EXECUTIVE NOTE

THE A90 (ABERDEEN WESTERN PERIPHERAL ROUTE) SPECIAL ROAD SCHEME 2010

THE A956 (ABERDEEN WESTERN PERIPHERAL ROUTE) SPECIAL ROAD SCHEME 2010

THE A90 (ABERDEEN WESTERN PERIPHERAL ROUTE) (CRAIBSTONE JUNCTION) SPECIAL ROAD SCHEME 2010

The above instruments were made in exercise of the powers conferred by sections 7, 8(2) and 10(1) of the Roads (Scotland) Act 1984. These instruments are subject to affirmative resolution procedure.

THE A90 (ABERDEEN WESTERN PERIPHERAL ROUTE) TRUNK ROAD ORDER 2010

THE A96 (ABERDEEN WESTERN PERIPHERAL ROUTE) TRUNK ROAD ORDER 2010

THE A956 (ABERDEEN WESTERN PERIPHERAL ROUTE) TRUNK ROAD ORDER 2010

The above instruments were made in exercise of the powers conferred by section 5(2) of the Roads (Scotland) Act 1984. These instruments are subject to affirmative resolution procedure.

A list of the plans/plan folios relative to the above Schemes and Orders is provided in **Annex 1** with a copy of each plan/plan folio enclosed with the Executive Note.

Policy Objectives

The purpose of the instruments is to provide the powers to construct new special roads (dual carriageway) to the west of Aberdeen between Blackdog and Stonehaven, and Charleston and Cleanhill, known as the Aberdeen Western Peripheral Route (AWPR). The instruments also provide the powers to construct new lengths of trunk roads to form parts of the A90, A96 and A956 to support the new special roads.

It should be noted that these instruments are associated with a number of other instruments which are not subject to affirmative resolution procedure. It is intended that these other instruments will be made following completion of the affirmative resolution procedure. A list of all instruments in relation to the AWPR which were all published in draft for comment is provided in **Annex 2** to this Executive Note.

The AWPR is regarded as being the single most important issue facing the economic development of the North East of Scotland. It is driven in particular by the need to maintain Aberdeen's established economic sectors and minimise the effects of its distance

from the marketplace which, if not addressed will pose considerable challenges to the future prosperity of the region.

The completion of these instruments will support the achievement of a number of policy objectives, including:

- The Scottish Ministers, as Trunk Roads Authority ("the Promoter") in terms of the Roads (Scotland) Act 1984 have a duty in terms of that Act to keep under review the trunk road network in Scotland and to manage and maintain that system of routes, including improving the network where appropriate, to ensure the provision of a safe and efficient national network of roads.

- The proposed AWPR is one of a range of measures originally proposed in the Modern Transport System (MTS) for the North East of Scotland developed by the then voluntary North East of Scotland Transport Partnership (NESTRANS). As part of NESTRANS work in 2002 it developed a transport strategy for North East of Scotland known as the Modern Transport System (MTS), which identified an integrated package of transport measures to improve the economy, accessibility, integration, safety and environment. The MTS provided the transport strategy for North East Scotland up to 2011. The Scottish Government recognised that the MTS provided an integrated transport package for the North East of Scotland and agreed to promote the AWPR as a trunk road due to its strategic importance to achieving implementation of the MTS. In summary, the Scottish Government have accepted that the AWPR is a key element in being able to deliver the Modern Transport System for the North East of Scotland. The need and support for the AWPR was reflected in the Aberdeen & Aberdeenshire Structure Plan 2001 – 2016 (NEST 2001), which was approved in December 2001.

- In strategic terms, the AWPR fulfils the aims of government policy across a whole suite of economic, social, cultural and environmental objectives. Considerable detailed commentary relating to the AWPR is provided in the National Planning Framework, National and Scottish Planning Policy Guidance, associated Circulars and Planning Advice Notes (PAN). The need for the AWPR has long been recognised with an ongoing Government commitment dating back to 2003. Since the announcement in March 2003 that the AWPR would be promoted as a trunk road in partnership with Aberdeen City Council and Aberdeenshire Council, there has been a clear policy line moving towards implementing the scheme. This has been supported by successive Governments and Ministers through a number of policy documents and Ministerial announcements. A number of policy documents identifying a need and support for an AWPR at a national level have been published in recent years:
  - Scotland's Transport – Delivering Improvements, published in 2002;
  - Building Better Transport, published March 2003;
  - A Partnership for a Better Scotland, the then incoming administration's partnership agreement, published in 2003;
  - National Planning Framework for Scotland, published in 2004;
  - Scotland's Transport Future, published in June 2004;
  - Building a Better Scotland, published in 2005;

- Scotland's National Transport Strategy, published in 2006;
- Scottish Budget Spending Review 2007: Finance and Sustainable Growth; and
- National Planning Framework for Scotland 2 – Published in 2008.

- On 27 June 2007 the new Scottish Government announced that it will move forward with a transport programme that is ambitious, achievable and value for money. This announcement was made by the current Minister for Transport, Infrastructure and Climate Change, Stewart Stevenson MSP, as part of a debate on the transport programme. The Minister set out a number of priorities for the trunk road network including "a commitment to proceed with the delivery of the A90 Aberdeen Western Peripheral Route". In Parliament on 27 June the Minister stated that the "Aberdeen Western Peripheral Route is vital to the north-east and we are committed to its delivery. The project has entered its crucial statutory consultation phase and it is important that we proceed with that."

- Following its establishment as a Statutory regional transport partnership on 1 April 2006, Nestrans purpose is to develop and deliver a long term Regional Transport Strategy and take forward strategic transport improvements that support and improve the economy, environment and quality of life across Aberdeen City and Shire. The Regional Transport Strategy (RTS) was published in 2008, and was developed in accordance with the requirements of the Transport (Scotland) Act 2005 and Scottish Government guidance. In developing the RTS to 2021, existing projects from the MTS strategy, such as the AWPR, which have secured a certain degree of commitment or have advanced significantly, have been taken as a given. The RTS assumes that these projects will be implemented and therefore looks beyond existing transport problems identifying those which will need to be tackled in the succeeding decade. In particular, Nestrans sought to identify opportunities created by the construction of the AWPR, to implement complementary transport measures which 'lock in' and maximise its benefits. These existing projects, including the AWPR, form a Reference Case against which proposed new projects are assessed. In summary, the Regional Transport Strategy is planned to be implemented by 2021 and has been developed based on the delivery of the AWPR.

- In addition to the Regional Transport Strategy, regional and local policy documents published since 2003 continue to identify a need and support for the AWPR, including:
  - Current approved Aberdeenshire Local Plan, published in 2006;
  - Aberdeenshire Council Local Transport Strategy, published in 2007;
  - Current approved Aberdeen Local Plan (Green Spaces New Places), published in 2008;
  - Aberdeen City Council Local Transport Strategy, published in 2008;
  - Aberdeen City and Shire Structure Plan, approved in 2009;
  - Aberdeen City and Shire – Economic Review, published in 2009;
  - Aberdeenshire Local Development Plan Main Issues Report, published for consultation in 2009; and
  - Aberdeen Local Development Plan Main Issues Report, published for consultation in 2009.

- The six specific objectives set in respect of the scheme reflect the five key headings of Environment, Safety, Economy, Integration and Accessibility, and are:
  - Improve access to and around Aberdeen to improve transport efficiency and support the industrial areas in the City and the area to the north and west of Aberdeen (Economy and Employment);
  - Provide traffic relief (including the removal of long distance heavy goods vehicle traffic) on the existing congested A90 route through and to the south of Aberdeen (Environment and Accessibility);
  - Reduce traffic on urban radial routes reducing noise and air pollution and creating opportunities for pedestrianisation in the City Centre (Environment and Accessibility);
  - Provide access to existing and planned park and ride and rail facilities around the outskirts of the City encouraging modal shift (Integration);
  - Increase opportunities to maximise bus lanes and other public transport priority measures (Integration); and
  - Improve road safety over a wide area through the reduction of traffic on local roads (Safety).

Consultation

A significant amount of consultation has been undertaken during development of the above instruments, including statutory and non-statutory consultation with a range of parties including statutory and non-statutory bodies, local authorities, interest groups, businesses, landowners and the public.

During the process of scheme development, the following consultations were undertaken:

- Consultation with the general public was undertaken in Spring 2005, to enable the public to view, understand and consider the key issues for a number of alternative corridor options which were under consideration. The consultation took the form of a series of public exhibitions in communities situated close to potential corridors and across the wider North East of Scotland area. The exhibitions gave an indication of the corridors being reviewed, the location of educational establishments potentially affected within the wider River Dee Valley, the traffic flows that would be attracted to the AWPR with each of the options, the degree of relief to City roads, and an assessment of the environmental, economic and engineering attributes of each option. A Public Consultation Spring 2005 – Consultation Pack was prepared and made available to the public at the exhibitions;

- Consultation with a number of bodies throughout the period of scheme development was undertaken both in writing and in meetings. The bodies concerned include Scottish Natural Heritage (SNH), Scottish Environment Protection Agency (SEPA), Historic Scotland, and Dee District Salmon Fisheries Board. Consultation with a number of other bodies throughout the period of scheme development was undertaken in writing. A list of bodies that have been consulted in writing is included in **Annex 3** to this Executive Note.

- Consultation with landowners and tenants affected by the proposed scheme was undertaken both in writing and in meetings; and

- Information relating to the scheme was available throughout the process of scheme development via a dedicated project website (www.awpr.co.uk).

Consultations were also undertaken with a number of parties following publication of draft Orders and the accompanying Environmental Statement. These consultations were initially undertaken in late 2006/early 2007 when selected draft Orders were published, and then again in Autumn 2007 when draft Orders were republished with a revised Environmental Statement. These consultations included:

- Consultation with the general public, by means of a series of public exhibitions relating to the scheme as defined by the published draft Orders and the Environmental Statement;

- Consultation with a number of bodies in writing in respect of the published draft Orders and the Environmental Statement. The bodies included in this consultation process are listed in **Annex 3** to this Executive Note; and

- Details of the published draft Orders and the Environmental Statement were made available via the dedicated project website (www.awpr.co.uk).

Certain draft Orders were published in relation to the AWPR in December 2006. Further draft Orders for the AWPR were published on 11 September and 12 October 2007. The 2007 draft Orders included republication of the 2006 draft Orders and publication of additional new draft Orders.

The republished 2007 draft Orders were identical in their terms to the equivalent 2006 draft Orders. The republished 2007 draft Orders were issued to incorporate reference to environmental legislation which had not been in force at the date of publication of the 2006 draft Orders, but otherwise there was no substantive difference between the 2006 draft Orders and the equivalent republished 2007 draft Orders. The Promoters retained copies of all representations received in relation to the 2006 draft Orders. Any objection made to the 2006 draft Orders was carried forward and treated as an objection to the 2007 draft Orders.

On 25 September 2007 the draft A90 (Aberdeen Western Peripheral Route) Special Road and the A956 (Aberdeen Western Peripheral Route) Special Road Compulsory Purchase Order 200[ ] was published. On 1 May 2008 the draft A90 (Aberdeen Western Peripheral Route) Special Road and the A956 (Aberdeen Western Peripheral Route) Special Road Compulsory Purchase Order No. 2 200[ ] was also published. The principal reason for the publication of the 2008 draft CPO No. 2 is to underpin the environmental commitments made in the September 2007 Environmental Statement. The draft Compulsory Purchase Orders that have been published allow the Scottish Ministers both to acquire the land required to construct the Scheme and carry out measures to mitigate its effects.

An Environmental Impact Assessment has been carried out and an Environmental Statement was published at the same time as the draft Orders published on 11 September 2007. An Environmental Statement was also published in December 2006 however certain elements of environmental assessment work and details of the design continued beyond this date. A revised Environmental Statement was therefore published in September 2007, to record and make public the findings of the additional environmental assessments. For clarity and ease of reference, the 2006 Environmental Statement was completely withdrawn and replaced in its entirety by the Environmental Statement published in September 2007.

Public Notices advertising the publication of draft Orders and associated Environmental Statement were placed in The Press and Journal and The Edinburgh Gazette in September and October 2007. Public Notices advertising the Compulsory Purchase Orders were placed in the Press and Journal in September and October 2007 and May 2008. The draft Orders were also advertised in local streets and roads in the vicinity of the promoted Scheme. In addition the draft Orders and Environmental Statement were available from the AWPR project website. Public exhibitions were held from 1 October to 5 October 2007 to illustrate the final proposal to the public and interested parties.

Arising from the statutory consultation process there were a total of 9,379 objections to the proposed scheme, of which some 193 were from statutory objectors. In consideration of these objections the Scottish Ministers appointed Reporters to call and hold a Public Local Inquiry. This Public local Inquiry commenced in September 2008 and concluded in February 2009. During the course of the inquiry both oral and written evidence was submitted by a number of parties objecting to the scheme either as individuals or as groups. The Reporters appointed have considered that evidence together with the oral and written evidence provided on behalf of the Promoter, and their conclusions are documented within their Report (Aberdeen Western Peripheral Route – Report to Scottish Ministers – DPEA). Information relating to the Public Local Inquiry was made available to the general public via the dedicated website (www.awpr-pli.org). Following consideration of the Reporters findings and recommendations the Scottish Ministers announced on 21 December 2009 their decision to proceed with the proposed Aberdeen Western Peripheral Route.

Financial Effects

The Scottish Budget Spending Review 2007 sets out the spending plans for the period 2008-2011. Under the Finance and Sustainable Growth Portfolio the importance of delivering a motorway and trunk road network that supports the economy and the people of Scotland by enabling safe and reliable journeys is stated. Table 20.07 of that document sets out the detailed spending plans for the motorway and trunk road network, and the commentary on the table notes that:

"It [the Budget] will allow work to continue on completion of the Central Scotland Motorway Network (M8, M80, and M74), the A90 Aberdeen Western Peripheral Route and improvement schemes on the A68, A75, A77, A9 and A96."

The current estimated cost of the scheme is £295m - £395m excluding VAT. In order to allow like for like comparison of alternative routes during the public local inquiry an updated cost estimate of £347.4m (Quarter 4 2003 rates) was used. The AWPR has a high benefit to cost ratio of over 4 times the cost of building it.

The Scottish Government is meeting the largest share of the costs contributing 81% of the total cost of the project. Aberdeen City Council and Aberdeenshire Council are both contributing 9.5%. The costs of the Fastlink and maintenance of the entire scheme will be met wholly by the Scottish Government.

The scheme is included in the current Trunk Road and Motorway Programme and will be assessed for procurement by means of a Non-Profit Distributing Model Public/Private Partnership form of contract as set out in the Scottish Governments Infrastructure Investment Plan 2008.

Annex 1: List of Plans/Plan Folios relative to each Scheme and Order

The A90 (Aberdeen Western Peripheral Route) Special Road Scheme 2010 – plan folio numbered RYC/G109/13/0701 (Plans: Key Plan, SP1, SP2, SP3, SP4 and SP5)

The A956 (Aberdeen Western Peripheral Route) Special Road Scheme 2010 – plan numbered RYC/G109/13/0702

The A90 (Aberdeen Western Peripheral Route) (Craibstone Junction) Special Road Scheme 2010 – plan numbered RYC/G109/13/0703

The A90 (Aberdeen Western Peripheral Route) Trunk Road Order 2010 – plan folio numbered RYC/G109/13/0711 (Plans: Key Plan, TR1, TR2 and TR3)

The A96 (Aberdeen Western Peripheral Route) Trunk Road Order 2010 – plan numbered RYC/G109/13/0712

The A956 (Aberdeen Western Peripheral Route) Trunk Road Order 2010 – plan numbered RYC/G109/13/0713

Annex 2: List of Orders to Published in respect of the Aberdeen Western Peripheral Route

The orders before Parliament form part of a suite of orders required to deliver the Scheme. The Scottish Ministers published an Environmental Statement and the following draft scheme orders in relation to the AWPR:

Draft Schemes and Orders Published on 11 September 2007

- The A90 (Aberdeen Western Peripheral Route) Special Road Scheme 200[ ]
- The A956 (Aberdeen Western Peripheral Route) Special Road Scheme 200[ ]
- The A90 (Aberdeen Western Peripheral Route) (Craibstone Junction) Special Road Scheme 200[ ]
- The A90 (Aberdeen Western Peripheral Route) Trunk Road Order 200[ ]
- The A96 (Aberdeen Western Peripheral Route) Trunk Road Order 200[ ]
- The A956 (Aberdeen Western Peripheral Route) Trunk Road Order 200[ ]
- The A90 Trunk Road (Charleston to Blackdog) Detrunking Order 200[ ]
- The A96 Trunk Road (Dyce Drive to Haudagain Roundabout) Detrunking Order 200[ ]
- The A96 Trunk Road (Dyce Drive Roundabout to Craibstone) Detrunking Order 200[ ]
- The A90 (Aberdeen Western Peripheral Route) Special Road (Redetermination of Means of Exercise of Public Right of Passage) Order 200[ ]
- The A90 (Aberdeen Western Peripheral Route) Special Road (Extinguishment of Public Rights of Way) Order 200[ ]

Draft Orders published on 25 September 2007

- The A90 (Aberdeen Western Peripheral Route) Special Road and the A956 (Aberdeen Western Peripheral Route) Special Road Compulsory Purchase Order 200[ ]

Draft Orders published on 12 October 2007

- The A90 (Aberdeen Western Peripheral Route) Special Road (Side Roads) Order 200[]
- The A956 (Aberdeen Western Peripheral Route) Special Road (Side Roads) Order 200[ ]
- The A90 (Aberdeen Western Peripheral Route) Trunk Road (Side Roads) Order 200[ ]
- The A956 (Aberdeen Western Peripheral Route) Trunk Road (Side Roads) Order 200[ ]
- The A96 (Aberdeen Western Peripheral Route) Trunk Road (Side Roads) Order 200[ ]

Draft Orders published on 1 May 2008

- The A90 (Aberdeen Western Peripheral Route) Special Road and the A956 (Aberdeen Western Peripheral Route) Special Road Compulsory Purchase Order No. 2 200[ ]

Annex 3: Lists of Bodies involved in Written Consultations

Bodies involved in Written Consultation during Scheme Development included:

Aberdeen Aeromodellers Club
Aberdeen Bat Group
Aberdeen and District Angling Association
Aberdeen Cycle Forum
Aberdeen City Council
Aberdeen City Local Outdoor Access Forum
Aberdeen Biodynamic Land Trust
Aberdeenshire Council
Aberdeen Countryside Project
Aberdeen University
Belhelvie Community Council
Benholm and Johnshaven Community Council
Bridge of Don Community Council
British Airways Authority
British Geological Survey
British Horse Society
British Waterways Scotland
BP
BT
Bus Companies including: ABC, Bluebird, Citylink, First, National Express and Stagecoach
Cable & Wireless
Centre for Ecology and Hydrology
Chamber of Commerce
Council for Scottish Archaeology
Cove and Altens Community Council
Culter Community Council
Cults, Bieldside & Milltimber Community Council
Cyclists' Touring Club
Dee District Salmon Fisheries Board
Don Salmon Fisheries Board
Forestry Commission
Grampian Badger Surveys
Grampian Fire Brigade
Grampian Fungus Group
Grampian Police
Grampian Red Squirrel Group
Health and Safety Executive
Historic Scotland
Kingswells Community Council
Laurencekirk Community Council
Mintlaw & District Community Council
National Farmers Union of Scotland
Network Rail

North Kincardine Community Council
North East Scotland Biodiversity Partnership Coordinator
North East Scotland Biological Records Centre
North East Scotland Local Biodiversity Action Plan
Nestrans
Ramblers Association
River Dee Trust
Road Haulage Association
Royal Society for the Protection of Birds
Royal Deeside Preservation Trust
Royal Deeside Railway Preservation Society
Scotia Gas Networks
Scottish Executive
Scottish Landowners Federation
Scottish Ornithologist Club
Scottish Wildlife Trust
Scotways: Scottish Rights of Way and Access Society
Scottish Environmental Protection Agency
Scottish Canoe Association
Scottish & Southern Energy
Scottish Water
Scottish Natural Heritage
Scottish Wildlife Trust
Scotways: Scottish Rights of Way and Access Society
Shell
Sustrans Scotland
Stonehaven Community Council
Thus
Transco
The Garden History Society in Scotland
VIPRE Transport Consultants
West Don Community Council
Wildfowl and Wetlands Trust

Bodies Involved in Written Consultation in Respect of the Published Draft Orders:

Aberdeen City Council
Aberdeenshire Council
Architecture and Design Scotland
AA
Airport Business Development Forum
BEAR (North East & North West Units)
British Airways Authority
British Horse Society
British Telecom
British Waterways
Civil Aviation Authority
The Coal Authority
Crown Estates
Cycle Touring Club
Defence Estates
Department of Transport Local Government and the Regions
Fire Brigade
Forestry Commission
Freight Transport Association
Heritage Railway Association
Institute of Logistics and Transport
Cable & Wireless
Ministry of Defence
National Air Traffic Service
National Farmers Union
National Trust for Scotland
Police
RAC
Rail Property Ltd
Railtrack
Road Haulage Association
Royal Scottish Automobile Club
Scottish Ambulance Service
Scottish Cycle
Scottish Enterprise
Scottish Landowners Federation
Scottish Natural Heritage
Scottish & Southern Energy
Scottish Water
Scottish Wildlife Trust
Scottish Enterprise Grampian
Scottish Civic Trust
Scottish Environmental Protection Agency
Scottish Rights of Way Society
Sustrans

Transco
Transform Scotland
Visit Scotland
Valuation Office Agency
Vehicle and Operator Services Agency

22 Libraries around Aberdeen and Aberdeenshire were also issued with copies of the Draft Orders and Environmental Statement