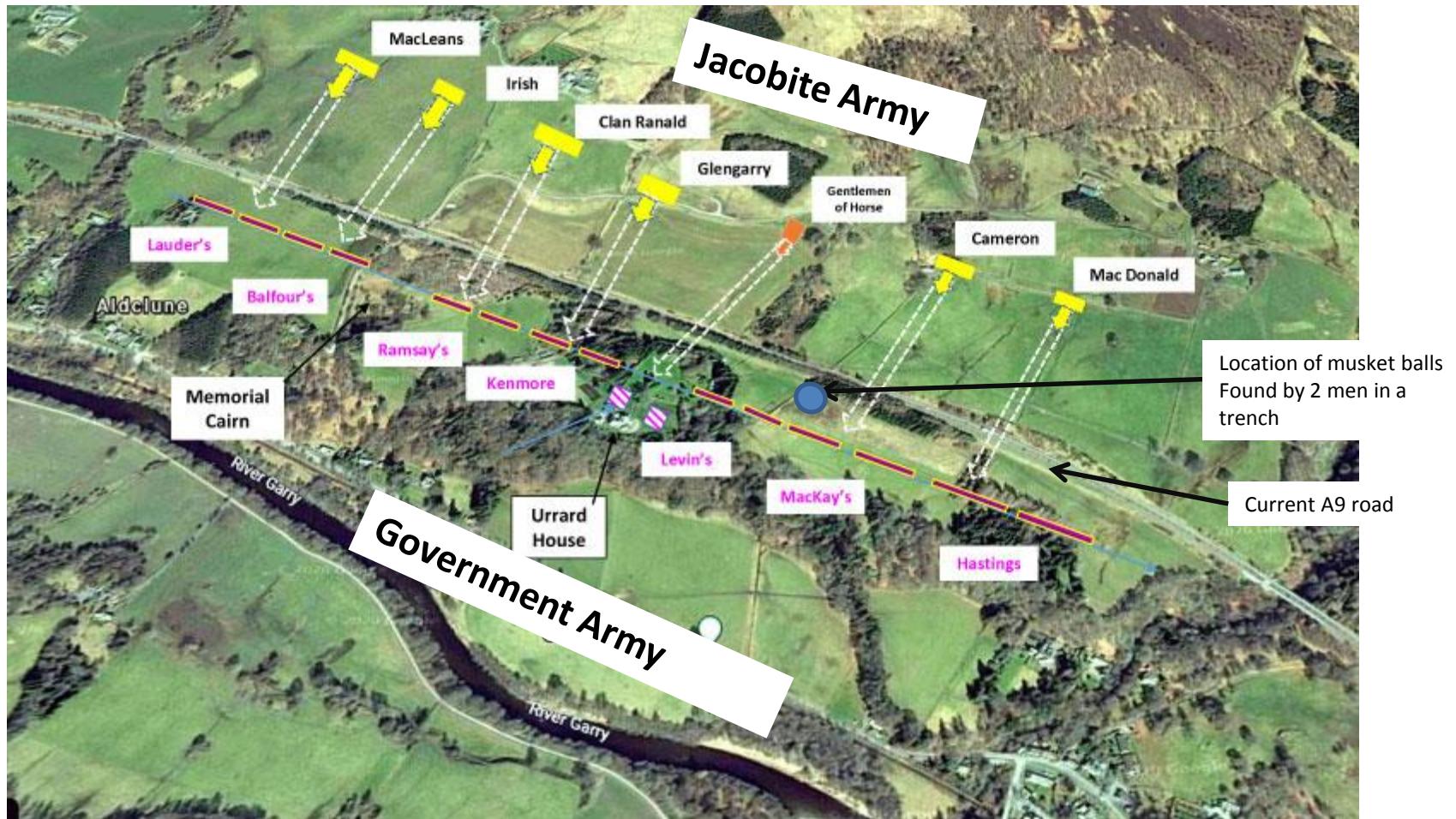
# Terrain of TS claimed government position



- TS have shown the positioning of the government army on terrain that appears unsuitable.
- This LiDAR view of Leven's regiment, positions them either side of a deep gully and the whole line is on the edge of a deep precipice.
- Mackay's only hope of winning the battle was to place his line in the best possible position.

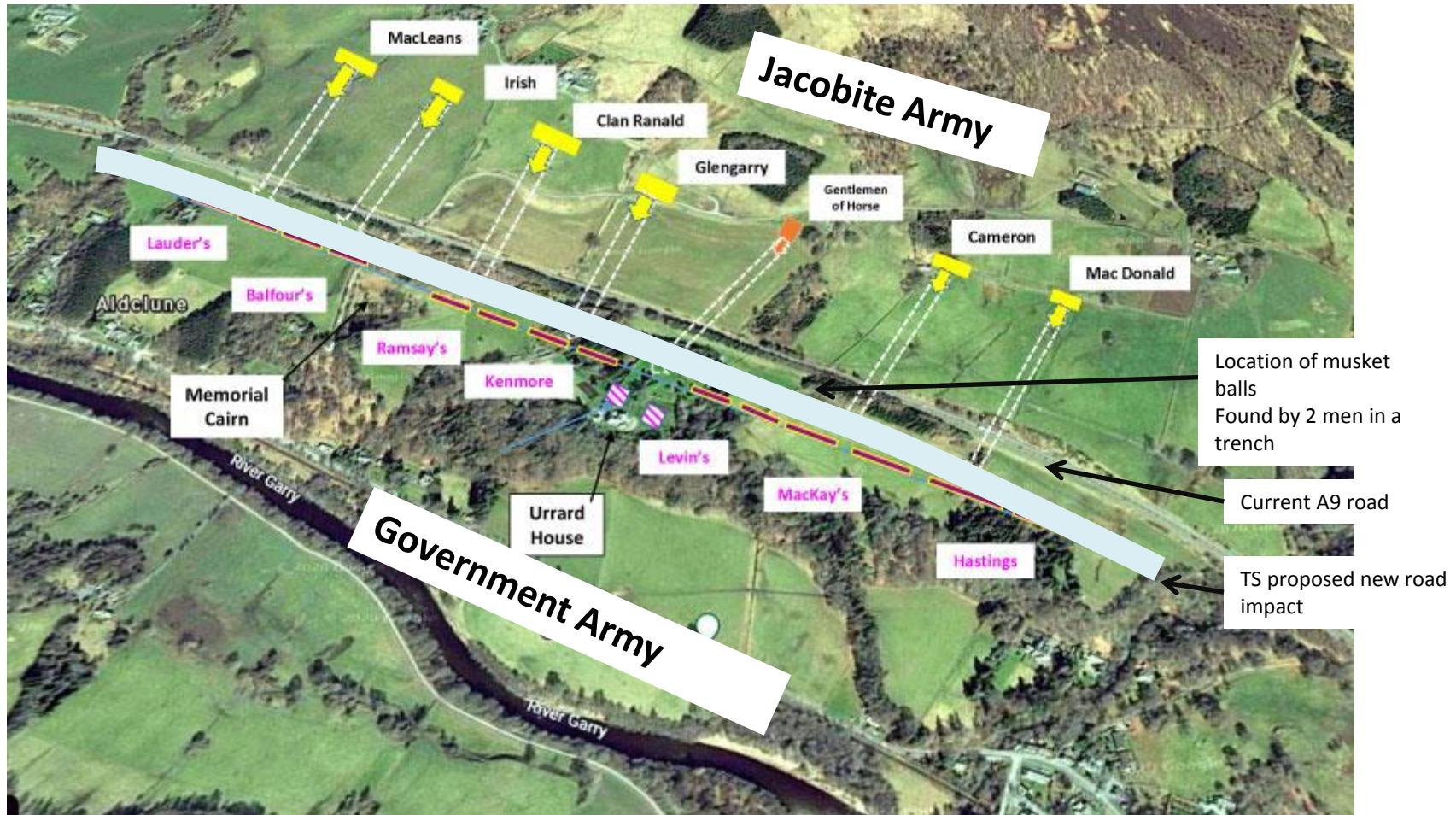
# The Battle

This slide shows the battle site , the true positions of the two armies and the location of the musket balls used for Mackay's Regiment GIS analysis

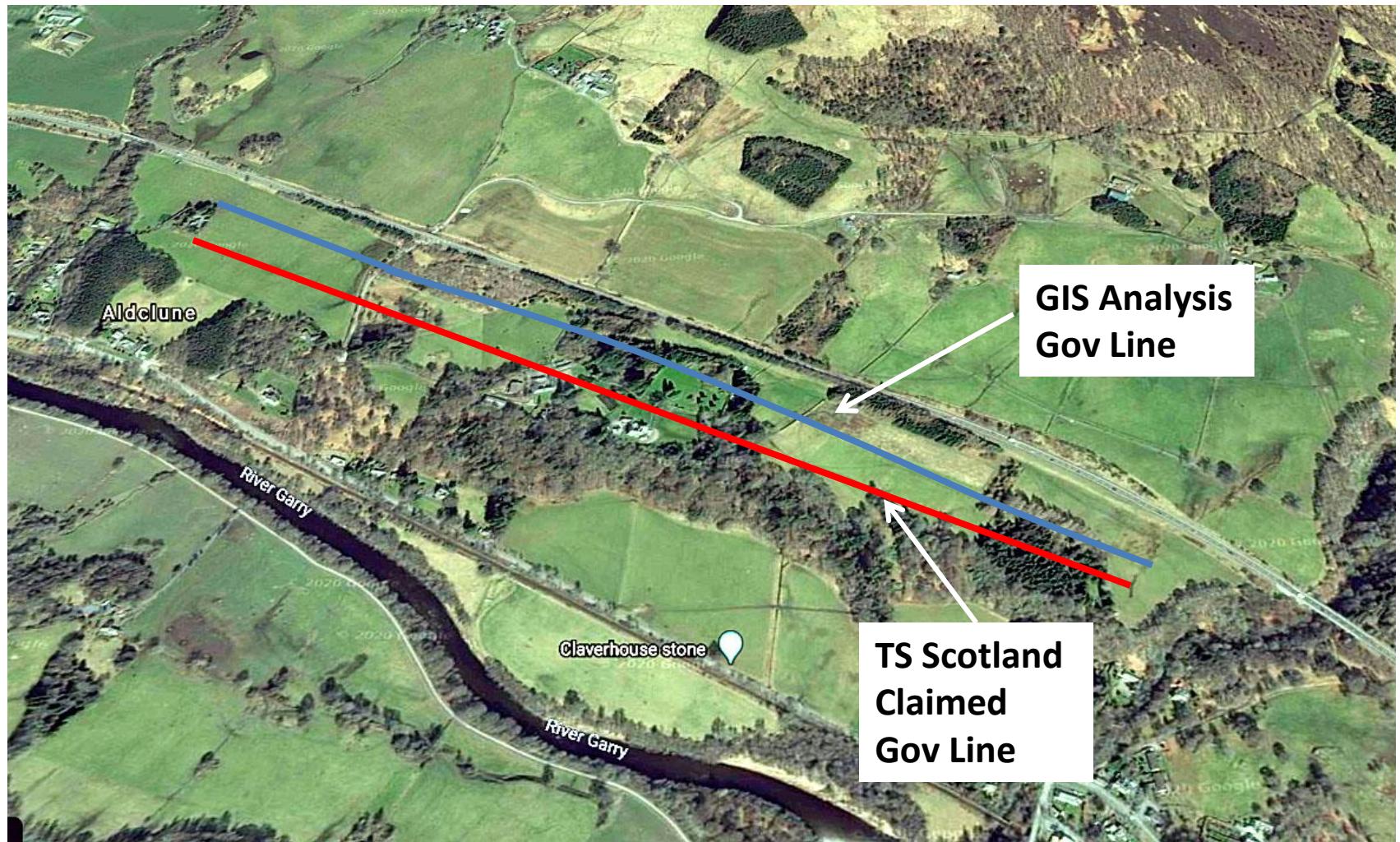


# The Destruction TS proposal will cause

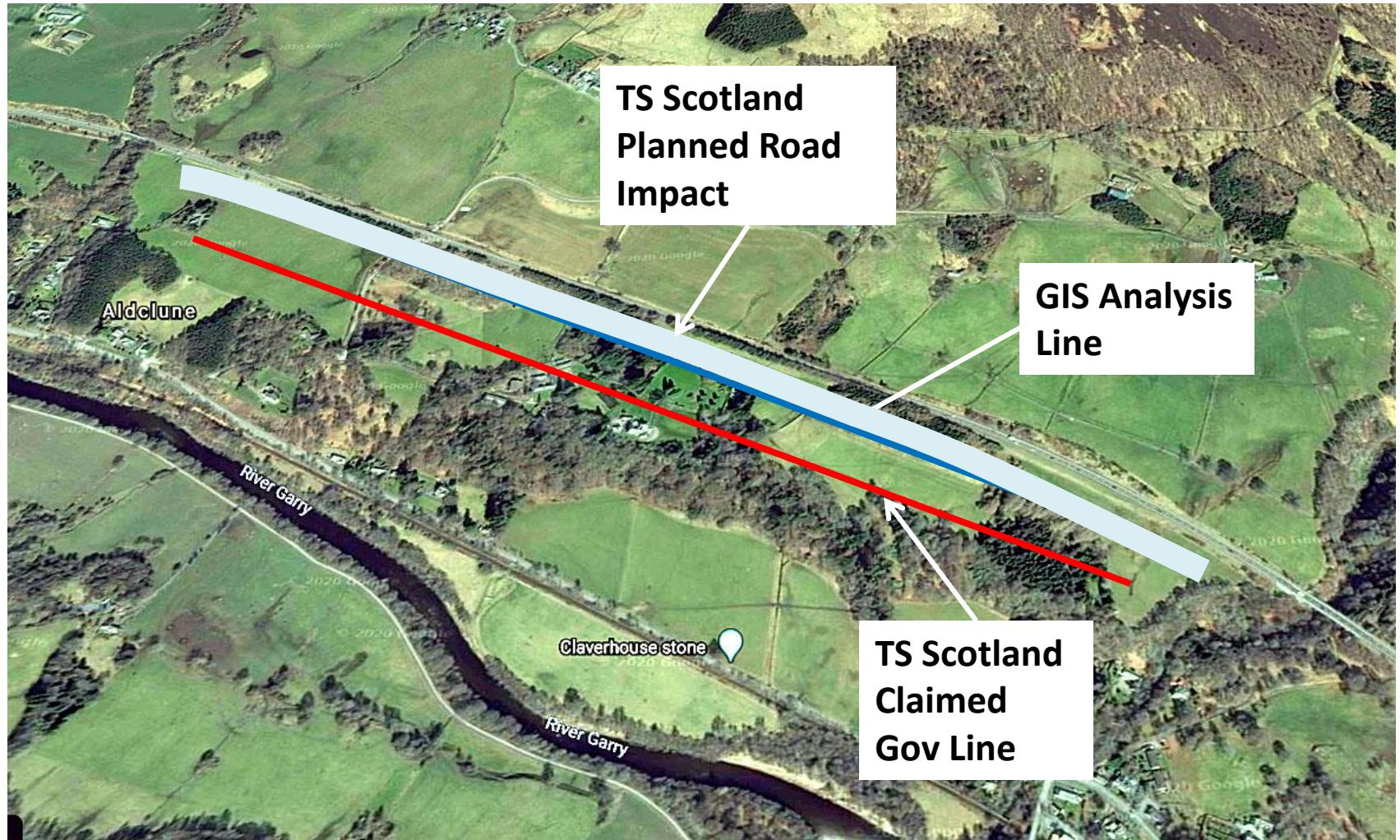
The proposed new road's impact on the battlefield



# Position of Government Line



# Impact of TS proposed new Road



# Transport Scotland

- Have a duty to:
  - Minimise impact to battlefields due to Scotland's Battlefield protection legislation
- Transport Scotland (TS) planned new road will destroy the most important parts of the site
  - TS argue that the new planned road does not impact the critical parts of the battlefield which is clearly wrong.
  - They argue that the government lines, where the main fighting occurred and so many men died, was well to the South of the current road which has been proved, in this document to be incorrect.
- This presentation summarises GIS (Geographical Information Systems) analysis that provides hard evidence that TS assumed position for the government troop lines is incorrect.
  - Simply put TS claimed location for the government troops does not give them line of sight to the point the archaeology shows the battle occurred.
  - It shows that their new road will cut through the very point where the most intense fighting was and the majority of the men died.
  - Many of the 2,400 deaths (contemporary accounts from Cameron of Lochiel's estimate) occurred at or near the government army's lines. Both General McKay and Cameron of Lochiel agree that this was the area where the fiercest fighting occurred and McKay believes the result of the battle hinged.
    - TS new road will destroy the most important part of the battlefield

# Conclusions

- There is now solid and consistent evidence, based on four separate pieces of analysis, that show the position assumed by TS for the government line is incorrect and the line must have been much further forward.
  - GIS analysis for Mackay's regiment showing it cannot have been located where TS claim
  - GIS and trajectory analysis for Leven's regiment clearly show they must have been positioned much further forward than TS claim.
  - GIS analysis from the position of the, well documented, Jacobite snipers proves there was not line of sight to the TS government position meaning they must have been further up the slope.
  - The position of TS government line is on unsuitable terrain
- This provides a very strong argument for the Scottish Government army being located close to the current A9.
- This analysis shows that Transport Scotland failed to carry out this basic analysis to confirm their assumptions on where the battle took place.
  - We ask that TS justify their position for the government line in the light of this analysis.
  - We invite TS to repeat this GIS analysis and explain their logic for the location of the new road in the light of this information
- We ask that our political representatives explain how they can justify allowing the road to run through such a critical historical battle site in the light of this information.
- We ask for a review of Killiecrankie Battlefield Historic Environment Scotland to update their assessment of Killiecrankie Battlefield to incorporate this new evidence and correct a number of errors in their 2012 assessment. [http://data.historic-scotland.gov.uk/data/docs/battlefields/killiecrankie\\_full.pdf](http://data.historic-scotland.gov.uk/data/docs/battlefields/killiecrankie_full.pdf)
- As there was no independent specialist battlefield expert at the Reporter Led Enquiry in January 2020 – we have grave concerns as to whether the Reporter had the right support to fully take on the significance of this assessment. It must put the findings of his review in question.
- Tony Pollard and Neil Oliver, from 2 men in a trench, have stated that Killiecrankie has great archaeological potential. This will be lost if the TS road proposal goes ahead as currently planned.
- **It would be a travesty, and an act of vandalism, if the new road is allowed to proceed in the light of the evidence presented here.**

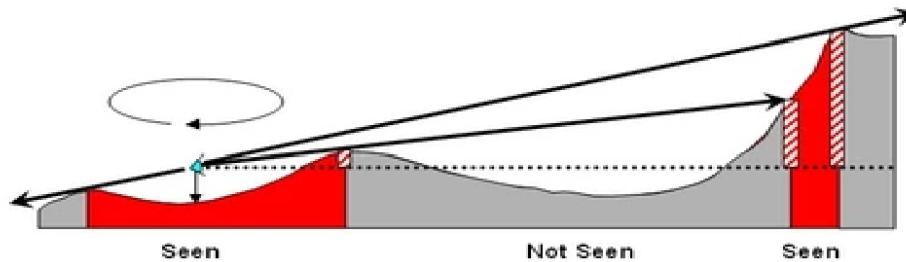
# Appendix

1. Ballistics of 17th Century Muskets” by David Miller Cranfield University
  - <https://core.ac.uk/download/pdf/139707.pdf>
2. Jacobite Sniper position contemporary quotes and archaeology quotes
3. GIS Viewshed analysis explanation

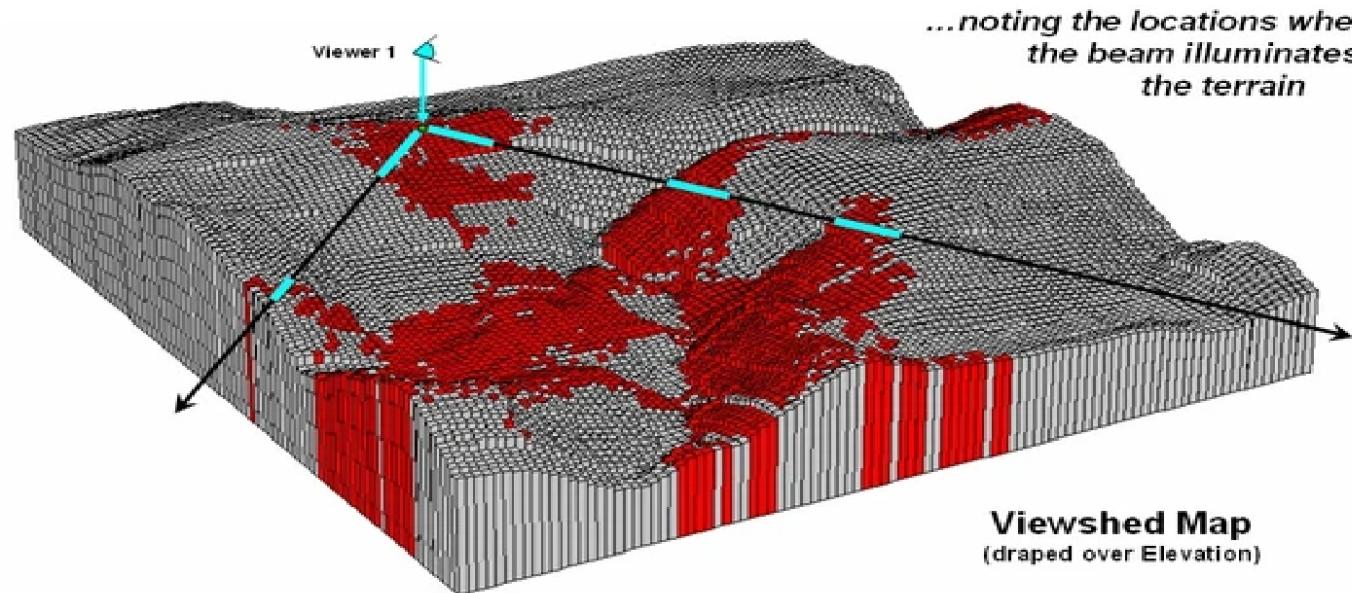
# Sniper's Position.

- From “**Two Men in a Trench II - Uncovering the Secrets of British Battlefield**” By Tony Pollard and Neil Oliver. West of Croftcarnoch and a little further down the slope “*a trigger guard from a musket*” was found by a metal detectorist. “*Telltale lumps and bumps - heavily eroded remains a buildings that didn't appear on any of our maps. ... An old track coming down the side of the hill into the cluster of buildings.*”
  - “A slightly distorted pistol ball. Was pulled from one of the wall mounds” and “with one or two more musket added to them, could mean only one thing, we had found the snipers house.”
  - “The cluster of buildings had been built on a natural Terrace, almost halfway down the hill, closer to the flat ground below, than Croftcarnoch.”
  - “Snipers here would have had an excellent view you of the Enemy Below. the position was correct for the right flank of the government line, and Trigger guard and musket and pistol balls provided evidence of fighting on the spot.”
- General McKay tells us
  - “*He Ordered his brother, commanding his own (McKays) Regiment, before whose front the houses were, to detach a captain with some fire-locks to dislodge them; adding “Judging with all that that skirmish might draw on a general engagement, which he earnestly long for before the night approached.*
  - “*The Captain chase the enemies detachment back to the main body of the Highland army, with the loss of some of their number. But shortly thereafter and about half an hour before sunset they began to move down the hill.*
- Cameron of Lochiel says
  - “*But what was hardest of all he had none of his clan with him but 240, he lost 60 of these, as they were deployed as Dundee's advanced guard to take possession of a house.*

# GIS Viewshed analysis explanation



*...a viewshed is like a search light rotating at a "viewer" location...*



*...noting the locations where the beam illuminates the terrain*



T: 0300 244 4000  
E: scottish.ministers@gov.scot

Mr Pete Wishart MP  
House Of Commons  
LONDON  
SW1A 0AA

Our ref: 2020/0003173  
28 August 2020

Dear Pete,

### **A9 Dualling: Killiecrankie to Glen Garry**

Thank you for your email of 17 August on behalf of your constituent [Redacted] concerning A9 Dualling Killiecrankie to Glen Garry scheme and Killiecrankie Battlefield.

As I mentioned in my previous letter of 10 June, we must observe statutory obligations and therefore the Scottish Government's Planning and Environmental Appeals Division appointed an independent Reporter to arrange a Public Local Inquiry. As for all our road schemes, this is the appropriate forum for considering objections received but not withdrawn.

The Public Local Inquiry for the Killiecrankie to Glen Garry section of dualling started on 13 January and concluded on the 21 January. [Redacted] provided evidence to the inquiry with supporting evidence being presented by his brother. Closing submissions from objectors and Transport Scotland have been issued to the Reporter, who is currently considering all evidence before submitting a Report to Scottish Ministers.

As Scottish Ministers are the decision makers in this process and will ultimately make a decision whether or not to proceed with a scheme after they have considered the recommendations made by the Reporter as part of the Inquiry process, it is not therefore appropriate to comment on the proposals or objections that have been raised at this time.

I hope this reassures you that [Redacted] concerns have been heard and that the objections received regarding Killiecrankie Battlefield are being fully considered fairly by an independent Reporter.

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[Redacted]

## MICHAEL MATHESON

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From: Richard Thomson MP  
Sent: 09 November 2020 11:55:01  
To: scottish.ministers@gov.scot  
Subject: (Case Ref: RI1347) A96 dualling decisions timeframe FAO Transport Secretary Michael Matheson

Dear Minister,

I am writing to you today as I've been involved in discussions with many constituents regarding the A96 dualling project. As you are likely aware it is currently in the 'in preparation' stage with route options and designs suggested.

I would appreciate if you could please let me know of the anticipated timescale of the project – particularly when the decision on the route and the design will be made – and provide an update on the project as the consultation and starting phases continue.

Thank you for your assistance.

Yours sincerely,

Richard Thomson MP  
Member of Parliament for Gordon

SNP Westminster Spokesperson on Business and Industry

Constituency Office: Unit F6, Enterprise Centre, Aberdeen Energy Park, Exploration Drive, Bridge of Don, Aberdeen AB23 8GX  
&nbsp;

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T: 0300 244 4000  
E: scottish.ministers@gov.scot

Richard Thomson MP  
House Of Commons  
LONDON  
SW1A 0AA

Sent via email:  
[Richard.thomson.mp@parliament.uk](mailto:Richard.thomson.mp@parliament.uk)

Our ref: 2020/0004188  
9 December 2020

Dear Richard,

### **A96 Dualling Programme Inverness to Aberdeen**

Thank you for your email dated 9 November 2020 with regards to the A96 Dualling Programme.

The Scottish Government remains committed to completing the dualling of the A96 between Inverness and Aberdeen. This is an ambitious target but one that underlines the Scottish Government's commitment to connecting Scotland's cities with a high quality transport system that will generate economic growth.

Dualling the A96 between Scotland's two most northern cities is a significant undertaking which requires careful in-depth planning and design. This will ensure we deliver the right scheme to reduce journey times while also providing better journey time reliability and road safety for all users.

Design work is well underway on the dualling programme. Where it is possible to do so, our consultants continue to advance the design and assessment work during this time, whilst complying with the Government's physical distancing guidance. While we continue to progress as much as we can, the ability to undertake some preparatory work has been affected and made more challenging during this time, in particular public engagement events and site surveys.

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With regard to the East of Huntly to Aberdeen section of the dualling programme, I can confirm that the route option assessment process continues and is being informed by the extremely high level of vital feedback received. The design and assessment work is continuing in order to identify a preferred option for this section of the route which is currently expected to be announced in the coming months. Due to the current restrictions consideration is currently being given to undertaking meaningful public engagement events to support the announcement, ensuring accessibility for all. The most recent update on the East of Huntly to Aberdeen section is available on the Transport Scotland website via the link below:

<https://www.transport.gov.scot/projects/a96-dualling-inverness-to-aberdeen/a96-east-of-huntly-to-aberdeen/project-details/#56809>

With regard to the other sections of the dualling programme currently in design, the Inverness to Nairn (including Nairn Bypass) section is currently going through the statutory process stage with the detailed development and assessment of the preferred option on the Hardmuir to Fochabers section ongoing.

Construction of the schemes that make up the A96 Dualling Programme can only commence if each scheme is approved under the relevant statutory procedures and thereafter a timetable for their progress can be set in accordance with the availability of funding from future spending reviews.

I hope this is of assistance.

[Redacted]

**MICHAEL MATHESON**

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From: Richard Thomson MP  
Sent: 24 November 2020 14:46:02  
To: Scottish Ministers  
Subject: A96 Dualing - North (violet) route (Case Ref: RI1347)

AO - [Redacted]

For Attention of Michael Mathieson MSP, Cabinet Secretary for Transport, Infrastructure and Connectivity

Dear Cabinet Secretary,

I write to represent the concerns of several constituents I have met in the last month whose homes and business stand to be significantly impacted by one of the proposed routes to accommodate dualling of the A96 around Inverurie.

The Violet route is the only proposed alignment to the north of Inverurie. I would appreciate your reconsideration of whether this potential route represents the best possible alignment of any route which could be taken to the north of Inverurie, given its proximity to existing equestrian businesses which would be heavily impacted by the construction and existence of the road thereafter, and private dwellings that would be severely impacted by the construction and operation of the main road there.

On a site visit, I observed the Violet route to be adjacent to a significant number of rural business, including the [Redacted] at [Redacted], [Redacted] and the [Redacted]. The operators at each of these centres, which generate income and provide popular amenities for the community, are gravely concerned their businesses will not survive if the Violet route, as currently aligned, is approved.

I have spoken with the farmer at [Redacted], who explained his land would be bisected by the Violet route. He expressed concern the hill grazing would be rendered inaccessible during construction work and as a result, the forage value of that ground would be lost. This would directly reduce the stock capacity of his farm, thus the viability of his business.

All these businesses have invested significantly in their land or facilities in recent years. In the event that a route is chosen which has an adverse impact on those properties, I would be grateful if you could advise the details of recourse available for businesses and homeowners, and whether or not any likely compensation is taken into consideration in the cost estimates for indicative routes.

In addition to the residences also impacted at each of these businesses, I have visited other residences, at [Redacted, and [Redacted] which are situated extremely close to the Violet route as currently drafted. The proximity of the route to these homes has already impacted the lives of my constituents. For that reason, I would appreciate it if you could advise the process of recourse available for constituents whose homes would be severely impacted, should the existing Violet route be approved.

Finally, I have written previously regarding the potential impact on the flood plain. I would be grateful if you could confirm if the violet route or some variant on that were to be chosen, and if it became apparent subsequently that the costs involved in engineering the crossing of the flood plain required to be materially in excess of any previous forecast or the engineering difficulties proved to be beyond the appetite of

the project, what provision would there be to revert to developing an alternative alignment?

I trust this is in order and look forward to hearing from you.

Yours sincerely,

Richard Thomson MP  
Member of Parliament for Gordon

SNP Westminster Spokesperson on Business and Industry

Constituency Office: Unit F6, Enterprise Centre, Aberdeen Energy Park, Exploration Drive, Bridge of Don, Aberdeen AB23 8GX

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Richard Thomson MP  
House Of Commons  
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SW1A 0AA

Sent via email:  
[Richard.thomsonmp@parliament.uk](mailto:Richard.thomsonmp@parliament.uk)

Our ref: 2020/0004365  
21 December 2020

Dear Richard,

### A96 Dualling East of Huntly to Aberdeen

Thank you for your letter dated 24 November with regards to the A96 Dualling East of Huntly to Aberdeen and specifically the Violet route option, which is one of the route options under consideration for this section of the route.

May I assure you and your constituents that to establish a preferred line for a trunk road improvement like the A96 Dualling East of Huntly to Aberdeen scheme, Transport Scotland implements a rigorous assessment process, based on standards set by the Design Manual for Roads and Bridges (DMRB), which covers environmental, engineering, traffic and economic considerations. Throughout this process, Transport Scotland consults with local communities, landowners and a large number of stakeholders and interested parties, with the information collected being utilised to inform the development of scheme proposals.

To further explain the sifting process already undertaken as part of the DMRB Stage 2 route option assessment Transport Scotland has published reports in relation to the process. These are available from the A96 Dualling pages of the Transport Scotland website at:

<https://www.transport.gov.scot/publication/dmrb-stage-2-early-sifting-reports-east-of-huntly-to-aberdeen-a96-dualling/>

<https://www.transport.gov.scot/publication/dmrb-stage-2-pairing-assessments-east-of-huntly-to-aberdeen-a96-dualling/>

The route option assessment process is anticipated to be concluded in the coming months with the announcement on a preferred option for scheme. The findings from this stage of the process will be presented in a DMRB Stage 2 Scheme Assessment Report which will be made available to view on the Transport Scotland website.

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It is only once the preferred option has been identified and then further developed through Stage 3 of the DMRB assessment process, that Transport Scotland will identify the land required to construct, operate and maintain the scheme and thereafter will publish a draft Compulsory Purchase Order. Once the land has been acquired by the Scottish Ministers they will appoint the Valuation Office Agency to assess the level of compensation due for property or land compulsorily purchased. The District Valuer and staff from the Valuation Office Agency will discuss the level of compensation with each affected landowner and/or their professional advisor.

The assessment of compensation will depend on individual circumstances. The underlying principle is to put the landowner, in financial terms, so far as money can do so, in the same position as if property had not been taken. The assessment of compensation will take into account the value of property and the value of related effects (known as Severance, Injurious Affection and Disturbance). Further guidance on the Compulsory Purchase Process and Compensation is available from the Transport Scotland website at:

<https://www.transport.gov.scot/strategy-and-research/publications-and-consultations/j8908-00.htm>

In addition, 12 months after the opening of a new road, those who have not otherwise been compensated and who consider that their property has reduced in value by virtue of the operation of the new or altered road may be entitled to claim for compensation in that regard within the terms of Part I of the Land Compensation (Scotland) Act 1973. Again, the valuation of any such compensation will be assessed by the Valuation Office Agency.

Please be assured that the economic assessment of route options forms a key part of the DMRB Stage 2 assessment process. Cost estimates for each route option, which include an initial estimate for land acquisition for each option, is being developed in sufficient detail to inform the economic assessment process, the findings of which will be fully reported in the DMRB Stage 2 Scheme Assessment Report.

Thank you for your continued interest in the scheme and I can confirm that all of the feedback and comments received will be fully considered as Transport Scotland progress the design and assessment process.

I trust this is of assistance.

[Redacted]

**MICHAEL MATHESON**

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[Redacted]

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**From:** [Redacted] on behalf of Cabinet Secretary for Transport, Infrastructure and Connectivity  
**Sent:** 23 February 2021 08:44  
**To:** Transport Scotland Secretariat  
**Subject:** FW: Dualling of the A9 between Killiecrankie and Glen Garry (Ref.: PW13396KM)  
  
**Categories:** [Redacted], MiCase

Hi

For MiCase please.

Many thanks

[Redacted]

[Redacted] | Assistant 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] (Please continue to contact me on this number during this time)** | Email: [CabSecTIC@gov.scot](mailto:CabSecTIC@gov.scot)

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**From:** WISHART, Peter  
**Sent:** 22 February 2021 16:42  
**To:** Cabinet Secretary for Transport, Infrastructure and Connectivity  
**Subject:** Dualling of the A9 between Killiecrankie and Glen Garry (Ref.: PW13396KM)

Dear Michael,

**Our ref.: PW13396KM**  
**Your ref.: 2020/0002249**

You may recall we previously corresponded in June 2020, concerning the dualling of the A9 between Killiecrankie and Glen Garry.

I have been contacted again by my constituents on this matter. They wish to know the results of the public local inquiry, which took place in January 2020. I understand that the reporter has made recommendations to the Scottish Ministers, and my constituents would like to enquire what conclusions have been drawn and when the report will be published.

I would be grateful if you could provide an updated information on this matter, in order that I may respond to my constituents.

Yours,  
Pete

Pete Wishart  
MP for Perth and North Perthshire

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T : 0300 244 4000  
E : scottish.ministers@gov.scot

Pete Wishart MP  
pete.wishart.mp@parliament.uk

Our Reference: 202100163335  
Your Reference: PW13396KM

15 March 2021

Dear Pete,

### A9 Dualling: Killiecrankie to Glen Garry

Thank you for your email of 22 February 2021 on behalf of your constituents concerning the A9 Dualling Killiecrankie to Glen Garry scheme.

As you are aware the Public Local Inquiry into the Killiecrankie to Glen Garry scheme started on 13 January 2020 and concluded on the 21 January 2020. I can confirm that the Reporter is currently considering all representations made prior to submitting his report and recommendations to the Scottish Ministers for determination. It is expected that the Reporter will submit his report to Ministers shortly.

The Scottish Ministers are the decision makers in this process and will ultimately decide whether or not to proceed with a scheme after they have considered the recommendations made by the Reporter. Once the Scottish Ministers have made their decision, the Reporter's Report will be made available to the public on the DPEA website ([www.dpea.scotland.gov.uk](http://www.dpea.scotland.gov.uk)).

I hope this is of assistance.

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[Redacted]

**Michael Matheson**

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**From:** TS Corporate Correspondence Support Team  
**Sent:** 17 June 2021 12:41  
**To:** [Redacted]  
**Cc:** TS Corporate Correspondence Support Team  
**Subject:** FW: Letter from Fergus Ewing MSP and Drew Hendry MP - Plan for delivery of A9 A96 dualling.  
**Attachments:** image001.emz  
**Categories:** [Redacted], Waiting for response

[redacted]

Can you let me know who to allocate this to on MiCase?

Regards

[Redacted]

[Redacted]

TS Corporate Correspondence Support Team

[Redacted]

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



Transport Scotland, the national transport agency

*Còmhdaill Alba, buidheann nàiseanta na còmhdaill*

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**From:** [Redacted] On Behalf Of Minister for Transport

**Sent:** 17 June 2021 11:44

**To:** TS Corporate Correspondence Support Team <[TSS@transport.gov.scot](mailto:TSS@transport.gov.scot)>

**Subject:** FW: Letter from Fergus Ewing MSP and Drew Hendry MP - Plan for delivery of A9 A96 dualling.

MR please

[Redacted]

Private Secretary to the Minister for Transport – Graeme Dey

The Scottish Government | St Andrew's House, Edinburgh, EH1 3DG |

[Redacted] Email: [MinisterFT@gov.scot](mailto:MinisterFT@gov.scot)

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**From:**[Redacted] On Behalf Of Ewing F (Fergus), MSP

**Sent:** 17 June 2021 11:19

**To:** Cabinet Secretary for Net Zero, Energy and Transport <[CabSecNetZET@gov.scot](mailto:CabSecNetZET@gov.scot)>; Minister for Transport <[MinisterFT@gov.scot](mailto:MinisterFT@gov.scot)>

**Subject:** Letter from Fergus Ewing MSP and Drew Hendry MP - Plan for delivery of A9 A96 dualling.

Dear Michael and Graeme

**Plan for delivery of A9/A96 dualling.**

We are writing in our respective capacities as the Member of Scottish Parliament and the Member of Parliament representing Inverness and Nairn, and Inverness, Nairn, Badenoch and Strathspey.

At the last Scottish Parliament General Election, we were both delighted to note that manifesto of our party re-stated the commitments for the dualling of the A9 and A96, commitments made in 2009.

It states:

*"We were the first Government to commit to dualling both the A9 and A96 and remain committed to completing both programmes, ensuring the road network between all Scottish cities is of dual carriageway standard. This should be seen within the context of our commitment to reduce car kilometres by 20% by 2030."*

Much progress has been made, and we appreciate and acknowledge this. However, Transport Scotland's website on the A9 project details the various sections yet to be constructed alongside the progress that has been made on design, route sections etc. With regard to the A96 we note the terms of the press release from the 18<sup>th</sup> of February with the announcement that the Scottish Government has approved the recommendations from the Public Local Inquiry as to the preferred route section, and that progress would be to deliver the Made Orders.

We consider that the outcomes of the last Scottish Election alongside the Westminster Elections for the period since 2009 is proof of the very strong support for both projects, and to a greater or lesser extent such support is forthcoming from all but one party which attracted little support.

We know you are both familiar with the arguments in favour of dualling which are many and varied:

- To enhance safety through virtual elimination of the risk of cross-over incidents, which can often cause fatality or serious injury.
- That Inverness is now the sole city in Scotland which lacks dualled road links with the rest of the country.
- That the A9 has been badged by the First Minister as the road which will become the first electric superhighway in Scotland and perhaps the UK.
- That the speed as well as the safety of journey times will be improved for individuals and businesses alike.
- That the delivery of freight to and from the North of Scotland will be aided and facilitated
- That given the importance of the Highlands as a place where the Green Recovery can be delivered, in renewables, pump storage, offshore energy, forestry peatland restoration and other areas, we will require improved transport links to help enable that.

Our purpose in writing to you both is therefore two-fold. First, we ask that a timetable be made on delivering our pledges made in our party manifesto at the last election with the proposed completion of the remaining sections of the A9 which are not yet dualled, and a timescale for completion of the said section of the A96 from Inverness to Auldearn, including the Nairn Bypass. Secondly, we wish to seek a meeting to discuss these proposals and timescales for both projects.

We consider that there are a great many reasons why such an announcement would be sensible and beneficial including:

- That there is a great deal of pressure for such information to be made clear, given that the original pledges were made in 2009.
- That such an announcement would be very well received in the whole of the North of Scotland, as proof of the Scottish Government's commitment to invest in the improvement of our transport links, and bring them broadly alongside the standard enjoyed elsewhere, including in the central belt of Scotland.
- That the construction industry would benefit from clarity, and certainty of future work being made available in a steady release of projects, so that their capacity can be utilised and they can continue to provide the high standard of engineering and construction excellence as they have delivered in the previous project on the A9.
- That we will be showing clearly a plan to deliver upon our election promises made in manifestos for several of the recent elections.

Finally, there are few realistically deliverable alternatives to improve connectivity in coming decades, and none have been seriously identified. We note that with the phase out of petrol and diesel run transport, electric and hybrid vehicles will be vital to connectivity and transport links across the Highland region. We understand there is overwhelming support for such a move from business bodies and the general populace in the Highlands and would very much welcome a meeting in order to discuss the delivery of such a plan, and the timescale of delivery.

We do hope that this is in order and look forward to hearing from you.

Yours sincerely,

[Redacted]

**Drew Hendry MP**

Member of Parliament for Inverness, Nairn, Badenoch and Strathspey

Shadow Secretary of State for International Trade

Find out more about Drew's work at [www.drewhendrymp.scot](http://www.drewhendrymp.scot)

[Redacted]

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