

**Delayed Office Opening
for Employee Training**

*This office will be closed from
8.45 am - 11.00 am on the first
Thursday of each month.*



Planning & Development
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Participation Request – Decision Notice

Issued in accordance with the Community Empowerment (Scotland) Act 2015 ('the Act') and The Participation Request (Procedure) (Scotland) Regulations 2017 ('the Regulations').

Participation Request submitted by Scone & District Community Council on 15 March 2021 ('the Participation Request').

The Participation Request was received from Scone & District Community Council on 15 March 2021. It complied with the Regulations and was given a Validation Date of 15 March 2021.

Scone & District Community Council is a "community participation body" in terms of Section 20(1) of the Act and Perth and Kinross Council is a "public service authority" in terms of Section 21 and Schedule 2 of the Act. The outcome specified in the Participation Request related to:

The 'greening' of the Cross Tay Link Road to the North of Scone e.g. active travel, non-motorised road users, and environmental improvements.

The Participation Requested stated that the Community Council wish to have input into tree planting, how the community can help with this, the road speed limit above our village, noise reduction, habitat preservation and enhancement. This will lead to an outcome of increasing and improving paths for pedestrians etc.

Decision

The Participation Request was referred to the Executive Director of Communities who, having considered the matter fully, has decided to refuse the Participation Request. This decision is summarised below but further information explaining the reasoning for this decision is also given.

The Cross Tay Link Road (CTLR) crosses several landscape character areas and landscape types, including the nationally important Garden & Designed Landscape of Scone Palace (GDL). In light of this the landscape scheme for the project has been carefully developed and the contract scope (i.e. specification) for the landscape design is detailed and prescriptive and is included within the contract for the project. [The Council is currently in the formal tender process for the contract.] There is therefore very little opportunity for the design to be developed further by the community.

The paths and facilities in relation to active travel for the CTLR have been identified and developed in consultation with local people and user groups and designed in accordance with the relevant design standards and guidance, taking account of the vertical and horizontal

geometry, the landscape and the land available. Consequently, there is now limited scope for the main elements of the design (e.g. path widths, path alignments and locations) to be altered.

This detailed design also forms part of the planning application submission which is now consented. This consent includes conditions(s) in relation to environmental mitigation which are contractually placed upon the successful Contractor

The formal participation of SDCC at this late stage of the CTRL project would have contractual implications for the Council as the tender process for Stage One of the contract is currently ongoing and the Council will be entering into a contract with a Contractor in June 2021.

In summary, given the potential contractual implications and the current design status the formal involvement of SDCC in the CTRL contract is not appropriate. However, there are a number of wide-ranging opportunities within the contract where SDCC can be involved and these are also detailed below. These include community projects, education and recreation programmes and improvements to the local environment/facilities, as well as some specific CTRL project works.

Further Information and Reasoning

The section of the CTRL scheme which SDCC refer to is shown on the attached planning drawing (Layout Plan Sheet 5 of 5). The proposed landscaped areas within this section are shown on the attached planning drawings (Landscape Scheme Sheet 10 of 11 and Sheet 11 of 11). Plans showing the proposed active travel routes and their dimensions are shown on the attached planning drawings (CTRL Mainline Plan and Profiles Sheet 4 of 5 and Sheet 5 of 5).

Current Programme Procurement and Contract of the CTRL

The Council is currently in the formal procurement process for the contract in respect of the CTRL, with submissions of a completed tenders due in April 2021 with the contract anticipated to be awarded to the successful Contractor in June 2021.

The Scheme on which tenders are based on is 'approved' and has been designed to inform Stage 3 of the Design Manual for Roads and Bridges Scheme Assessment, which manual is the primary source of information relating to the design, assessment and operation of motorway and all-purpose roads in the United Kingdom. The design also reflects the statutory processes including the Compulsory Purchase Order, Environmental Impact Assessment, Planning Consent and Proposed Road and Path Orders.

The formal participation of SDCC at this late stage of the project would have contractual implications for the Council. Tenders are to be submitted in April 2021 and the Council will be entering into a contract with a Contractor in June 2021. The contract is a NEC4 Engineering and Construction Contract Option C - Target Cost. Should SDCC formally participate in development and approval of the detailed design after this point, they would be deemed to be an 'Other' under the contract. It is likely that the contract would need revised to accommodate this, with SDCC's role in the contract clarified. In this scenario the performance of SDCC would then have price and programme implications for the contract (the price of which is currently estimated at over £100 million).

Tree Planting and Environmental Improvements

The surrounding landscape and how the CTRL fits within it is an important part of the Scheme and a thorough Environmental Impact Assessment was undertaken. The primary landscape design objectives were established at the outset of the CTRL project which were built upon

throughout the Specimen Design¹ and assessment period to reflect more closely the specific characteristics and qualities of localised landscape areas within the extents of the scheme and especially through the GDL. Elements of the landscape scheme have been designed to perform a number of different functions; enhancement and reinforcement of existing landscape features; protection or focus upon key landscape views; screening or reduction of visual effects upon local receptors; enhancement of the landscape experience for users of the CTRL; sensitive incorporation of engineered elements within the GDL and to minimise as much as possible the potential effects upon woodlands and grasslands and other habitat types, all whilst integrating a cohesive scheme within the wider landscape context. Opportunities to enhance the landscape for local flora, fauna and for residents, have been explored, and incorporated where possible, to ensure a positive landscape legacy of the CTRL project.

For the reasons above the contract scope (i.e. specification) for the landscape design is detailed and prescriptive and is included within the contract which is currently out to tender. This detailed design also forms part of the planning application submission which is now consented.

Environmental

The design of the CTRL Scheme has been developed taking account of identified environmental constraints and considerations, enabling avoidance or reduction of potential environmental impacts where practicable. Additionally, an Environmental Impact Assessment was undertaken for the planning application for the Scheme with a resultant Schedule of Mitigation prepared.

The implementation of the environmental mitigation measures contained within this Schedule are one of the conditions that must be discharged by the Contractor and therefore the appointed Contractor will be contractually required to design and implement these in accordance with this Schedule.

Active Travel and Non-motorised Users

The active travel paths and facilities for non-motorised users have been identified and developed in consultation with local people and user groups, and have been designed in accordance with the Design Manual for Roads and Bridges (DMRB) and the following standards:

- National Roads Development Guide by SCOTS (Scottish Local Authorities) June 2017
- Designing Streets by the Scottish Government - March 2010
- Roads for All: Good Practice Guide for Roads by Transport Scotland - July 2013)
- Handbook for Cycle Friendly Design by Sustrans (April 2014)

These paths and facilities form part of the 'approved' scheme and, in addition to the above, have been designed taking account of the vertical and horizontal geometry, the landscape and the land available. There is now limited scope for this design to be altered.

Opportunities for Community Involvement

Although the Participation Request has been refused, there are a number of other areas of the project where the Community Council can become involved. The appointed Contractor will be required to engage and work with local people and community groups in the identification and implementation of community benefits. These will be wide ranging, and it is hoped that communities will play an active role throughout the duration of the contract. Activities may include:

- Community Projects (social inclusion and wellbeing activities and donations; sponsorship and partnership contributions; volunteering and local charities)

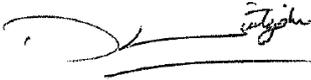
¹ The design prepared to inform the statutory assessment of the scheme impacts and the planning process

- Education and Recreation Programmes (support for local recreation, sports events and activities; works with nurseries, schools and voluntary groups)
- Improvements to local environment or local facilities (donations of materials, equipment, goods time and expertise)

Additionally, there are specific requirements which the Contractor must meet and where communities will become involved i.e. working with the Contractor and a local artist to create artworks at locations throughout the proposed CTRLR corridor, design and construction of bird hide with the community taking of the management of it thereafter.

The Contractor must also provide a number of community benefits which are listed on the [Council's Community Benefits Wish List](#). SDCC may already be aware of this list but it is recommended that the Community Council have a look at this to determine if they can add to this.

Once the Contractor is appointed, the Council's project team will be in contact with local people with a view to setting up various community groups to assist with all of the above.



David Littlejohn
Perth and Kinross Council
April 2021