

Note of meeting – 25 October 2022

Minute of Minister for Transport Meeting with Fergus Ewing MSP 16:15 to 16:45 on 25 October 2022

Attendees

Jenny Gilruth (JG) MSP, Minister for Transport
[redacted], Private Secretary to Minister for Transport
Fergus Ewing (FE), MSP for Inverness and Nairn
[redacted], PA to Fergus Ewing MSP

Lawrence Shackman (LS), TS Director of Major Projects
[redacted], TS Head of Design, Procurement and Contracts
[redacted], TS A96 Dualling Programme Manager
[redacted], TS Road Safety and Development Manager

Agenda

1. Welcome
2. Discussion on recent fatal accidents on the A9; programme of road safety measures and commitment to dualling between Perth and Inverness.
3. Any Other Business
4. Actions

1. Welcome - extended to all attendees from JG.

2. Discussion Points - recent fatal accidents on the A9; programme of road safety measures and commitment to dualling between Perth and Inverness.

JG:

- reaffirmed to FE the Scottish Government's on-going commitment to dual the A9 between Perth and Inverness.
- reassured FE that she is fully aware of safety on the A9 and expressed her sympathy to everyone who has been affected by the loss of a loved one, and to anyone who has been injured, on Scottish roads this year.
- summarised recent / forthcoming meetings with Police Scotland regarding the recent fatalities on the A9.
- confirmed that she will chair the next A9 Safety Group meeting on Friday 4 November in Pitlochry.
- confirmed that she has instructed Transport Scotland to look at potential short term improvement options to improve safety on the A9.

JG then invited FE to raise the topics he wished to be discussed at the meeting.

- FE cited growing public concern being expressed by his constituents on the safety of the A9 following the number of recent fatalities and also on the Scottish Government's commitment to dual the A9 between Perth and Inverness. FE summarised his two main asks:
 - Request for a programme of safety measures to be developed for the A9 which could be implemented in the short term.

- Request for an updated high-level programme to achieve dualling of the A9 between Perth and Inverness, with relevant/appropriate caveats/scenarios, and for this to be communicated to members of the public.
- JG was sympathetic to both requests, considering them to be both fair and reasonable. JG made reference to her forthcoming attendance at the A9 Safety Group meeting in Pitlochry on Friday 4 November 2022 and asked that, if permissible, officials extend the invite to FE.
Action: [redacted] to extend invitation to FE, if permissible, to the A9 Safety Group meeting. Post meeting note, following further advice, a separate meeting with MSPs is envisaged to cover A9 safety matters and FE will be invited to that meeting.
- JG set out her aspiration to re-convene regular Safety Forums with MSPs and advised that she is in receipt of a paper from TS officials which sets out development of short-term options for A9 safety improvements for consideration.
- LS provided an update of the current status of A9 Dualling Programme as follows:
 - Two sections completed;
 - Tomatin to Moy – Currently at Tender assessment stage;
 - Orders made for four sections with land still to vest;
 - two sections still to make Orders;
 - Reporter’s Report with Ministers for consideration on one section; and
 - Pass of Birnam to Tay Crossing (Dunkeld) Section still to undergo Statutory Procedures.
- LS advised that consideration is ongoing regarding potential alternative procurement / delivery strategies for the Programme and that cognisance of market conditions following the UKG “mini-budget” announcement is being taken.

JG left the meeting, thanked all attendees for their attendance, offered a readout to FE and extended the opportunity for FE and TS officials to continue discussion.

- [redacted] summarised the work being undertaken by TS in conjunction with Police Scotland on the Road Safety Plan, including summarising consideration of potential short term road safety measures that could be implemented on the A9, subject to budget allocation. [redacted] advised of intention to update / renew the A9 Safety Plan – this was welcomed by FE.

3. Any Other Business

- A96 Dualling Inverness to Nairn (including Nairn Bypass) - FE requested an update on the A96 Dualling Inverness to Nairn (including Nairn Bypass) scheme. [redacted] advised that the project team continue to progress the preparation work required to publish Made Orders in the coming months. FE emphasised the importance of this scheme being brought forward to support planned development in the Inverness area, including potential investment at Port of Cromarty Firth.
- Aviemore to Carrbridge Non-Motorised User (NMU) Route - FE advised officials that he had written to JG regarding the Aviemore to Carrbridge NMU Route scheme to express his support that this continue to be brought forward in advance of delivery of the dualling programme. **Action: Ministerial Correspondence response to be issued to FE.**

- FE closed the meeting - thanking TS officials for their time.

4. Actions

- **[redacted] to extend invitation to FE, if permissible, to the A9 Safety Group meeting. Post meeting note, following further advice, a separate meeting with MSPs is envisaged to cover A9 safety matters and FE will be invited to that meeting. (Action Closed)**
- **Ministerial Correspondence response to be issued to FE (PO to Action)**

Extract from A9 Perth to Inverness Short Term Road Safety Improvements Paper
Email attachment dated 25 October 2022

Following a rise in number of fatal accidents, and particularly fatalities, on the A9 between Perth and Inverness in summer and autumn 2022, you asked Transport Scotland officials to identify potential short-term options to improve safety on the A9 in advance of future dualling works.

An annual review of road safety performance is conducted on the entire trunk road network. This uses preceding years' accident data from Police Scotland records to inform potential investigations and/or schemes which address issues highlighted in the accident data.

The Trunk Road Casualty Reduction budget, currently funded to £9.7 million in 2022/23, is allocated for this purpose across the full extent of the Trunk Road network. On the A9 between Perth and Inverness. Several safety schemes have been progressed this year and programmed as a result of the most recent annual safety review. These, and further information on inspections and programmed works, are summarised in **Annex A**.

The accident history of the A9 between Perth and Inverness in recent years is summarised in **Annex B**. It indicated that the recent safety performance of the A9, with 7 fatal accidents resulting in 12 road deaths, is a departure from the preceding safety record of the route, with 1 fatal accident having been recorded in each of the preceding three years and an average of 4 per year going back from 2018 to 2014. Each of the 7 accidents between Perth and Inverness in 2022 occurred on single carriageway sections of the A9.

Based on our initial understanding of these accidents, and the wider context of the A9, the following improvement measures are proposed.

It should be noted however that the current budget for 22/23 has been fully allocated to existing road safety priorities across the network. Therefore many of these items would require additional funding approval. Also, as part of the AO budget review process, all road safety campaign spend has been suspended since summer 2022 and would require new/specific approval.

Meetings and engagements

- Meet with Fergus Ewing MSP on 25 October
- Meet with Police Scotland and officials to discuss accidents on the A9 during 2022 on 26 October
- Engage with Dunkeld Community Council and associated groups to explain progress with A9 Dualling and short term measures being considered. This is scheduled for 31 October and has been convened following contact with constituency MSP, John Swinney.
- Further engagement with other Community Councils will be considered, however we are not aware of concerns being raised elsewhere on specific safety issues.
- Convene a meeting of the A9 Safety Group (4 November), which you have asked to chair. Seek input from group members and apply that to proposals going forward.
- Undertake research with international road authorities on similar issues experienced and potential solutions. This work is underway.
- Engage with local authorities, Visit Scotland, existing traders and the National Park to consider further measures, likely in short/medium term, for offering enhanced rest facilities to road users. This would be either through promotion of dedicated facilities, enhancement of laybys or examining the feasibility of providing services.

- Discuss with the car hire sector potential improvements in driver information for tourists.

Engineering proposals

- **Trunk road casualty reduction schemes:** - Continue with Transport Scotland's annual programme of trunk road casualty reduction schemes (Annex A), subject to continued funding.
- **Road Markings:** - Refreshing, where required, road markings along the route. Parts of the A9 have recently been upgraded to high performance markings with greater reflectivity during darkness and enhanced acoustic properties should a vehicle wheel pass over them. Wider use of the same lining material is proposed.
- **Signage/Marking at transitions:** - Reviewing provision of signage and road markings at the transition from dual- to single carriageways to and undertaking work to clarify and improve these transitions.
- **Lane Advice:** - Reviewing provision of carriageway arrow markings and road signs to further clarify lane discipline on single and dual carriageways and on the approaches to junctions.
- **Road Studs:** - Review of locations where high performance illuminated road studs, which are more prominent than traditional studs, could be installed. Other forms of illumination may be considered, though it should be noted the recent accidents displayed no bias towards dark conditions and lighting costs would be considerable in some locations. The National Park would likely be concerned about added illumination around the A9.
- **Junction Reviews:** - Review opportunities for junction rationalisation or remodelling. This would be a significant undertaking (for investigation and delivery) over a number of years and would require additional funding approval. It would also require detailed liaison with local authorities, the promotion of road orders and public consultation (and likely objections). It may also raise public concerns that the commitment to dualling works in those areas had reduced.

Enforcement proposals

- Exploring the use of the recently upgraded average speed camera system to reinforce its use in sustaining and further improving driver behaviour. It should be noted, however, that none of the fatal accidents this summer/ autumn have been demonstrably related to inappropriate speeds.
- Working with colleagues in Police Scotland and the relevant safety camera units to enhance non-camera based enforcement strategies, such as deployment of marked and unmarked police cars and motorcycles where possible.

Education and awareness raising proposals

- Through Road Safety Scotland, rerun the national fatigue campaign, 'Driving Tired Kills', which seeks to increase awareness of the risks of driving tired and prompt safer driving behaviour. To note, this, and any other campaign, would require a relaxation in current budget spend restrictions to take place.
- Continue and reinforce the 'drive on the left' campaign, and identify new opportunities to engage with overseas drivers, particularly on arrival in Scotland. This would also require a relaxation in current budget spend restrictions.
- Consider deployment of portable variable message signs indicating upcoming opportunities for rest breaks or other route specific information.

The proposals set out above are based on recommendations from road safety engineers at BEAR Scotland and feedback from Police Scotland. The circumstances of the recent fatal accidents are not specific to the A9 and similar accidents occur across the trunk road network with the same diverse causation factors relating to driver performance and behaviour. Since these types of accident have the potential to happen anywhere at any time, the proposals do not target specific locations but seek to improve driver performance and mitigate the consequences of mistakes along the route.

It is important to recognise that these measures rely on drivers reacting correctly to them and taking appropriate action to have any effect. The accident north of the B938 junction at Carrbridge on 16 September, for example, occurred on a section of the A9 that had recently been treated with high performance road markings with acoustic properties. The accident at the Blackford junction on 23 October, although outwith the Perth to Inverness section of the A9, occurred on a dual carriageway.

While some of the measures set out above could be achievable in the next 6-9 months, many of the proposals will require development and delivery over the coming years, should funding be made available and AO approval given.

Road Safety Campaign work could progress in the coming months but would require the AO template to be reconsidered for the current year's budget to be released.

BUTE HOUSE AGREEMENT IMPLICATIONS

Future investment in our transport network will be set out in the second Strategic Transport Projects Review and will align with the sustainable mode and investment hierarchies. During this parliamentary session, new roads projects will normally only be taken forward where they reduce the maintenance backlog; address road safety concerns or adapt the network to deal with the impacts of climate change or benefit communities such as bypassing settlements.

SENSITIVITIES

The number of fatal accidents has heightened concerns regarding safety on the A9 and progress with the A9 Dualling. You are meeting with Mr Ewing on 25 October to hear his concerns in this regard. Officials are meeting with John Swinney MSP and stakeholder groups from the Dunkeld area in his constituency on 31 October.

Investment in A9 interventions, whilst demonstrably responsive to the recent accidents, would attract attention from other communities on other routes, such as the A82 or A96, where accident figures in recent years have been comparable to, or higher than those recorded on the A9.

Equally, communities on other sections of the A9, north of Inverness or south of Perth might reasonably expect similar approaches, particularly as there are no plans to upgrade their section of the route. For the section north of Inverness, the safety record has generally been poorer than the Perth to Inverness section in recent years.

Annex A – Recent and Planned Works on the A9 Between Perth and Inverness

Recently completed road safety works:

- A9/A822/A923 Junction (Dunkeld) – replacement of signs to provide better advance warning, changes to road markings to clarify junction layout and resurfacing and provision of high performance road studs to clearly delineate the junction during darkness (£370,000)
- A9 Dalguise to B867 – provision of illuminated bollards at key junctions (£20,000)
- A9 Inshes Junction (Inverness) Southbound– installation of electronic warning signs activated by queuing traffic to prevent shunt accidents (£170,000)

Further road safety works planned for the current and future financial year:

- A9 Ballinluig southbound – enhanced signing for slip road to prevent overshoot and loss of control accidents. (£45,000)
- A9/B8079 junction – new directional signage for northbound traffic leaving House of Bruar to use local roads to avoid right turn when re-joining A9. (£10,000)
- A9 Ralia – new signage and road markings to clarify junction layout. (£40,000)

The entire A9 between Perth and Inverness is inspected weekly, with additional patrols carried out midway these during the winter period. Between Perth and Pitlochry, the route is subject to two inspections/patrols per week throughout the year.

In addition to the road safety works, over £7.2 million has been spent, or is programmed to be spent, on the A9 between Perth and Inverness this financial year. This includes £5.9 million on new surfacing and road markings. Further details are:

- Surfacing and road markings - £5,900k
- Bridges - £650k
- Minor improvements - £520k
- Routine maintenance to signs and drainage - £100k
- Landscape maintenance – £100k

Annex B – A9 Perth to Inverness Safety Performance 2012 to 2022

From north of Inveralmond roundabout (Perth) to south of Longman Roundabout (Inverness)

	Fatal Accidents	Fatal Casualties	Serious Accidents	Serious Casualties	Slight Accidents	Slight Casualties
2012	5	8	8	16	31	92
2013	4	6	10	17	25	43
2014	3	3	9	14	26	48
2015	4	5	6	7	25	43
2016	4	4	6	13	21	46
2017	4	4	9	20	27	57
2018	5	5	13	24	29	54
2019	1	1	15	26	17	26
2020	1	1	7	11	7	9

2021	1	1	11	18	17	34
2022 *	7	12	6	9	6	20

* (fatal to 19 Oct and serious/ slight to 9 Sept)

Extracts from Engagement Briefing for meeting on 25 October 2022

The recent accidents on the A9, are tragic for everyone involved. I have always been clear that any road death on our roads is one too many. The Scottish Government is committed to achieving safer and sustainable road travel in Scotland now and in the future. This commitment has been set out in our Road Safety Framework to 2030 with the target to halve road deaths by 2030, reducing them to zero by 2050.

Road safety is of paramount importance to the Government. We have an ongoing programme of road safety improvements on the A9 and more widely across the Trunk Road network. I have instructed Transport Scotland to examine options for further measures that could improve A9 safety in advance of dualling works.

An opportunity for you to highlight the Scottish Government's commitment to dualling the A9 while also improving the A96 corridor, supporting its vision of reducing inequalities, climate action, helping to deliver inclusive economic growth and improving our health and wellbeing.

The Scottish Government remains firmly committed to completing the dualling of the A9 between Perth and Inverness which will reduce journey times, improve journey time reliability and importantly improve safety on this vital route.

We have already invested over £400m to date delivering the dualling programme. Work is continuing to progress on the A9 with the section between Tomatin and Moy currently in procurement and the construction contract expected to be awarded later this year. Design work is progressing on the rest of the programme, with the statutory process well underway for seven of the remaining eight schemes.

Work to determine the most suitable procurement options for the remaining sections is also ongoing. This is a complex exercise which looks at a number of factors including how the project can be delivered most efficiently by the industry, whilst minimising disruption to road users and helping to support economic recovery post-COVID. An update on the outcomes of this complex piece of work will be provided when the work is completed.

The Scottish Government also remains committed to improving the A96 corridor. We will take forward an enhancements programme on the A96 corridor that improves connectivity between surrounding towns, tackle congestion and addresses safety and environmental issues.

The current plan is to fully dual the A96 route between Inverness and Aberdeen, however we are conducting a transparent, evidence-based review of the programme which is underway and will report by the end of this year. This is a sensible good governance for major investment of this kind.

At the same time we continue to progress the preparation stages of the A96 Dualling Inverness to Nairn (including Nairn Bypass) scheme with a view to completing the statutory process. This includes the significant work required to prepare for publication of made Orders, including the Compulsory Purchase Order, in the coming months. Subject to no legal challenge being received, the Scottish Ministers will then have the relevant powers to acquire the land necessary to construct the scheme.

Delivery of the scheme can only commence if approved under the relevant statutory procedures and thereafter a timetable for progress can be set in line with available budgets.

Top Lines

- We remain committed to dualling the A9 and considerable work is ongoing across the programme to complete essential design and statutory consents stages.
- It is not possible to set a firm programme for delivery of the programme until statutory consents are completed because we are not in full control of that process or timescale.
- 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 recent accidents on the A9, and elsewhere on the road network, are tragic for everyone involved. As Police investigations are ongoing, it would not be appropriate to comment on them at this time.
- We have been clear that any road death is one too many.
- The Scottish Government is committed to achieving safer and sustainable road travel in Scotland now and in the future. This commitment has been set out in our Road Safety Framework to 2030 with the target to halve road deaths by 2030, reducing them to zero by 2050.
- Road safety is of paramount importance to the Government and, indeed, to everyone – our work on this is backed by a record level of funding.
- We have an ongoing programme of road safety improvements on the A9 and more widely across the Trunk Road network.
- Transport Scotland has been instructed to examine options for further measures that could improve A9 safety in advance of dualling works.
- In addition, we remain committed improving the A96 corridor. We will take forward an enhancements programme on the A96 corridor that improves connectivity between surrounding towns, tackle congestion and addresses safety and environmental issues.
- The current plan is to fully dual the A96 route between Inverness and Aberdeen, however, we are conducting a transparent, evidence-based review of the programme which is underway and will report by the end of this year.
- The A96 Dualling Inverness to Nairn (including Nairn Bypass) scheme, which runs from Inverness to Hardmuir, is separate from the wider A96 review process which is currently being undertaken.
- We continue to progress the preparation stages of the scheme with a view to completing the statutory process. Delivery of the scheme can only commence if approved under the relevant statutory procedures and thereafter a timetable for progress can be set in line with available budgets.

A9 (with focus on Tomatin to Moy)

- We are underlining our commitment to the A9 by taking forward the procurement of the £115M next section of construction between Tomatin to Moy. The procurement process for this project is ongoing and we expect to award the construction contract later this year.
- All things being equal we anticipate this project being completed during this Scottish Parliament.
- The commitment is evidenced by the progression and completion of advanced works with an anticipated investment of around £14M.
- This includes advance works in the vicinity of the Highland Main Line Lynebeg Rail Underbridge (~£9M) and Moy undertrack culvert crossings (~£3M) which were completed in early 2022. Two further advanced works contracts have also recently completed:
 - (1) archaeological investigations (~£0.65M) required to investigate, evaluate and mitigate the effect of the project on cultural heritage assets, in line with commitments made in the Environmental Statement for the project; and

(2) advance enabling works in the vicinity of Tomatin Distillery (~£1.5M).

Additionally, a further advance works package has recently commenced to install Intelligent Transport System (ITS) infrastructure (~£0.5m) to the south of the proposed scheme.

- Outwith the Tomatin to Moy section, a further advanced works contract was undertaken for fencing and tree felling (£0.3M) at Dellmore near Kingussie to create a wetland habitat area for breeding birds. These works are now complete, with the establishment period ongoing.

A9 Statutory Process

- Design work is progressing on the rest of the programme, with the statutory process well underway for seven of the remaining eight schemes. The only section not to have started the statutory process is the Pass of Birnam to Tay Crossing project and we plan to announce a preferred route for this section in the coming months.

A9 Procurement – remaining sections

- Work to determine the most suitable procurement options for the remaining sections of the A9 dualling is ongoing.
- This is a complex exercise which looks at a number of factors including how the project can be delivered most efficiently by the industry, whilst minimising disruption to road users and helping to support economic recovery post-COVID.
- The changes in market conditions following the UK Government’s “mini budget” has implications for the conclusions of this assessment, given the increases that have been observed in costs of borrowing.
- The publication of a public facing programme for construction can only be made once the procurement route is known as the size of the contracts is linked to that strategy. The type of contractors that will be attracted to the works is influenced by the size of the contracts and it is important that we do not send mixed messages to the market until we are certain of our approach.
- It may be that due to the issues that have emerged since the UK Government’s “mini budget” we have to consider an alternative approach, for example looking at another stand-alone procurement following on from Tomatin-Moy, while taking some time to see if market conditions improve and costs of borrowing reduce.
- We will of course update Parliament and stakeholders when this complex piece of work is completed.
- It’s only right that we listen to the industry to understand the ongoing challenges that they may face in delivering this critical programme.
- The industry has been and is still currently seeing materials shortages and rising prices and we will continue to monitor the effect of that on our programmes.
- The market as a whole has also heated up in recent years with contractors stretched across a number of UK Major Projects including HS2. In such a competitive market, we must test how attractive this scheme will be to the industry.

A96 (Corridor Review and Inverness to Nairn (including Nairn bypass) scheme)

- The Scottish Government remains committed to the north and north east of Scotland, including improving the A96 corridor. We will take forward an enhancements programme on the A96 corridor that improves connectivity between surrounding towns, tackles congestion and addresses safety and environmental issues.
- The current plan is to fully dual the A96 route between Inverness and Aberdeen; however we are conducting a transparent, evidence-based review of the programme which is underway and will report by the end of this year.

- The review has commenced and is being undertaken by Jacobs Aecom as part of their STPR2 commission. We have undertaken substantial consultation and development work on this important programme which has been vital to inform our understanding of the significant undertaking of improving this key corridor.
- We know that dualling the entire A96 would involve substantial offline “new” roads and in light of a range of changing policies including a focus on making better use of our assets and climate change we are undertaking this review.
- This sensible good governance for major investment of this kind.
- A four week public consultation survey which concluded on 10 June 2022 generated unprecedented interest with almost 4,700 responses received.
- Given the effects of the climate emergency and Covid-19 on travel, the views of residents, stakeholders and businesses obtained during this consultation exercise will be vital to help us understand any impacts and associated changes to travel patterns along the corridor.
- To be clear, we remain committed to making much needed improvements to the A96 and the substantial development work undertaken will not go to waste but will rather be vital to inform the evidence-based review.
- Dualling from Inverness to Nairn as well as a bypass of Nairn is included in the transport enhancement programme on the A96 corridor we will take forward, as set out in the Bute House Agreement, and we continue to progress the preparation stages of the scheme to enable completion of the statutory process.
- The A96 Dualling Inverness to Nairn (including Nairn Bypass) scheme, which runs from Inverness to Hardmuir, is separate from the wider A96 review process which is currently being undertaken.
- We continue to progress the preparation stages of the scheme with a view to completing the statutory process. This includes the significant work required to prepare for publication of made Orders, including the Compulsory Purchase Order, in the coming months. Subject to no legal challenge being received, the Scottish Ministers will then have the relevant powers to acquire the land necessary to construct the scheme.
- Delivery of the scheme can only commence if approved under the relevant statutory procedures and thereafter a timetable for progress can be set in line with available budgets.

Background and current status

The A9 Dualling Programme will upgrade 80 miles (129 kilometres) of road from single to dual carriageway. Transport Scotland's £3 billion programme is designed to deliver economic growth through improved road safety and reliable and quicker journey times, as well as better links to pedestrian, cycling and public transport facilities.

The Programme was split into 11 sections for the purposes of planning, local engagement and statutory consents. A summary of the current status of each section is provided in **Annex C**.

At present, two sections Kinraig to Dalraddy and Luncarty to Pass of Birnam of the programme are complete. Procurement of the third section, between Tomatin and Moy, is underway with contract award expected later this year.

Further details on the Tomatin to Moy section of the project are provided in **Annex D**.

The design and development phase is well advanced for the remaining eight sections, seven of which are going through the statutory process, and one of which (Pass of Birnam to Tay Crossing)

is approaching preferred route option status. Of the seven in the statutory process, four schemes: Tay Crossing to Ballinluig, Pitlochry to Killiecrankie, Glen Garry to Dalwhinnie, and Dalwhinnie to Crubenmore have published Made Orders. Two further projects namely Crubenmore to Kincaig and Dalraddy to Slochd have also received Ministerial approval and Made Orders for these projects will be published in the coming months.

A Ministerial decision for Killiecrankie to Glen Garry is expected to be announced shortly. Subject to positive decisions this would pave the way for completing the statutory processes for approximately 92 per cent of the programme.

Delivery of the remaining sections of the dualling programme can only commence if approved under the relevant statutory procedures and thereafter a timetable for progress can be set. 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.

Funding and procurement

Procurement options to deliver the A9 Dualling Programme are currently being investigated to provide the optimal solution for constructing the remaining sections of this large programme of works following completion of the statutory procedures

A market consultation exercise was undertaken in 2021, to inform assessment of procurement options for the remaining sections when the statutory process is complete. It is expected this assessment will be completed in the coming weeks and will inform decision making on our procurement approach.

Determination of the optimal procurement approach for delivery of the remaining sections of the A9 Dualling Programme is ongoing. This is a complex exercise which is considering a pipeline of work in a form that can be delivered by the industry, supports the economic recovery post COVID and minimises disruption to users of this lifeline route.

The work is considering both a revenue funded procurement model as a means for delivery of the remaining sections along with a capital funding approach. Each funding option has its own risk and opportunity profiles which are being considered in the options assessment.

The changes in market conditions following the UK Government's "mini budget" has implications for the conclusions of this assessment, given the increases that have been observed in costs of borrowing.

It may be that due to the issues that have emerged since the UK Government's "mini budget" we have to consider an alternative approach, for example looking at another stand-alone procurement following on from Tomatin-Moy, while taking some time to see if market conditions improve and costs of borrowing reduce.

Road Safety Programme

Over the past ten years, 2012 to 2021, there has been an ongoing trend of reductions in both fatal accidents and casualties on the A9 between Perth and Inverness. Of this period, 2012 showed the worst performance, with 5 accidents resulting in eight fatalities. Over the three years 2019, 2020 and 2021, each year resulted in one accident with one fatality between Perth and Inverness.

However the trend in 2022 so far has gone against the previous positive trend **with seven fatal accidents and twelve fatalities to date since July 2022 to date.**

The underlying reasons behind this increase are unclear however Transport Scotland continues to liaise closely with Police Scotland to understand the circumstances surrounding these collisions. As Police investigations are ongoing, we cannot comment or speculate on these matters.

All the recent fatal accidents have occurred on single carriageway sections of road with no central barrier to separate opposing flows of vehicles. The junctions involved are also at grade which means turning movements in and out of the junctions are across oncoming flows of vehicles.

The number of fatal casualties relative to the number of fatal accidents during 2022 has been uncharacteristic, with two incidents (Slochd on 5 July and Ralia 10 August) resulting in six casualties (three in each accident). The most recent year when the number of fatal casualties was comparable to this year was in 2010, with nine accidents resulting in 13 fatalities.

It should be noted that a friend of Mr Ewing, Philippa Grant, Countess of Dysart was killed in one of the fatal accidents on the route. This occurred on 16 September, near Slochd and involved a collision with an oncoming coach.

Through ongoing safety performance monitoring of the trunk road network and engagement with stakeholders, Transport Scotland has completed a number of improvements on the A9 in recent years at Dunkeld, Inshes and between Dalguise and Bankfoot. Further works are planned at Ballinluig, Ralia and the B8079 (House of Bruar) junctions.

The A9 Safety Group was set up by Transport Scotland as a multi-agency group to reduce fatal and serious road traffic accidents on the route. The main aim of the A9 Safety Group before and during the A9 dualling programme is to work together with partners to explore any measures which could be introduced on the route using engineering, enforcement, education and encouragement to positively influence driver behaviour to help reduce road casualties. A meeting of the Group is being convened for later this year, with the suggested date in later November.

The Minister met with TS officials, BEAR Scotland and Police Scotland in Inverness on Wednesday 12 October and discussed issues of safety on the A9 both north and south of Inverness.

John Swinney MSP, in his constituency capacity, has sought a meeting with the local A9 Dualling Group, A9 Junctions Group and Birnam and Dunkeld Community Council to discuss their various concerns concerning the route in that area. This meeting is proposed for 31 October.

Meetings have taken place between officials and Special Advisors to develop short, medium and long term options for the A9 and wider briefings on road safety performance are planned, noting emerging trends in network wide casualties and emerging resource pressures.

A96 Dualling Programme

Background and current status

The A96 is the trunk road linking the cities of Inverness and Aberdeen passing through various towns and villages along the route. The route is approximately 160km long, of which 138km is currently single carriageway.

On 6 December 2011, the then Cabinet Secretary for Infrastructure and Capital Investment launched the Infrastructure Investment Plan (IIP) which provides an overview of the Scottish Government's plans for infrastructure investment over the coming decades. Contained within the document was a commitment to complete the dualling of the A96 between Inverness and Aberdeen.

For design and assessment purposes the dualling programme has been split into four sections. The four sections and their status are provided in the table below:

Section	Status
Inverness to Nairn (including Nairn Bypass)	<ul style="list-style-type: none"> Ministerial decision to proceed with the Scheme received 16 February 2021. Progressing with preparation of documentation to allow publication of Made Orders and completion of statutory process.
Hardmuir to Fochabers	<ul style="list-style-type: none"> Development and assessment of the preferred option progressed Future progress is dependent on the outcome of the A96 Corridor Review.
East of Fochabers to East of Huntly	<ul style="list-style-type: none"> Design development still to commence for this section. Future progress is dependent on the outcome of the A96 Corridor Review.
East of Huntly to Aberdeen	<ul style="list-style-type: none"> The preferred option was announced on 21 December 2020. Future progress is dependent on the outcome of the A96 Corridor Review.



In August 2021 the Scottish Government and Scottish Green Party Parliamentary Group entered into a Cooperation Agreement and shared policy programme (the Bute House Agreement).

In relation to the A96, the Bute House Agreement states that "...the Scottish Government will take forward a transport enhancements programme on the A96 corridor that improves connectivity between surrounding towns, tackles congestion and addresses safety and environmental issues. This will include:

- dualling from Inverness to Nairn;
- bypassing of Nairn, Keith, Elgin and Inverurie accompanied by measures to remove through traffic from the by-passed town centres;
- targeted road safety improvements where needed, for example between Fochabers and Huntly and Inverurie to Aberdeen; and
- the development of an A96 "Electric Highway"..."

The Agreement goes on to state that "...the current plan is to fully dual the A96 route between Inverness and Aberdeen; however, a transparent, evidence-based review will be conducted to include a climate compatibility assessment to assess direct and indirect impacts on the climate and the environment. This will report by the end of 2022..."

The Bute House Agreement is broadly drafted. In order to provide more detail on the form that the A96 Review would take, an outline appraisal process as part of the second Strategic Transport Projects Review Technical Report (STPR2). Appendix I of STPR2 identifies the following key steps:

The review is to be undertaken in accordance with the Scottish Transport Appraisal Guidance (STAG). The STAG appraisal stages are:

- Initial Appraisal: Case for Change;
- Preliminary Options Appraisal;
- Detailed Options Appraisal; and
- Post Appraisal.

The review will consider the transport problems and opportunities on the A96 corridor, changing policy context and other relevant considerations such as development aspirations for the corridor and surrounding area. In addition, the review will include:

- Climate Compatibility Assessment;
- Strategic Environmental Assessment (SEA);
- Design Manual for Roads and Bridges (DMRB) Stage 1 Assessment ; and
- Strategic Business Case.

Engaging with the public and key stakeholder is a key part of all our projects. The four week public consultation survey which closed on 10 June 2022 generated unprecedented interest with almost 4700 responses received and will be an essential part of the review of the A96 corridor. A consultation report is currently in preparation and will be published in the coming weeks.

The review will also take account of the work previously undertaken as part of STPR2, particularly in relation to the policy review and establishment of the Transport Planning Objectives, which align with the NTS2 priorities and outcomes. It is also expected that the review will develop interventions taking cognisance of the Sustainable Travel Hierarchy and Sustainable Investment Hierarchy set out in NTS2.

The review will look at travel patterns, choice of travel modes and changes to land use since the last data gathering exercise. This work will take particular cognisance of behavioural changes as a result of COVID-19 and the climate change emergency.

The findings will be used to test our current plans for dualling and, more broadly, to see what other opportunities could be realised in the future in this transport corridor.

On the Inverness to Nairn (including Nairn Bypass) section, following consideration of the Public Local Inquiry Reporters' Report the Scottish Ministers decided to confirm the scheme with Decision letters issued on 19 February 2021. Dualling from Inverness to Nairn as well as a bypass of Nairn is included in the transport enhancement programme on the A96 corridor to be taken forward, as set out in the Bute House Agreement, and preparation stages of the scheme are being progressed to enable the completion of the statutory process in the coming months.

Future Progress (including funding and procurement)

Future progress including consideration of procurement options to deliver the A96 Dualling Programme will be subject to the outcome of the A96 Corridor Review and dependent on subsequent completion of relevant statutory procedures.

With respect to Inverness to Nairn (including Nairn Bypass) scheme specifically, exact timescales for the next stages are difficult to estimate at this stage because the necessary procedural steps need to be completed to finalise the acquisition of land and take the powers required to build the scheme. These steps come with them a right of legal challenge.

Subject to finalisation of the statutory processes for the scheme it is hoped that more certainty over timescales will be able to be provided. At that stage, the timetable for progress will be set in line with the chosen procurement strategy and available budgets.

(Annex C)

	Section	Status	Information
P1	A9 Luncarty to Pass of Birnam	Delivered	-
P2	A9 Pass of Birnam to Tay Crossing	In Design	Advice being prepared for the Cabinet Secretary on the preferred route option. Background briefing for also being prepared.
P3	A9 Tay Crossing to Ballinluig	Orders made	The Ministerial decision to proceed to make the orders was received 2 March 2021. Made Orders were published on 26 November 2021
P4	A9 Pitlochry to Killiecrankie	Orders made	Ministerial decision to proceed to make the orders was received 11 Feb 2020. Made Orders were published on 26 November 2021
P5 ¹	A9 Killiecrankie to Glen Garry	Statutory Process Underway	Draft Orders published on 28 November 2017 and 183 objections were received (the majority relate to concerns about the Killiecrankie Battlefield). Public Local Inquiry was held

¹ Originally two separate projects were identified, but these were later combined into a single project referenced as P5

			January 2020 and we expect a Ministerial Decision to be announced shortly.
P7	A9 Glen Garry to Dalwhinnie	Orders made	Ministerial decision to proceed to make orders was received 31 May 2019. Made Orders were published on 30 July 2021
P8	A9 Dalwhinnie to Crubenmore	Orders made	Ministerial decision to proceed to make orders was received November 2020. Made Orders were published on 30 July 2021
P9	A9 Crubenmore to Kincaig	Statutory Process Underway	Ministerial Decision to proceed to make orders was received 17 January 2022 and preparations to make the orders are underway.
P10	A9 Kincaig to Dalraddy	Delivered	-
P11	A9 Dalraddy to Slochd	Statutory Process Underway	Ministerial decision to make orders was received 15 November 2021 and preparations to make the orders are underway.
P12	A9 Tomatin to Moy	In Procurement	Procurement of the construction contract is underway (commenced Aug 2021) with contract award expected later this year.

(Annex D)

Details of the A9 Dualling Tomatin to Moy Project

The A9 Dualling Tomatin to Moy project involves approximately six miles (9.6km) of widening of existing single carriageway to an all-purpose dual carriageway, extending from existing dual carriageways to the south of Tomatin and to the north of Moy. The scheme includes provision of four new major structures at Tomatin, Dalmagarry Farm, Moy and Lynebeg. Non-motorised user provision is also included, with footpaths under the A9 at Tomatin and Lynebeg and footways at Tomatin Distillery and Dalmagarry farm, including connections to public transport infrastructure.

The draft Orders for the scheme were published in May 2018. A total of fourteen objections were received, twelve of which were considered statutory objections. Arrangements were made for the holding of a Public Local Inquiry (PLI) to consider these objections in August 2019. However, prior to the inquiry, the objectors that intended to appear withdrew their objections in full and the PLI was cancelled. The Reporter thereafter considered the remaining objections that had not been withdrawn, by way of written submissions received. The Reporter submitted his report and recommendations to Scottish Ministers on 02 October 2019. This recommendation was that the Orders should be made, subject to some modifications.

The Scottish Ministers accepted the Reporter's findings, conclusions and recommendations in full. The Scottish Ministers published their decision letter on 11 February 2020.

Tomatin to Moy is the most northerly section in the programme. Progressing this section next has a number of advantages: it connects with two existing dualled sections of the A9, providing a continuous dual carriageway of approximately 39km (24 miles) between Slochd summit and Tore Roundabout. It also means that, with the Luncarty to Pass of Birnam project recently completed at the southern extent, the distribution of work and investment across the Programme will be geographically balanced and help to deflect any criticism of north/south bias.

To facilitate the delivery of the project, Transport Scotland has recently completed three packages of work in advance of the main construction contract. The aim of this was to reduce risks to the main construction contract, minimise future disruption for key project stakeholders; and allow the early delivery of community benefits and social value within the local community. The three advanced works packages recently completed include:

- Demolition and replacement of Lynebeg Railway Underbridge (including the construction of new under track crossing culverts at Moy) (~£12m – completed Spring 2022)
- Tomatin Distillery advance works (~£1.5m – completed October 2022); and
- Archaeological investigation works (~£0.65m – completed Summer 2022)

(Annex E)

A9 Dualling Dalraddy to Slochd: Aviemore to Carrbridge Non-Motorised User (ACNMU) route

The Scottish Government is committed to promoting active travel in Scotland and we are working with our partners in the Cairngorms National Park Authority, The Highland Council, Highlands and Islands Transport Partnership and Sustrans to deliver the Aviemore to Carrbridge Non-Motorised User (ACNMU) route.

Having identified the preferred route for walking, cycling, wheeling and horse riding last year, we held public engagement events and an online consultation earlier this year, in advance of a planning application for the scheme, expected in the next few months.

Progression of the ACNMU scheme can only commence if approved under the relevant statutory procedures and thereafter the approach to its delivery along with a timetable can be determined.

The intention is that the new route will be included in the A9 dualling programme of works providing planning and all necessary consents are in place in good time. Once the statutory process is complete and the procurement strategy for the A9 Dualling is complete we will be in a position to establish the most appropriate approach to construct the ACNMU.

Background

After receiving objections to the A9 Dualling Dalraddy to Slochd project on the basis that there should be a new non-motorised user (NMU) route between Aviemore and Carrbridge, Transport Scotland committed to progress a route study, separate from the A9 Dualling, to investigate route options for an NMU route between Aviemore and Carrbridge.

The ACNMU preferred route was identified in November 2021 after the conclusion of the route options assessment and public consultation. The 10km segregated preferred route for walking, cycling, wheeling and horse riding will provide a safer, more direct route between Aviemore and Carrbridge linking up with existing NMU routes in the area. The new route will also provide an opportunity for circular trips between Aviemore, Carrbridge and Boat of Garten by using the existing Speyside Way.

The ACNMU project has been the subject of extensive public consultations with 3 public exhibitions held to date. The most recent of these was in May 2022 when the project and its preferred route were the subject of in person public exhibitions in Aviemore and Carrbridge as well as an online virtual exhibition.

The exhibitions were well received with 42 attending in Aviemore and 56 in Carrbridge with 2188 internet hits to the web site and 250 visits to the virtual exhibition room. As

part of the response to the exhibition some 45 items of feedback were received many in support of the project.

The ACNMU scheme is scheduled to obtain all necessary consents through the planning application process and also the land acquisition is proposed by agreement. It should be noted that Scottish Ministers are not able to use their CPO powers since it is out with the scope of the A9 Dualling programme. The planning application is expected to be submitted in the coming months.