

# Graeme Dey MSP submission of 21 November 2023

## Inquiry into A9 Dualling Project

**The situation with regard to the A9, when I took up post as Minister for Transport on May 19 2021 was as follows -**

- The stretch between Kincaig and Dalraddy had been completed.
- Dualling of the 9.5km Luncarty to Pass of Birnam stretch was nearing completion at a cost of £96 million.
- Transport Scotland (TS) had published a Prior Information Notice for the £115 million Tomatin to Moy phase in the February of that year and were anticipating embarking on the procurement process shortly. Sitting alongside this, enabling works (costing £10 million and involving replacing the Lyneberg Rail Bridge and road works and the provision of a new footbridge around the Tomatin Distillery) were to be getting underway.
- I was advised that statutory processes with regard to seven of the eight remaining schemes were well underway (design processes were also progressing) with made orders for four of these (Tay Crossing to Ballinluig, Pitlochry to Killiecrankie, Killiecrankie to Glen Garry and Dalwhinnie to Crubermore due to be published in the coming months.

I was also advised that TS were *“engaging with stakeholders and the construction industry to help finalise a procurement strategy that will allow us to progress the remaining sections on completion of the statutory processes.”*

My recollection is that officials were very clear on the need to follow due process in order to minimise the risk of delay through possible legal challenge as had happened with the Aberdeen Western Peripheral Route.

They were also focussed on creating a pipeline of work that could be delivered by industry. And it should be acknowledged they were committed to genuine community engagement.

## **Late June 2021**

I received a detailed briefing on the Pass of Birnam to Tay Crossing scheme which was considerably behind other projects because of an extensive co-creative process and more recently Covid.

I was advised that continuing delay in coming to a decision would impact the wider A9 programme.

The Community's Preferred Route - which included a 1.5km cut and cover tunnel in the vicinity of Dunkeld Rail Station - was included in the Stage Two options to be presented to Ministers but this was not an option deemed to be consistent with the standards proposed for the rest of the A9 dualling so alternatives were also there, including a 450m long tunnel. It was also extremely expensive.

The co-creative process had run from June 2018 and involved extensive engagement with the Birnam to Ballninluig A9 Community Action Group (BBCG).

It had been intended that before a final decision was reached Ministers would visit the site and meet the BBCG. This should have happened in April 2020 but did not due to Covid-19.

I agreed to make the visit in order that we progressed matters.

## **June 30 2021**

I visited the Luncarty-Pass of Birnam works and then attended an informal meeting with community representatives at Stanley Mill where I learned about the extensive community engagement which had characterised the project.

That visit came shortly after the site had re-opened following a three-month pandemic related shutdown.

## **July 2021**

I received an update indicating the report from the Public Local Inquiry on the Killiecrankie-Glen Garry scheme, which had been

delayed by pandemic related staffing issues was expected by the end of the summer.

### **July 20 2021**

I made the planned visit to Dunkeld where I was joined by John Swinney MSP who, as the local member, had a long-time interest and engagement in progressing the scheme.

We met with the local group and visited both the A9 as it passed Dunkeld Rail Station and the Station itself.

I found the visit incredibly helpful in understanding the options. My view was that a hybrid of these might deliver what underpinned the groups' ask (which was that residents would be able to walk from the village to their station) whilst keeping costs to a reasonable level. Another consideration for me was the significant and extended period of disruption that residents living directly adjacent to the A9 would suffer, owing to piling operations should the tunnel option be pursued.

I asked officials to progress that as an option.

Additionally, during the visit members of the group raised with me the possibility of further safety improvements at two junctions along the route which they felt could and should be implemented in the meantime. I raised these with Transport Scotland and my recollection is that at least some were taken forward.

### **July 28 2021**

Agreement was sought from the Deputy First Minister to proceed with the Tomatin to Moy project. Granted such we would hold an A9 Tomatin to Moy Virtual Industry Event for potential suppliers and contractors ahead of publication of the contract notice.

### **July 29 2021**

Following agreement from the DFM, I confirmed to officials that we proceed to procurement.

### **September 21 2021**

I attended a Community Benefits Celebration event marking the full opening of the Luncarty to Pass of Birnam scheme

### **October 25 2021**

I instructed officials to proceed with Draft Road Orders and Compulsory Purchase Order for Dalraddy to Slochd Scheme

### **November 16 2021**

Officials came back with an initial, worked up draft proposal relating to my ask on an alternative option for the Dunkeld-Pass of Birnam scheme. I met and discussed this with them and felt there was potential for putting it to the Community Group. I asked for it to be progressed via their established processes with a view to my returning to Dunkeld to meet with interested parties and seek views on this and the original options.

### **November 26 2021**

Made Order for Tay Crossing - Ballinluig and Pitlochry to Killiecrankie schemes were published.

### **November 30 2021**

I made a site visit to see the newly completed Lynebeg Rail Bridge replacement works, the first advance activity linked to the Tomatin to Moy Scheme.

### **December 13 2021**

Ministerial approval given for the making of orders for the Crubenmore to Kinncraig Scheme.

### **December 23 2021**

Cabinet Secretary for Finance and Economy, Cabinet Secretary for Net Zero, Energy and Transport and myself received a submission from officials laying out an evaluation “of comparative benefits and disbenefits of adopting either a capital funded procurement option or a revenue funded procurement option for delivery of the remaining eight projects”. A subsequent meeting to discuss was offered once we had digested content.

The former option involved proceeding on a scheme by scheme basis, with construction contract values ranging from £88million to £325million.

The latter involved packaging schemes into three geographical bundles. The revenue funded option could be completed two years earlier than the alternative (by 2032 as opposed to 2034) and at a slightly lower Net Present Value of Cost. The notional spend over the comparative period however, would be greater and the revenue funded option would require a capital element of £360 million.

The paper was extremely detailed and laid out the scale of the financing required.

It sought input from Ministers as to issues that should be considered in completing the process of evaluation.

### **December 31 2021**

I responded to the paper asking “if officials had looked in any detail whether a hybrid approach is feasible and what timescales and costs that might deliver to”.

### **January 19 2022**

Officials responded in detail to my question having looked at more than one hybrid variation.

Only one of these offered potential programme benefit compared to the Revenue Funded Option but it carried “significant risks which ... could undermine deliverability of the programme”.

There were concerns raised over market capacity and increased disruption for road users during the early years of construction were this option pursued. It was also noted that significant additional capital funding would be required.

Officials recommended not adopting a hybrid approach.

### **January 24 2022**

I stepped down as Minister for Transport at which point, from my direct perspective, there were two immediately outstanding matters on the A9.

1. Relevant Ministers meeting to consider the financing proposals for the remainder of the project.

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2. The appropriate minister meeting BBCG to discuss in detail the finalised options for the Dunkeld-Pass of Birnam scheme.