

Closing the Gap: A9 Dualling, Pass of Birnam to Tay Crossing

Version: Draft 0.7

This paper sets out:

- Problems and issues that need to be addressed.
- Suggestions and recommendations on how we could resolve these
- How we could collectively achieve this.

The paper has been prepared following discussion between Birnam to Ballinluig A9 Community Group and Transport Scotland representatives (6th August 2019), where both parties agreed to consider ways in which the current gap could be bridged, with an objective to reach a consensus position and avoid a confrontational planning situation.

Problems to address:	Step	Issue	Rationale/reason why	Positive outcome:	Consequence if we don't achieve this:
<p>The gap between community preference and alternative options being proposed.</p>	<p>1</p>	<p>We need to work together to close the widening gap between local community perception of a successful outcome from A9 Dualling, and the options now on the table (post Co-Creative). A fundamental issue is that the community should be regarded as the primary stakeholder as they are the ones most affected long term and during the process.</p>	<p>There is a high level of community discontent which, if left unresolved, will lead to a much higher likelihood of a significant number of formal objections and a Public Local Inquiry (PLI).</p>	<p>Good level of consensus; an option(s) presented to the Minister which a majority of residents can live with (at worst); an engineering and community improvement legacy we can collectively be proud of (at best).</p>	<p>Confrontational planning situation. A situation the Co-Creative process was designed to avoid.</p>

Community surprise at new alternatives	2	The outcome of the Stage 2 report should not come as a surprise to the community.	Significant effort, cost and time has been spent developing a high level of consensus through the successful Co-Creative process. It would seem disingenuous and unfair for this consensus position to be up-ended and replaced with something the community hasn't supported or been consulted on.	Stage 2 report findings are socialised and understood in advance of publication.	Negative reaction and a feeling that the process is being "done to" the community, rather than "done with" the community.
Perception of bias	3	General sentiment is that there is some bias against the Community Preferred Route (CPR) in the reporting and assessment by Jacobs and Transport Scotland (TS).	Cost estimates seem disproportionate and the pros and cons seem heavily weighted against the CPR.	Cost estimates are independently challenged, reviewed and grounded. Pros and cons of the CPR are reviewed and updated in consultation with the community.	Negative sentiment prevails which further disenfranchises people with the process.

What can we do?	Step	Objective	Rationale/reason why	Positive outcome:	Consequence if we don't achieve this:
To close gap	4	Agree an action plan and provide the necessary space and time to close the current gap.	In-line with Cabinet Secretary's guidance at our meeting (31 st July 2019), and what the community is requesting of us.	Time and space is allocated to work together towards a non-confrontational, mutually agreeable outcome.	Time and space is not allocated and the selected outcome results in a lengthy and costly PLI.
To understand rationale for changes	5	Understand what the constraints really are.	Transparency on the reasons behind the issues that have been raised against the CPR option is needed to ground what problems there are; before potentially negotiating away from what a majority of the community voted for previously.	Constraints are understood. Transparency is achieved. Any future negotiations are grounded in facts and can be made in good faith.	Constraints remain unclear. Transparency isn't provided. Difficult to negotiate mitigations/compromises if we don't fully understand the current constraints.
To achieve consensus	6	Understand what can be done to workaround or mitigate the constraining factors to the CPR.	The community needs confidence that all possibilities to workaround or mitigate constraining factors have been assessed. This could/should include external (3 rd party) advice and guidance.	Confidence that all opportunities to mitigate constraining factors have been achieved.	A perception remains that alternative and innovative solutions haven't been fully explored.

How can we do this?	Step	Action	Rationale/reason why	Positive outcome:	Consequence if we don't achieve this:
Negotiation	7	Negotiate towards a compromise position.	TS may need to present multiple options to satisfy the process needs of DMRB Stage 2, but this shouldn't detract from the ambition to arrive at a single compromise solution that meets the needs of both parties.	A preferred route which both parties can be satisfied with is delivered, in line with the original aims of the Co-Creative process.	Two or more competing options are presented for a decision by the Minister. The selected outcome is favoured by TS and not by the community which results in a lengthy, combative and costly PLI, possibly even a Judicial Review.
Community engagement	8	Re-engage with the community to explain the position. Seek buy-in to a compromise position.	There is limited appetite to undertake another lengthy engagement process, but time is required to present and consult the community in genuine and effective ways to re-establish a consensus position.	The community has been consulted fully, transparency is achieved and the A9 dualling option satisfies a majority of local residents.	The community sentiment (post Co-Creative) that A9 dualling is being "done to" the community remains.

<p>Develop a joint preferred option.</p>	<p>9</p>	<p>Present a single route option recommendation to the Minister which satisfies both parties in the interests of a majority.</p>	<p>In-line with Cabinet Secretary's guidance following our meeting (31st July 2019). Suggested path to avoid a confrontational planning situation and provides the best possible outcome for the community.</p>	<p>A higher level of community consensus is achieved for the route option presented to the Minister.</p>	<p>Multiple route options are presented; some of which the community hasn't been properly consulted about. An unfavoured option is selected with far reaching, long term consequences for the area. A large number of local residents object to the plans which results in a lengthy and costly PLI.</p>
-------------------------------------------------	-----------------	----------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Birnam to Ballinluig A9 Community Group

August 2019