



**TRANSPORT  
SCOTLAND**  
CÒMHDHAIL ALBA

# **Environmental Impact Assessment Record of Determination**

## **A96 Delnies to Whiteness**

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## Project Details

### Description

The works are required to maintain the safety and integrity of a stretch of the A96 from Delnies to Whiteness within the Highlands. This section of the A96 is presenting signs of continual deterioration with surface course and structural defects present throughout the bituminous carriageway material. Addressing these defects will provide an extended pavement life and will improve road safety and ride quality.

Construction activities, including materials, will consist of the following:

- Installation of traffic management.
- Milling carriageway to agreed depths.
- Resurfacing of carriageway to the existing road levels using TS2010 10mm aggregate (Site Class 1, Site Class 3), AC20 Binder, AC32 Base & AC20 EME2 Base/Binder.
- Reinstatement of road markings, linings, and studs.
- Removal of traffic management.

The following plants will be used for the works:

- Road planing machinery.
- Road sweepers.
- Road pavers.
- JCB tractors.
- Haulage lorries.

The works are currently scheduled to commence on 13<sup>th</sup> August 2023 and will last approximately 14 days. Night-time works will be required. Traffic management will be in place with a mixture of weekend road closures and a daytime convoy.

## Location

The scheme is approximately 1,320m in length with an area of approximately 10,032m<sup>2</sup> and is located on the A96 carriageway between Delnies and Whiteness. The works have the following National Grid References (NGRs):

- Start: NH 84376 55043
- End: NH 83283 54328

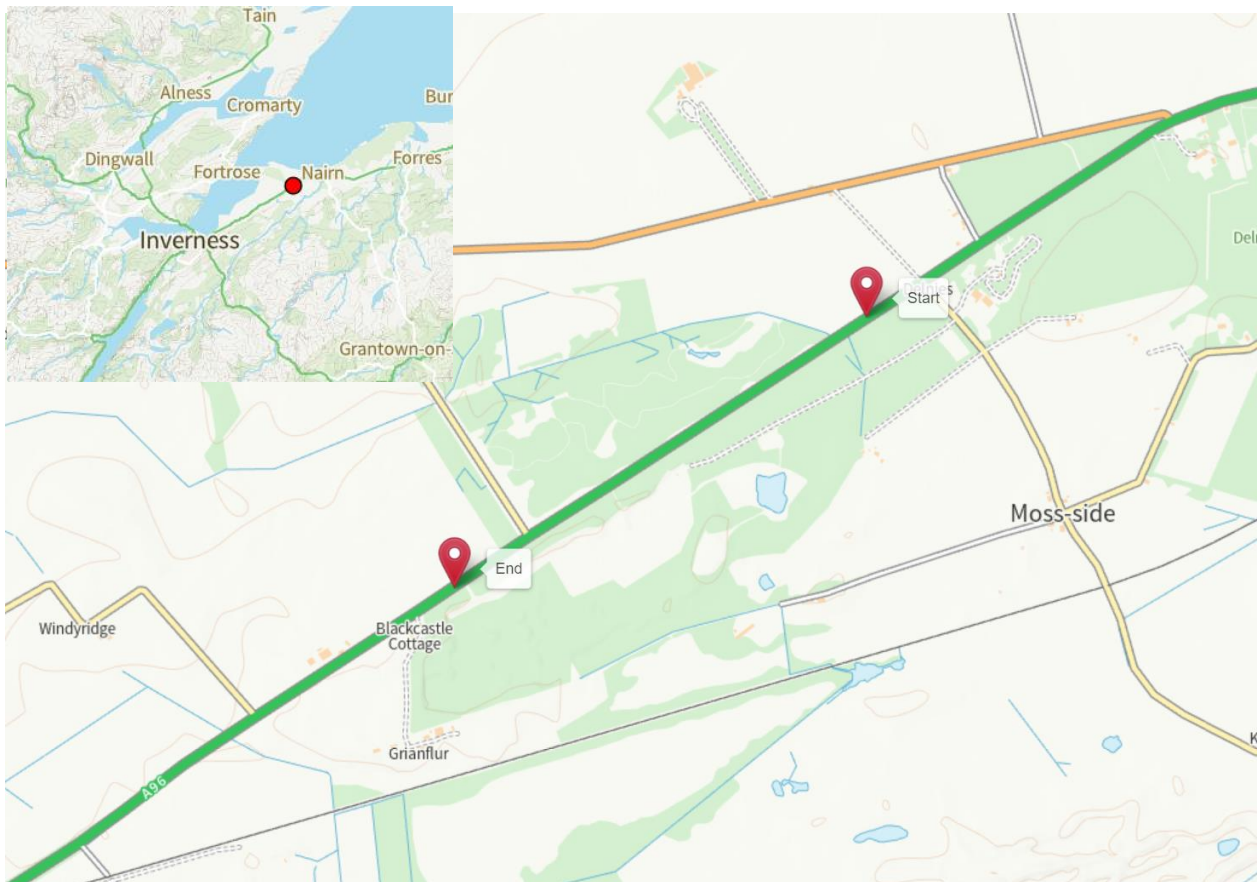


Figure 1: Scheme Location

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## Description of local environment

### Air quality

The section of the A96 carriageway falls within a rural setting between Delnies and Whiteness, in the Highlands. There is one residential property within 200m of the scheme, located approx. 150m southwest of the carriageway. Access to this residential property is gained via a private road connected to the A96 approx. 130m from the scheme. There are no other important receptors to note within 200m of the scheme.

Sources of air pollution are from the road and traffic. In 2021, the [Annual Average Daily Flow \(AADF\)](#) for all vehicles along the A96 where works are to be undertaken was 11,826 with 1,222 of those being Heavy Goods Vehicles (HGVs).

The Highland Council have not declared any Air Quality Management Areas (AQMA) within the scheme extents.

### Cultural heritage

A desk study using the [Pastmap](#) has not identified any statutory designated features of cultural heritage within 300m of the scheme.

Works will be restricted to the existing carriageway boundary and will not impact upon cultural heritage. Therefore, cultural heritage has been scoped out for further assessment.

### Landscape and visual effects

A desktop study using [NatureScot](#), [SiteLink](#) and [Past Map](#) was undertaken and have not highlighted any areas designated for landscape character within 300m proximity of the scheme.

[The HLA Map](#) noted the area of land where works are to be undertaken as being rectilinear field and farms, with several areas of managed woodland adjacent to the A96 at both the north and the south. The works do not fall within any areas designated for their landscape quality.

Views of, and from, the road will be temporarily affected during construction due to the presence of works, traffic management and plant. As the works are minor and operating on a like-for-like basis, no permanent changes to landscape features are predicted.

Works will be restricted to the existing carriageway boundary and will not impact upon the surrounding landscape and therefore landscape and visual has been scoped out for further assessment.

## Biodiversity

The proposed scheme is located in a predominantly rural area. The area immediately surrounding the A96 carriageway comprises broadleaved woodland, low-lying vegetation, and scrub. There is one pond approximately 210m southwest of the scheme which has not been designated by Scottish Environment Protection Agency (SEPA).

[NatureScot Sitelink](#) does not indicate any designated European sites within 2km of the scheme extents. This resource did not identify any other designated sites, such as Sites of Special Scientific Interest (SSSIs), designated for their ecological features within 2km of the scheme extents.

[NatureScot's Ancient Woodland Inventory](#) has identified the woodland that runs parallel along the southbound side of the carriage way for the full length of the proposed scheme as Ancient Woodland (ID: 13082); there is also a small section (80m in length) on the Northbound side.

Within 500m, the [NBN Atlas Scotland](#) (2012 – 2022) has not highlighted the presence of any Invasive Non-Native Species (INNS). The Transport Scotland Asset Management Performance System (AMPS) has highlighted the presence of Rosebay Willow herb approximately 200m Southwest from the proposed scheme along the A96.

## Geology and soils

[The National Soil Map of Scotland](#) identifies the local soil type to consist of mineral podzols.

A desktop study was undertaken using [Britain's Geology Viewer](#) and [Scotland's Soils Map](#). Baseline conditions for geology and soil in the area are detailed below.

### Bedrock Geology

- Inverness Sandstone Group - Red sandstone sequence incorporating the Daviot Conglomerate, Nairnside Sandstone, Leanach Sandstone, Inshes Flagstone and Hillhead Sandstone formations.

### Superficial geology

- Alturlie Gravels Formation - Sand and gravel

Through [Sitelink](#) it can be confirmed that there are no sites designated for geology within 500m of the proposed scheme. The works will be kept to the existing

carriageway and will have no impact on local land or soils and therefore has been scoped out for further assessment.

## Material assets and waste

Table 1: Key materials required for activities.

Activity	Material Required	Origin/ Content
Site Construction	<ul style="list-style-type: none"> <li>• Road surfacing (aggregate and binder)</li> <li>• TS2010 Surface Course</li> <li>• Road paint</li> <li>• Road studs</li> </ul>	<p>A proportion of reclaimed asphalt pavement (RAP) is used in asphalt production. Typical RAP values for base and binder are 10% -15% with up to 10% in surface course.</p> <p>TS2010 Surface Course allows a wider array of aggregate sources to be considered when compared to typical Stone Mastic Asphalt (SMA). As a result, the use of TS2010 will reduce the usage of imported aggregates and increase the use of a wider range of <a href="#">sustainable aggregate sources</a>.</p>

Table 2: Key Waste arising from activities

Activity	Waste Arising	Disposal/ Regulation
Site Construction	<ul style="list-style-type: none"> <li>• Road Planings</li> </ul>	<p>Uncontaminated road planings generated as a result of the required works, will be fully recycled in accordance with the criteria stipulated within SEPA document 'Guidance on the Production of Fully Recoverable Asphalt Road Planings.'</p> <p>The Contractor is responsible for the disposal of road planings and this has been registered in accordance with a Paragraph 13(a) waste exemption issued by SEPA, as described in Schedule 3 of the Waste Management Licensing Regulations 2011.</p> <p>No planings contain any traces of coal tar.</p>

## Noise and vibration

The section of the A96 carriageway falls within a rural setting between Delnies and Whiteness, Highlands. There is one residential property within 300m of the scheme located approx. 150m southwest of the carriageway; there is a cluster of trees which offers slight screening between the section of road where the proposed works are to take place and the residential property, it is not located within the scheme extents. There are no other important receptors to note within 300m of the scheme.

In 2021, the AADF for all vehicles along the A96 where works are to be undertaken was 11,826 with 1,222 of those being HGVs.

Baseline noise levels are likely to be influenced by vehicle traffic from the A96 carriageway and from surrounding leisure and agricultural activities. [Noise Map Scotland](#) notes the noise levels during the day (Lden) around the scheme extents range between 60-<75 dB and during the night (Lnight) 50-<65 dB.

The scheme does not fall within a [Candidate Noise Management Area \(CNMA\)](#) or Candidate Quiet Area (CQA).

## Population and human health

There are no Core Paths, footways, cycleways, or bridleways within the scheme extents. There is one core path located within 500m of the proposed scheme which is the Delnies Community Wood circuit located approximately 100m northwest of the works, this core path does not cross the carriageway. There are no access points within the scheme extents.

## Road drainage and the water environment

SEPA's [Water Classification Hub](#) has not identified any waterbodies/watercourses classified under the Water Framework Directive (WFD) within 300m of the works. However, an unnamed pond was recorded approximately 210m southwest of the scheme extents.

[SEPA's flood map](#) has highlighted a likelihood (10%) of surface water flooding within the scheme extent.

Road drainage within the scheme extents is in the form of top entry gullies and likely outfalls to Balnagowan Burn which lies approximately 740m southwest of the scheme extents.

## Climate

### Carbon Goals



The Climate Change (Scotland) Act sets out the target and vision set by the Scottish Government for tackling and responding to climate change. The Act includes a target of reducing CO<sub>2</sub> emissions by 80% before 2050 (from the baseline year 1990).

The Scottish Government has since published its indicative Nationally Determined Contribution (NDC) to set out how it will instead reach net-zero by 2045, working to reduce emissions of all major greenhouse gases by at least 75% by 2030. By 2040, the Scottish Government is committed to reduce emissions by 90%, with the aim of reaching net-zero by 2045 at the latest.

Transport Scotland is committed to reducing carbon across Scotland's transport network, this commitment is being enacted through the [Mission Zero for Transport](#). Transport is the largest contributor to harmful climate emissions in Scotland. In response to the climate emergency, TS are committed to reducing their emissions by 75% by 2030 and to a legally binding target of net-zero by 2045.

Amey's Company Wide Carbon Goal is to achieve Scope 1 and 2 net-zero carbon emissions, with a minimum of 80% absolute reduction on our emissions by 2035. Amey is aiming to be fully net-zero, including Scope 3 emissions, by 2040.

Amey are working towards a contractual commitment to have carbon neutral depots on the North East Network Maintenance Contract (NE NMC) network by 2028. Amey have set carbon goals for the NE NMC contract as a whole to be net-zero carbon by 2032.

### **Monitoring, Management and Opportunities**

To support our journey towards carbon neutral and zero waste we include potential opportunities for enhancement utilising circular economy principals within assessment of material assets.

Amey (working on behalf of Transport Scotland) undertake carbon monitoring. Emissions from our activities are recorded using Transport Scotland's Carbon Management System.

Further information identifying how Amey will obtain the above Carbon Goals can be viewed within the Carbon Management and Sustainability Plan Roadmap to net-zero: STRNMC – North East.

## Description of main environmental impacts and proposed mitigation

### Air quality

#### Impacts

- On site construction activities carry a potential to produce airborne particulate matter and generate emissions that may have a slight impact on local air quality.
- TM and construction activities may also lead to temporary congestion for road users which may have an impact on the surrounding air quality.
- Construction activities may cause airborne dust or dust soiling which effects both human and ecological receptors.

#### Mitigation

The following best practice measures as outlined in the guidance on the [assessment of dust from demolition and construction](#) (2014) published by the IAQM, which includes the following mitigation relevant to this scheme will be followed:

- All vehicles will switch off engines when stationary; there will be no idling vehicles.
- All plant and fuel-requiring equipment utilised during construction will be well maintained in order to minimise emissions.
- Planing operations will be wetted to reduce dust arising.
- Drop heights to haulage vehicles and onto conveyors will be minimised where practicable.
- Lorries will be sheeted when carrying dry materials.
- Surfaces will be swept where loose material remains following planing.

It has been determined that the proposed project will not have direct or indirect significant effects on local air quality. The scope of works and the potential significance of effects does not warrant any further assessment as the Scheme does not meet the criteria (will not alter speed band or change road alignment) as set out in the DMRB, Volume 11, Section 3, LA105.

### Biodiversity

#### Impacts

- There is potential for protected species to be active within the local surrounding area which may be disturbed by the works.

- During night-time programming, site lighting could cause temporary disturbance to any surrounding nocturnal species.
- During night-time programming, additional noise from construction activities could cause temporary disturbance to any surrounding nocturnal species.
- Rosebay Willow Herb was located outside the proposed scheme extents and as no works are due to be taking place outside the carriageway boundary the risk of spreading this species is seen as low.

## **Mitigation**

- If a protected species, is seen on or near the scheme, all works will be stopped until the animal passes by. Site staff will be instructed not to approach protected species moving around close to works and to isolate the area temporarily (if possible) until the animal has moved on.
- The E&S team will be contacted for any guidance if required, and the control room will be contacted for environmental record.
- If the scope of the works change and any vegetation clearance is required, then a nesting bird check will be required. The E&S Team will be informed of any change to the scope of works.
- All works will be undertaken within the carriageway boundary. No plant or equipment will be stored within the grass verge.
- The site team will be advised of the location of the ancient woodland.

No works will be taken beyond the carriageway boundary to ensure no works are undertaken within the root protection zones of surrounding ancient woodland. With mitigation measures in place, no significant effects are predicted on biodiversity. Therefore, in accordance with DMRB Guidance document LA 108: Biodiversity, no further assessment is required.

## **Material assets and waste**

### **Impacts**

- The design life for the TS2010 surfacing proposed is estimated to be 20 years. This will reduce the requirement for maintenance to this section of road over the period.
- The works will result in contribution to resource depletion through use of virgin materials.
- Transportation and recovery of materials/waste will require energy deriving from fossil fuel, a non-renewable source.
- The use of TS2010 will reduce the use of imported aggregates and increase the use of a wider range of sustainable aggregate sources.

- Use of TS2010 will reduce the usage of imported aggregates and increase the use of a wider range of sustainable aggregate sources thus reducing GHG emissions.

## Mitigation

- Materials will be derived from recycled, secondary or re-used origin as far as practicable within the design specifications, to reduce natural resource depletion and associated emissions.
- The contractor will adhere to waste management legislation and ensure they comply with waste management Duty of Care.
- Uncontaminated road planings arising from the works will be fully recycled under a SEPA Paragraph 13(a) Waste exemption in accordance with guidance on the Production for Fully Recovered Asphalt Road Planings.
- All waste leaving the site will be removed from site by a licence waste carrier. All waste documentation will be provided when requested.
- Where possible, materials will be obtained locally, and operatives deployed from the local depot to reduce haulage and scheme associated journeys, reducing impact of associated GHG emissions on climate change.
- Where possible all materials will be reused throughout the network, if not possible they will be recycled locally. Not all materials will be able to be reused/recycled and will require landfilling.

It has been determined that the proposed project will not have direct or indirect significant effects on the consumption of material assets or creation of waste. Therefore, in accordance with DMRB Guidance document LA 110: Material Assets and Waste, no further assessment is required.

## Noise and vibration

### Impacts

- TS2010 road surfacing is shown to have superior durability and noise reducing features compared to standard road surfacing mixes.
- As noise heavy works are required during day and night works, then this could cause temporary disturbance for residential properties in close proximity, and for the nearby amenity users.

### Mitigation

- Plant/machinery will be fitted with silencers/mufflers. No plant, vehicles or machinery will be left idling when not in use.
- Site staff will use rubber linings in, for example, chutes and dumpers to reduce impact noise.
- Impacts from noise shall be kept to a minimum through the use of appropriate mufflers and silencers fitted to machinery. All exhaust silencers will be checked at regular intervals to ensure efficiency.

- Plant and machinery will be switched off when not in use to reduce noise disruptions to the surrounding environment.
- Operatives will avoid extraneous noise on site (i.e., shouting, music, slamming of doors etc.).
- The noisiest works should be scheduled for before 23:00, where practicable.
- Residential properties within 300m of the works will be notified in advance of the works. The notification will detail the nature, timings, and traffic management arrangements of the scheme.
- The Highland Council's Environmental Health Team has been notified of the night-time working.

With best practice mitigation measures in place, no significant effects are predicted for noise and vibration. Therefore, in accordance with DMRB Guidance document LA 111: Noise and Vibration, no further assessment is required.

## **Population and human health**

### **Impacts**

- TM will likely cause traffic delays and increase congestion which may lead to driver frustration and longer journey times. Impacts will be temporary during the construction phase only.
- TS2010 road surfacing is shown to have superior durability and noise reducing features compared to standard road surfacing mixes. Vehicle travellers and nearby residential properties will benefit from improved road surfacing as a result of the scheme.
- As the works require both daytime and night-time programming any residential properties or sensitive receptors in close proximity may experience temporary disturbance due to an increase in baseline noise and vibration levels, as well as light pollution.

### **Mitigation**

- Advance notice of the works and TM will be provided through the use of signage.

It has been determined that the proposed project will not have direct or indirect significant effects on population and human health provided that mitigation measures and best practice is followed. Therefore, in accordance with DMRB Guidance document LA 112: Population and Human Health no further assessment is required.

## **Road drainage and the water environment**

### **Impacts**

- If the area of works is not appropriately controlled, debris and run-off from the works has the potential to enter nearby watercourses and could detrimentally impact water quality.
- In the event of a flooding incident, the works will carry an increased risk of allowing fine sediments to become mobilised in surface water.
- Potential for spills, leaks or seepage of fuels and oils associated with plant to escape and reach drainage systems and watercourses, if not controlled.

## Mitigation

- No discharges into any watercourses or drainage systems will be permitted.
- Extra care will be taken to ensure no debris or dust from the works enters any watercourse or road drainage systems (this will be via the use of drain covers or similar). Dust suppression, screens or other suitable measures will be put in place. Visual pollution inspections of the working area will be conducted in frequency, especially during heavy rainfall and wind.
- Spill kits will be present onsite at all times, and the use of funnels and drip trays when transferring fuel etc.
- The control room will be contacted if any pollution incidences occur.
- Weather reports will be monitored prior and during all construction activities. In the event of adverse weather/flooding events, all activities will temporarily stop, and only reconvene when deemed safe to do so, and run-off/drainage can be adequately controlled to prevent pollution.
- All fuel will be stored on bunds which should be sized to hold up to 110% of capacity of the largest tank or drum so ensure any leaks are captured.
- Drip trays will be placed under stationary plant.
- Storage areas will be located away from areas that see high vehicular movement to prevent accidental damage.
- All oils and fuels will be returned to storage area after use.
- No refuelling will take place within 10m of any watercourse, including field drains and road drainage.
- Extra care will be taken to ensure no debris or dust from the works enters any watercourse or road drainage systems. Dust suppression, screens or other suitable measures will be put in place.
- All site operatives will be briefed on the [Guidance for Pollution Prevention \(GPP\)](#) documents (namely, GPP 1, GPP 2, GPP 5, PPG 6, GPP 8 and GPP 22) prior to working on site. This guidance will be adhered to on site at all times.

Providing all works operate in accordance with current best practice, as demonstrated by SEPA's GPPs. it has been determined that the proposed project will not have direct or indirect significant effects on road drainage and water environment. Therefore, in accordance with DMRB Guidance document LA 113: Road drainage and the water environment, no further assessment is required.

## Climate

### Impacts

- GHG emissions will be emitted through the use of machinery, vehicles and materials used (containing recycled and virgin materials) and transporting to and from site.

### Mitigation

- Local suppliers will be used as far as reasonably practicable to reduce travel time and GHG emitted as part of the works.
- Vehicles/plant will not be left on when not in use to minimise and prevent unnecessary emissions being emitted.
- Further actions and considerations for this scheme are detailed in the above Material assets and waste section.

It has been determined that the proposed project will not have direct or indirect significant effects to climate. Therefore, in accordance with DMRB Guidance document LA 114: Climate, no further assessment is required.

## Vulnerability of the project to risks

As the works will be limited to the like-for-like resurfacing of the carriageway, there will be no change in vulnerability of the road to risk, or in severity of major accidents/disasters that would impact on the environment.

It has been determined that the proposed project is not expected to alter the vulnerability of the existing trunk road infrastructure to risk of major accidents or disasters.

## Assessment cumulative effects

[The Scottish Road Works Commissioner's Interactive Map](#) has not highlighted any ongoing works during the proposed timescale and at the location of the proposed works.

[Amey's current programme of works](#) has not highlighted any ongoing works during the proposed timescale and at the location of the proposed works.

[Dumfries and Galloway Council's Planning Portal](#) has not highlighted any ongoing works during the proposed timescale and at the location of the proposed works.

Any future schemes will be programmed to take into account already programmed works, and as such any effect (such as from TM arrangements and potential construction noise) will be limited.

Overall, it is unlikely the proposed works will have a significant cumulative effect with any other proposed works in the local area.



## Assessments of the environmental effects

Following assessment as detailed within this Record of Determination, and provided that mitigation measures are in place and best practice is followed, the residual impact is deemed neutral and there will be no significant effects on the environment.

The following environmental surveys/reviews have been undertaken:

- An Initial Environmental Review of the scheme, undertaken by the Environment and Sustainability Team at Amey in June 2023.

## Statement of case in support of a Determination that a statutory EIA is not required

This is a relevant project in terms of section 55A(16) of the Roads (Scotland) Act 1984 as it is a project for the improvement of a road and the completed works (together with any area occupied by apparatus, equipment, machinery, materials, plant, spoil heaps, or other such facilities or stores required during the period of construction) exceeds 1 hectare in area.

The project has been subject to screening using the Annex III criteria to determine whether a formal Environmental Impact Assessment is required under the Roads (Scotland) Act 1984 (as amended by The Roads (Scotland) Act 1984 (Environmental Impact Assessment) Regulations 2017). Screening using Annex III criteria, reference to consultations undertaken and review of available information has not identified the need for a statutory EIA.

The project will not have significant effects on the environment by virtue of factors such as:

### Characteristics of the scheme:

- Construction activities are restricted to the existing carriageway.
- The works will be temporary and localised and completed during the day and the night.
- Containment measures of the working area will be in place to prevent debris or pollutants from entering the ground water.
- No disturbance is anticipated to protected species within the wider area.
- At end of life, components can be recycled, reducing waste to landfill.
- Any uncontaminated road planings will be recycled in accordance with Guidance on the Production for Fully Recovered Asphalt Road Planings.
- Materials will be derived from recycled, secondary or re-used origin as far as practicable within the design specifications.

- The chosen material TS2010 Surface Course allows a wider array of aggregate sources to be considered when compared to typical SMA.
- The design option conveys sustainability benefits by significantly reducing the quantity of maintenance interventions required at the location.

Location of the scheme:

- The scheme will be confined within the existing carriageway boundaries and as a result will not require any land take and will not alter any local land uses.
- The scheme is not situated in whole or in part in a “sensitive area” as listed under regulation 2 (1) of the Environmental Impact Assessment (Scotland) Regulations 1999 (as amended).

Characteristics of potential impacts of the scheme:

- As the works will be limited to the like-for-like replacement of the structural components, there is no change to the vulnerability of the road to the risk or severity of major accidents/disasters that would impact on the environment.
- The successful completion of the scheme will afford benefits to carriageway users and residential properties in proximity, due to improved condition and ride quality of the carriageway surface.
- No impacts on the environment are expected during the operational phase as a result of works. The use of TS2010 road surfacing affords the benefits of a reduction in mid to high frequencies of traffic noise and a reduction in ground vibrations. As a result, ambient noise levels should decrease post construction.

## Annex A

“sensitive area” means any of the following:

- land notified under sections 3(1) or 5(1) (sites of special scientific interest) of the Nature Conservation (Scotland) Act 2004
- land in respect of which an order has been made under section 23 (nature conservation orders) of the Nature Conservation (Scotland) Act 2004
- a European site within the meaning of regulation 10 of the Conservation (Natural Habitats, &c.) Regulations 1994
- a property appearing in the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention for the Protection of the World Cultural and Natural Heritage
- a scheduled monument within the meaning of the Ancient Monuments and Archaeological Areas Act 1979
- a National Scenic Area as designated by a direction made by the Scottish Ministers under section 263A of the Town and Country Planning (Scotland) Act 1997
- an area designated as a National Park by a designation order made by the Scottish Ministers under section 6(1) of the National Parks (Scotland) Act 2000.



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Published by Transport Scotland, August 2023

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