



REPORT TO: MORAY COUNCIL ON 27 SEPTEMBER 2017

SUBJECT: A96 DUALLING HARDMUIR TO FOCHABERS

**BY: CORPORATE DIRECTOR (ECONOMIC DEVELOPMENT,
PLANNING & INFRASTRUCTURE)**

1. REASON FOR REPORT

- 1.1 The Scottish Government has published route options for dualling the A96 trunk road between Hardmuir and Fochabers. This report summarises the route options and proposes the Council response in the form of a series of “considerations”.
- 1.2 This report is submitted to the Council due to the strategic importance of the project for Moray.

2. RECOMMENDATION

2.1 It is recommended that the Council:-

- (i) note the route options published for dualling the A96 between Hardmuir and Fochabers;**
- (ii) consider and agree the proposed response on the route options set out in Appendix 3;**
- (iii) agree to request regular engagement at senior management level between Council officers and Transport Scotland/Mott MacDonald Sweco to discuss the route options as they develop, their interface and impact on the local public road network and future use/maintenance of the existing road as the project progresses;**
- (iv) agree to request that Transport Scotland/ Mott MacDonald Sweco work with the Council’s Equal Opportunities Officer to prepare an Equalities Impact Assessment for each of the route options; and**
- (v) agree to request that route options are discounted and a preferred option is selected by Transport Scotland as soon as possible to minimise uncertainty for communities and businesses in Moray.**

3. BACKGROUND

- 3.1 The proposal to dual the 46km stretch of the A96 between Hardmuir and Fochabers forms part of the Scottish Government's commitment to dual the entire 99 mile stretch of the A96 between Inverness and Aberdeen by 2030, completing the dual carriageway network between all cities in Scotland.
- 3.2 Transport Scotland (TS) awarded a contract in June 2016 to Mott MacDonald Sweco Joint Venture to carry out route options assessment and detailed design work for dualling the section between Hardmuir and Fochabers. When complete the scheme will create a new A96 dual carriageway from the tie in point of the A96 dualling Inverness to Nairn at Hardmuir to the east of Fochabers, a distance of approximately 46km.
- 3.3 Route options were published on 6 June 2017 and a series of public exhibitions were held during June 2017 which were well attended by over 1800 people with a deadline for comments of 4 August extended to allow for the holiday period.
- 3.4 This project is a Scottish Government initiative and is being led by TS and their consultants Mott MacDonald/Sweco. The final route is determined by going through the established STAG process. The role of the Council is to highlight any areas of environmental, economic and social impacts that inform this process. It is not the role of the Council to suggest alternative routes and associated infrastructure design as this undermines the process lead by TS and their consultants and could place the Council in potential risk of blight claims.

4. PROPOSALS

- 4.1 TS is following the normal trunk road scheme development process and progressing in accordance with the guidance set out in the Design Manual for Roads and Bridges (DMRB). The three stage assessment process covers engineering, environment, traffic and economic considerations.
- 4.2 The initial options assessment process takes into account how the developed route options perform against the scheme objectives which are set out in **Appendix 1** and can be summarised as;
- To improve the operation of the A96 and inter-urban connectivity
 - To improve safety for motorised and non- motorised users
 - To provide opportunities to grow the regional economies on the corridor
 - To facilitate active travel in the corridor
 - To facilitate integration with public transport facilities
 - To avoid significant environmental impacts and, where this is not possible, to minimise environmental effects
- 4.3 Following a desktop constraints exercise a series of corridors were identified in which route options could be developed, these were 400 metres wide and avoided major constraints and significant topographical features where possible.

When the corridors were finalised, route options were designed within them. The performance of the options from the longlist was assessed against the scheme objectives and the outcome recommended that four elements be deselected as a result of poor performance, including the southern “Pluscarden” route.

- 4.4 Different coloured route options have been identified and are subject of the consultation. The route options are shown in **Appendix 2**.
- 4.5 Within the corridors there are a multitude of route options as sections are interchangeable, e.g. to the south of Forres, the route could use section R2 or section R3, these sections are referred to as “paired options”.
- 4.6 Consideration of Non-Motorised Users (NMU), which includes pedestrians and cyclists, forms an important part of the scheme. The following considerations have been adopted as overarching principles for the NMU Strategy within the dualling programme;
- To ensure that there are no hazards to NMU built into the scheme;
 - To ensure that the opportunities for NMU within the scheme are recognised and exploited; and
 - To ensure that the opportunities for NMU on the surrounding networks, including the National Cycle Network and superseded sections of trunk road are recognised and exploited.
- 4.7 The route options have varying implications for the Council, local communities and residents, the local environment and the local economy and there will inevitably be a period of uncertainty for all parties affected by the route options. The proposed response in **Appendix 3** highlights the main considerations which the Council wish to highlight to TS in progressing the options towards a preferred option. Council should note that this is a high level response and all of the considerations highlighted require further detailed investigation as further information becomes available from Transport Scotland. While the proposed response welcomes progress on the dualling project and recognises the benefits which the completed scheme will bring to Moray, Council’s attention is drawn to the following key considerations within the proposed response;

Environment- Summary of Key Considerations

- Significant flood risk and surface water issues related to sections P1, P3, P6, G2 and B1.
- Section R4 clips Chapelton reservoir. R5 goes through a wetland/ bog which is a permanently flooded area. R8 crosses the Spey floodplain and would require a large bridge to be constructed.
- Section O2 is at significant risk of flooding, O3 conflicts with the north Forres embankment of the Findhorn flood scheme and O7 is at significant risk of flooding.
- Potential significant landscape and visual impacts of all route options, notably along the flat coastal plain on sections, impacts upon Findhorn Bay and impacts from southern options on woodland areas.

- Potential significant impacts upon natural heritage designations, notably, River Spey Site of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), The Moray and Nairn Coast Ramsar, Moray Firth Special Area of Conservation (SAC), Findhorn Bay Local Nature Reserve, Darnaway and Lethan SSSI and SPA , Loch Spynie SPA and Ramsar, Lower Findhorn Woods SSSI and Loch Oire SSSI.
- Potential significant impacts upon a number of Listed Buildings, notably 'A' Listed Grange House, Darnaway Castle gatepiers, Dallas Dhu distillery, Brodie Castle, Coxton Tower, York Tower, Sparron Castle, Longhill Mill Potential significant impacts upon and Brodie Castle and Gordon Castle Gardens and Designed Landscapes. Also potential impacts on a number of B and C Listed Buildings and other undesignated areas of cultural heritage interest such as MacBeth's hillock.
- Section P3 impacts upon Miltonduff WWII airfield which was used for storing aircraft at the end of the war and there is potential for unexploded ordnance and radiation from buried instruments.
- Section P2 impacts upon General Wade's Military Road - the surviving section through Alves Wood should be protected where possible.
- Spynie Canal appears to be directly impacted by part of section O5.
- Possible contamination issues on sections P3, R2, R3, O2 and G1 associated with present and previous land uses.
- Potential impacts upon private water supplies.
- Potential significant loss of woodland cover which would require to be compensated for, in accordance with national and local policies.
- Potential impacts upon protected species which are significant constraints.

Transportation- Summary of Key Considerations

- Potential for increases in traffic on the local road network within built up areas leading to/from junctions with the dualling scheme.
- Sections of the local road network in rural areas may require upgrading if junctions are not located on existing A96/ A941.
- Potential for re-introduction of traffic in Mosstodloch/Fochabers if options where the alignment follows the existing A96 are pursued.
- Options to the west of Elgin may result in local traffic accessing Elgin remaining on the existing A96 route.
- Options to the east of Elgin may result in local traffic remaining on the existing A96 through Elgin and utilising other local roads to access the dualling if travelling to/from the west.

Land use Planning - Summary of Key Considerations

- A number of route options run through prime agricultural land while others have a direct and indirect effect upon productive and recreational woodlands, such as south of Forres, Culbin, Alves and Whiteash.
- There are a number of potential conflicts with sites identified in the Moray Local Development Plan (LDP), or being considered for future designation. Some options would support existing and future employment land designations. Section O4 cuts through designated employment sites north of Forres and then cuts through Cassieford which will be examined for longer term development in the LDP review process.

Further discussion is required to ensure future growth options being considered through the LDP2020 are taken account of in developing the preferred option.

- Section O6 touches the north of the Findrassie, Elgin housing designation and the edge of I8 employment site then runs through the NE LONG designation, which section G2 also crosses.
- The junction for G2 supports Barmuckity Business Park, with P4 also well located.
- P3 potentially creates a significant physical barrier south of Elgin constraining future growth; however, the junction location could also support employment land south of Elgin.
- P6 cuts through an employment land designation in Mosstodloch.

Economy- Summary of Key Considerations

- Potential significant economic benefits to support delivery of the Moray Economic Strategy, with significant job opportunities and spin-off economic benefits during construction. When complete the improved connection and reduced journey time will make Moray more attractive for inward investment. The junction strategy is key to supporting key strategic business locations such as Barmuckity, Elgin, Buckie Harbour and Enterprise Park, Forres. The dualling will also bring benefits to other business sectors in Moray with reduced journey times, but route choice has to reflect Moray's wider aspirations and outstanding natural and cultural heritage.
- Potential significant impacts on popular tourist venues/events including Brodie Castle, Burgie international horse trials, Culbin Forest, Findhorn Bay and Fochabers.
- Junction location and spacing should seek to provide good access to bypassed towns along the route.
- Potential significant impacts on tree nurseries at Newton, Fochabers and Forres, which are 50% of the UK's tree nurseries and their loss needs to be assessed in relation to the national forest industry.
- Potential significant impacts on prime agricultural land.
- Potential significant impacts upon woodlands of high recreational/ tourism value east of Fochabers and Culbin.

Social- Summary of Key Considerations

- The route options can potentially bring better connectivity between communities, services and employment opportunities. However, the options can also create severance issues which should be avoided.
- The dualling project is a significant civil engineering project and has the potential to impact on the existing community in terms of noise, vibration, air quality (including dust) and artificial lighting from stationary and mobile sources. It is anticipated that creation of the new route will give rise to both increases and decreases in road traffic noise across all route options, and similarly for vehicle emissions. Detailed assessments of these impacts will be required.
- All route options will inevitably affect property. The effects on communities and local residents must be carefully considered and minimised through appropriate mitigation measures.

Junction Strategy

- 4.8 Decisions in relation to the preferred route option will be influenced by a number of considerations, with the number and locations of junctions onto the A96 dualling scheme being a key factor. For options where there are only two junctions, east and west of a settlement, there may be limited scope to relieve congestion within the built up area. Options where there are three junctions would provide alternative routes to access the A96 dualling scheme and aid dispersal of traffic over the urban network.
- 4.9 The locations of junctions will influence the attractiveness of the A96 dualling scheme to local traffic. Junctions which are located close to the existing built up areas would be more likely to be used for journeys to/from Elgin, Forres etc. Whilst junctions which are more remote, or require use of local 'B' classification roads, may be less attractive e.g. for journeys from Forres to central Elgin, option O5 may be less attractive than option G1.
- 4.10 The location of some junctions may support the provision of a service station, as indicated in the comments within **Appendix 3**. The provision of service facilities is a key consideration for longer distance routes as set out in MLDP Policy T4.

Future use of existing A96 route

- 4.11 Once the dualling scheme has been completed, the remaining sections of the existing A96 would be 'de-trunked' and become the responsibility of the Moray Council. The sections of the existing A96 through the built up areas (e.g. Forres, Elgin) could be re-designed to better suit the needs of local road users, including the removal of barriers to pedestrians and cyclists, and where required improvements to junctions undertaken to reflect the changes to traffic movements (e.g. reductions in east-west through traffic movements) and give greater emphasis to People and Place to encourage the vitality of towns.
- 4.12 Through the NMU strategy, opportunities to provide and enhance provision for NMU would be exploited. This may enable provision of routes alongside the existing A96 which have been requested by members of the public e.g. Lhanbryde to Mosstodloch.
- 4.13 Some sections of the existing A96 which would be transferred to the Moray Council may need to be upgraded to ensure that the roads asset, including drainage and street lighting, was to an acceptable standard. At this stage comments on any particular section would be premature. Discussions would take place nearer to the time that the asset was to be transferred.

Future engagement with the Council

- 4.14 Good communication and ongoing engagement between the Council, businesses, local residents and TS/ Mott MacDonald/Sweco is vitally important as the project progresses through to a preferred option. Officers in a number of services have met with the project team since publication of the

options to explore considerations in more detail which the Council has welcomed. Officers also represent the Council on the A96 Local Authority/Regional Transport Partnership and the A96 NMU Forum. It is proposed that the Council requests that regular update/liaison meetings are held at senior management level with TS/Mott MacDonald Sweco as the project progresses towards a preferred option.

Next steps

- 4.15 Following selection of a preferred option, the design will be further developed, refined and assessed in terms of engineering, environmental, traffic and economic considerations. The locations and style of junctions connecting the dual carriageway to the local road network will be designed and assessed as the design process continues. These will be grade separated junctions that will include slip roads connecting to, with bridges over/under, the local public road network.
- 4.16 An Environmental Statement will be prepared and the land required for the dualling will be identified. During this stage of assessment, the preferred option will be developed to take into account the needs of pedestrians, cyclists and other NMU. The aim for TS is to complete the DMRB Stage 2 Assessment and announce a preferred option for the Hardmuir to Fochabers scheme in 2018.

5. SUMMARY OF IMPLICATIONS

(a) Moray 2026: A Plan for the Future and Moray Corporate Plan 2015 – 2017

The A96 dualling project is of national importance and will improve Moray's connectivity to Inverness, Aberdeen, and the Central Belt and beyond. The project when complete will support the Community Planning Board's objectives for a growing, diverse and sustainable economy and for safer communities.

However, the nature, scale and complexity of the project has to balance economic objectives with the diverse natural and cultural environment which is a key asset for Moray.

(b) Policy and Legal

National Planning Framework 3 identifies dualling of the A96 between Inverness and Aberdeen, including bypasses of towns along the route, as providing opportunities to link the energy sectors in the two city regions and improving the quality of place within towns.

Moray Local Development Plan Policy T1, "The Council will promote the improvement of road, rail, air and sea routes in Moray and priority will be given to;

- a) Dualling the A96 Aberdeen to Inverness route with early delivery of bypasses for settlements prioritised."

(c) Financial Implications

There are no financial implications arising at this stage. However, further information and discussion is required regarding the future use, responsibility and maintenance of the existing A96, as this will be a significant cost for the Council.

(d) Risk Implications

As noted above under financial implications.

(e) Staffing Implications

If the recommendations in this report are approved and as the project progresses there will be staffing implications for officers from Transportation, Planning, Consultancy, Environmental Health, the Equal Opportunities Officer and other Services which may impact upon other workloads.

(f) Property

None.

(g) Equalities

An Equalities Impact Assessment (EIA) for each route should be undertaken by TS as part of the next stage of developing a preferred route option and the Council's Equal Opportunities Officer and other officers will work with TS/ Mott MacDonald Sweco to prepare the EIA.

(h) Consultations

The Corporate Director (Economic Development Planning & Infrastructure), the Head of Development Services, the Legal Services Manager (Property and Contracts), the Head of Direct Services, the Head of Legal and Democratic Services, the Consultancy Manager, the Transportation Manager, Douglas Caldwell, (Environmental Health Officer), Adrian Muscutt (Contaminated Land Officer), Bruce Mann (Regional Archaeologist), the Equal Opportunities Officer, the Head of Financial Services, the Sustainable Transport Officer, the Moray Access Manager and the Democratic Services Manager have been consulted and comments received have been incorporated into the report.

Officers also met with Scottish Natural Heritage to discuss the route options and the likely implications on natural heritage designations, protected species, Moray's landscape and wider biodiversity issues.

6. CONCLUSION

- 6.1 Transport Scotland appointed Mott MacDonald Sweco Joint Venture to work up detailed options for dualling the A96 from Hardmuir to Fochabers. Several route options have been identified for consultation purposes, with a number of interchangeable options between them.**

- 6.2 While the dualling project will bring economic development opportunities for Moray, the project needs to be carefully planned to minimise impacts upon local communities and Moray's outstanding natural and cultural environment. The Council has identified a series of considerations to be taken into account as the project progresses towards a preferred route option.**
- 6.3 The Council wishes to meet more regularly with the team appointed by Transport Scotland as the project moves forward towards a preferred route option.**

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Background Papers:

Ref: