

# Citizen Participation and Public Petitions Committee

4th Meeting, 2024 (Session 6), Wednesday 6  
March 2024

## PE1967: Protect Loch Lomond's Atlantic oakwood shoreline by implementing the High road option for the A82 upgrade between Tarbet and Inverarnan

<b>Petitioner</b>	John Urquhart on behalf of Helensburgh and District Access Trust and The Friends of Loch Lomond and The Trossachs
<b>Petition summary</b>	Calling on the Scottish Parliament to urge the Scottish Government to reconsider the process for selecting the preferred option for the planned upgrade of the A82 between Tarbet and Inverarnan, and replace the Design Manual for Roads and Bridges (DMRB) based assessment with the more comprehensive Scottish Transport Appraisal Guidance.
<b>Webpage</b>	<a href="https://petitions.parliament.scot/petitions/PE1967">https://petitions.parliament.scot/petitions/PE1967</a>

### Introduction

1. The Committee last considered this petition at its meeting on [17 May 2023](#). At that meeting, the Committee agreed to write to the Minister for Transport, and to consider option for a potential visit to the A82 upgrade site.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received new responses from the then Minister for Transport, the Petitioner, and Stuart Corder, which are set out in **Annexe C**.
4. Written submissions received prior to the Committee's last consideration can be found on the [petition's webpage](#).

5. Further background information about this petition can be found in the [SPICe briefing](#) for this petition.
6. The Scottish Government's initial position on this petition can be found on the [petition's webpage](#).
7. Every petition collects signatures while it remains under consideration. At the time of writing, 711 signatures have been received on this petition.

## Action

The Committee is invited to consider what action it wishes to take.

### **Clerk to the Committee**

## Annexe A

# PE1967: Protect Loch Lomond's Atlantic oakwood shoreline by implementing the High Road option for the A82 upgrade between Tarbet and Inverarnan

## Petitioner

John Urquhart on behalf of Helensburgh and District Access Trust and The Friends of Loch Lomond and The Trossachs

## Date lodged

18 October 2022

## Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to reconsider the process for selecting the preferred option for the planned upgrade of the A82 between Tarbet and Inverarnan, and replace the Design Manual for Roads and Bridges (DMRB) based assessment with the more comprehensive Scottish Transport Appraisal Guidance.

## Previous action

We have held face to face meetings with Ross Greer MSP and Jackie Baillie MSP.

A campaign has been conducted aimed at informing officials, politicians and the public about the issues posed by the A82 upgrade proposal. This has included letters to the press, an article in the Glasgow Herald's 'Agenda' column and a deputation to the board of Loch Lomond and The Trossachs National Park.

We have also submitted Freedom of Information (FOI) requests, which revealed that route selection was made without full and comprehensive cost benefit analysis of all options.

## Background information

Reflecting Loch Lomond's National Park status and outstanding natural beauty as well as taking into account wider long term environmental, recreational, economic and social benefits, we feel that pursuing the high road option would offer the following advantages:

- Oak woods and shoreline preserved, allowing wildlife and people to reconnect;
- Old road could continue to carry traffic during the construction period and afterwards would be available as a walking and cycling route;
- The existing road would continue to be available for access to property and for occasional use as a diversion when necessary;
- The Three Lochs Way Great Walking Trail could be linked to the West Highland Way at Inverarnan;
- Tarbet and Ardlui would be by-passed by heavy traffic, improving quality of life for residents and alleviating road safety issues at Arrochar Primary School;
- The higher, straighter route would be faster and safer than any loch side route could ever be;
- Alleviating visitor management pressures along whole length of old road and in the congested Tarbet Bay area;
- A high road would give stunning views of Loch Lomond.

## Annexe B

### Extract from Official Report of last consideration of PE1967 on 17 May 2023

**The Convener:** The next petition, PE1967, is on protecting Loch Lomond's Atlantic oak wood shoreline by implementing the high road option for the A82 upgrade between Tarbet and Inverarnan. A theme is developing here. The petition, which was lodged by John Urquhart on behalf of Helensburgh and District Access Trust and the Friends of Loch Lomond and the Trossachs, calls on the Parliament to urge the Scottish Government to reconsider the process for selecting the preferred option for the planned upgrade of the A82 between Tarbet and Inverarnan, and to replace the design manual for roads and bridges-based assessment with the more comprehensive Scottish transport appraisal guidance.

Jackie Baillie has remained with us in order to contribute to our deliberations on the petition again.

We previously considered the petition on 21 December 2022, when we agreed to write to Transport Scotland, Argyll and Bute Council, the Loch Lomond and the Trossachs National Park Authority and the Lochaber Chamber of Commerce. Since then, we have received responses from the national park authority, Transport Scotland and the council, which are included in the papers that are before us.

The response from the national park authority notes its concerns about the road design, with the caveat that a formal view will be provided once Transport Scotland finalises the proposal. It also highlights that, without further consideration of the details, it is not clear that the high road route would provide a more environmentally favourable option.

Transport Scotland has provided a lengthy and quite technical submission, which details its assessment process and the community engagement that has taken place on the A82 scheme to date. In particular, I draw members' attention to comments on an Audit Scotland investigation into concerns relating to the application of the Scottish transport appraisal guidance.

We have also received a late submission from the petitioner, which was circulated to members. It outlines their response to the submissions that we have received.

Before I ask committee members for their thoughts on how we should proceed, I invite Jackie Baillie to contribute to our deliberations.

**Jackie Baillie:** Thank you very much, convener. I point out that John Urquhart is in the gallery, such is the interest in the petition.

Far be it from me to pick up the convener on something that he omitted to say, but I invited committee members to come and have a look at the area in question. Admittedly, in doing so, I said that it was the summer—there are 14 days to go until

the summer commences—but I look forward to a response and a wee trip up the side of Loch Lomond for the committee.

Whichever route is preferred—whether it is the low road, as Transport Scotland suggests, or the high road, as the petitioners’ suggests—the issue is whether a STAG appraisal has been carried out. We are talking about a significant amount of investment, and such an appraisal

“is required whenever Scottish Government funding, support or approval ... needed to change the transport system”

is being considered. Through the STAG process, there should be wider consideration of the transport project, such as the benefits that would be accrued to people living in or visiting the national park. Consideration of place, not just project, is required. What local people want must be considered, and—dare I say it?—the project has significance because it is in Scotland’s first national park.

I will take the points in turn. In its submission, Transport Scotland agrees that a full STAG appraisal has not taken place. Instead, it says that its approach was underpinned by STAG and DMRB principles. With the greatest respect to Transport Scotland, that is not the same. It is taking the principles and applying them but not doing a full STAG appraisal. It considers that that is

“consistent with STAG appraisal requirements”,

but that is a bit like Transport Scotland marking its own homework.

The petitioners have raised questions about the costings of tunnels and exaggeration of costs. Cycle paths have also been included where there was no need for them and the costs of disruption have been underestimated. That all serves to distort the conclusions that Transport Scotland has reached.

A STAG appraisal would allow those issues to be corrected but, much more important, it would consider place issues as well. For one thing, it would consider the impact on the economy and the lives of people who live in Tarbert and Ardlui. It would also consider the impact on the national park, which we should treasure and conserve.

I will turn briefly to the national park authority’s response to the committee. Perhaps it is the fault of our process, but it almost seemed to be responding as a statutory consultee. However, the matter is much wider than planning, so it is not about the authority’s response as a statutory consultee.

It is fair to say that the national park authority does not like either option. It does not like the option presented by Transport Scotland, which would involve big swathes of road going out over Loch Lomond, which would be catastrophic, and it is clear that the authority also has concerns about the high road proposal. However, I submit that a STAG appraisal would help to work through that, unlike the short-cut approach that Transport Scotland has taken.

The matter is too important not to get right. I recognise that it is critical to hauliers from the Highlands and further afield who need to use the road, but they would

equally want to get it right so that they get a decent route and we conserve our environmental heritage at Loch Lomond and the Trossachs national park.

**The Convener:** Thank you, Ms Baillie. Indeed, you pointed out to us on a previous occasion that we have a reputation for liking to get out and about from Holyrood and, in our response, we said that we might even manage to come and visit at some point. It is a little early to admonish us for not having managed to do that already. However, the recommendation about the STAG report is significant. Do members want to comment or make any recommendations on that?

**Fergus Ewing:** As always, Jackie Baillie has set out a strong case for that for which she advocates.

In considering whether we should recommend a STAG report be produced, I wonder whether we should get a little bit more information. I say that because the national park authority's submission raises about 10 points—Ms Baillie will know them well—all of which seem to me to be likely to involve very significant cost and difficulty. I am not suggesting that we should not recommend that there be a STAG report, but I would like to know how long it would take to get the report and what the process would involve without being obstructive to the matter in any way.

The petitioners' proposal would involve crossing the west Highland railway line twice, require various tunnels and steep land contours, affect sites of special scientific interest and water courses and involve crossing the Sloy power station pipes. I am fairly familiar with much of that area and it seems to involve such a level of difficulty that the STAG process might take a year or so.

I am sorry to go on a bit, but I raise that because I know that, throughout the west Highlands—not only in Jackie Baillie's constituency but the adjoining ones in Argyll and Lochaber—the road has long been the subject of an overwhelming desire for improvements for all concerned, as I think that everybody would agree. I am not being obstructive to Jackie Baillie's proposal, but, if we are going to make the recommendation, we should know whether it will take three months, which would be fine, or three years. If it is going to take three years, I am not sure that I would want to support it.

Convener, I do not know whether it is appropriate to ask Ms Baillie for her comments on that; I have not had a chance to discuss that with her.

**The Convener:** I am content to invite Jackie Baillie to respond. I think that she indicated that she might like to make a further comment.

**Jackie Baillie:** Thank you. The petitioners would contest the level of complication that is being suggested, but the difficulty that I have is that there needs to be a reality check, because it looks as though, in its response to you, the national park authority is likely to object to the existing route. That will take time in itself. If that is the scenario that is being suggested—it is certainly what I read from its submission—we could be talking about ages, in planning terms, before that is concluded.

The STAG is the accepted way forward. I would not want it to be held up unduly—I do not think that anybody would—but the reality is that it is likely to be contested, regardless of which route is picked.

**The Convener:** That is fair enough. Thank you.

**David Torrance:** If we are going to visit Loch Lomond, we will be just as well to go up the road a wee bit to the Rest and Be Thankful to see Jackie Baillie's other area.

**Jackie Baillie:** I would be delighted, convener.

**David Torrance:** I wonder whether we can write to the Minister for Transport to ask whether he will do a full STAG report on the second option and raise the concerns of the Loch Lomond and the Trossachs National Park Authority about the road design of Transport Scotland's preferred option. Could we also seek an update on the anticipated timetable for publishing the draft orders and associated environmental impact assessment report, including plans for the public consultation?

**The Convener:** Are we agreed on those actions?

**Members** *indicated agreement.*

**The Convener:** I also suggest that we look at the possibility of arranging a visit for those members of the committee who might like to visit the area. It is quite a complicated issue and a physical appreciation of all that is being discussed would probably assist members.



## Annexe C

### Minister for Transport submission of 30 June 2023

#### PE1967/H: Protect Loch Lomond's Atlantic oakwood shoreline by implementing the High Road option for the A82 upgrade between Tarbet and Inverarnan

Thank you for your letter of 19 May 2023 regarding the A82 Tarbet to Inverarnan Scheme following the Citizen Participation and Public Petitions Committee meeting of 17 May 2023.

By way of background, I thought it may be helpful to the Committee to advise that the Scottish Transport Appraisal Guidance (STAG) sets out a structure and methodology for assessing potential transport interventions. STAG involves the appraisal of generated interventions which could potentially address identified problems and opportunities against a range of criteria and provides a key part of the Strategic Business Case for options taken forward. STAG is part of a transport related Business Case. Specifically, STAG aligns with a Strategic Business Case (SBC) for interventions.

STAG is applicable to all transport interventions, regardless of the transport modes affected. Certain proposals which emerge from the STAG process may then require mode-specific transport guidance which, in the case of road schemes, requires the application of the Design Manual for Roads and Bridges (DMRB).

Transport Scotland provided a detailed submission to the Committee of 6 February 2023 setting out how the development and assessment of the A82 Tarbet to Inverarnan scheme has been undertaken in accordance with STAG and DMRB. The submission also provided links to the following two reports which document the strategic assessment process and outcomes:

- A82 Tarbet to Inverarnan Upgrade, Strategic Business Case, 2014

<https://www.transport.gov.scot/media/51175/strategic-business-case.pdf>

- A82 Tarbet to Inverarnan Upgrade, DMRB Stage 1 Assessment Report, 2014

<https://www.transport.gov.scot/projects/a82-tarbet-to-inverarnan/project-details/#52885>

Transport Scotland's submission identified how these two reports provide the STAG reporting on: Analysis of Problems and Opportunities; Objective Setting; Option Generation, Sifting and Development; and Option Appraisal using the STAG Part 1 Appraisal Summary Tables. As the Committee is aware from Transport Scotland's submission, concerns regarding the application of STAG guidance on the A82 Tarbet to Inverarnan Scheme were raised separately with Audit Scotland in similar terms to those put forward in the petition. Audit Scotland investigated and confirmed to Transport Scotland on 15 November 2022 that they had considered the requirements contained in the STAG guidance and reviewed relevant evidence, and the auditor concluded that the STAG process has been applied.

As a result, the Scottish Government considers that a STAG-compliant assessment has already been completed in line with the appropriate guidance and is therefore not willing to carry out a re-appraisal of the preferred route option for the upgrade to the A82 between Tarbet and Inverarnan. This would unnecessarily repeat work already carried out resulting in considerable delay and additional cost that would not provide any value to the Scottish taxpayer.

In your letter, you highlight the environmental concerns raised by the Loch Lomond and The Trossachs National Park Authority about the design of the preferred route option in their submission of 6 February 2023. It is also noted that the submission provided observations about the very significant engineering and environmental issues that would need to be resolved for the Petitioners' alternative high-level route.

The sensitive landscape of the National Park is taken very seriously by Transport Scotland which has consulted extensively with the National Park Authority throughout the development of the proposed scheme. It is recognised that upgrading the road in this environment is challenging,

and this consultation is very helpful in understanding their concerns. I would like to reassure the Committee that Transport Scotland will continue to work closely with the National Park Authority, and this is a key part of the ongoing design and assessment work that needs to be concluded before it will be possible to progress the necessary statutory authorisation processes including the publication of draft Orders, Environmental Impact Assessment Report and the accompanying public consultation.

Transport Scotland has considered the petitioner's alternative proposal and notes from inspection it is clear that the proposed route alignment would have considerable engineering and environmental issues including increased detrimental effects on Ancient Woodland Inventory areas when compared to the preferred route option. The proposal does not acknowledge that the existing A82 would require to remain in place to provide continued access to land, property and tourist facilities and therefore the existing substandard route would require to continue to operate without vital improvements to address road safety and resilience issues. Additionally, it is noted that the petitioner's proposal would not allow for the existing route to be repurposed to active travel for the above reasons and therefore it would not deliver upon a key objective of the A82 Tarmachan to Inverarnan scheme. The Scottish Government does not consider this option to be a viable alternative to the preferred route option and notes that it has rightly been discounted from further consideration having followed appropriate due process.

While there is a lot of development work still to be undertaken, which is being informed by our enhanced understanding of the specific complexities associated with improving this iconic route, the Scottish Government continues to push forward the preparation stages to conclude the detailed development and assessment process for this vital improvement scheme in advance of publication of draft Orders.

As set out in Transport Scotland's submission to the Committee of 6 February 2023, I confirm that members of the public or other stakeholders will have the opportunity to provide formal comment or objection to the proposed scheme during the statutory consultation period which will follow the publication of the draft Orders. Future scheme progress will in part depend on the level and nature of comment

received following publication of the draft Orders and whether a Public Local Inquiry (PLI) is required to consider objections received. As with any major roads project a PLI is the appropriate forum to consider objections received but not withdrawn and the appointed independent Reporter would require to consider any proposed scheme alternatives put forward by objectors during the statutory consultation period. The Reporter will then consider the evidence as a whole and prepare a report containing their recommendations to the Scottish Ministers for determination.

I trust this is of assistance.

**FIONA HYSLOP**

## Petitioner submission of 13 September 2023

### PE1967/I: Protect Loch Lomond's Atlantic oakwood shoreline by implementing the High Road option for the A82 upgrade between Tarbet and Inverarnan

The Minister's submission adds nothing to the evidence presented so far by Transport Scotland who continue to demonstrate an appalling lack of integrity, imagination and ambition in relation to this badly needed A82 upgrade. The obvious failure to fully implement the STAG process merely adds emphasis to how badly advised the Scottish Government has been. No matter which solution is finally adopted, this project represents the biggest single cash investment the National Park will have seen since its inception and yet opportunity after opportunity has been missed to involve relevant stakeholders and thereby identify and evaluate the huge potential a High Road solution presents for the environment, wildlife, residents and visitors.

The Minister for Transport's submission states:

*"STAG involves the appraisal of generated interventions which could potentially address identified problems and opportunities against a range*

*of criteria and provides a key part of the Strategic Business Case for options taken forward.”*

Yet, the 5 Transport Planning **Objectives** (TPOs) identified in Transport Scotland’s document say nothing about identifying opportunities to improve road safety and quality of life in Ardlui or Tarbet. This fundamental omission is one of the more glaring demonstrations that a proper STAG process was never carried out. The TPOs are also silent on a number of other fairly obvious “problems and opportunities”. For example, it is well known that there are major issues around the scarcity of safe, high-quality access to Loch Lomond’s beautiful shores, especially for those members of the public who don’t possess a car or who for one reason another, can’t walk along the West Highland Way trail on the loch’s eastern shore. This results in huge visitor pressure at the few spots which have access to the water, and which can easily be reached by car or in a few cases by using public transport – viz. Duck Bay, Balmaha, Balloch and Luss. A High Road solution would of course free up the old road so that it could become the largest (and longest) lochside car park in the National Park – at a stroke releasing the intolerable visitor pressure which regularly develops at Luss, Duck Bay and Balloch. This obvious opportunity never seems to have occurred to Transport Scotland or their consultants. Had the Friends of Loch Lomond or Helensburgh and District Access Trust, and other local bodies, been consulted we could have told the consultants about this and of our long-held aspirations to extend the Three Lochs Way Great Trail to Inverarnan, something which would be eminently possible if a High Road solution was adopted. But we were never consulted - another indication that a proper STAG analysis was never carried out.

The Minister’s submission also states:

*“Transport Scotland has considered the petitioner’s alternative proposal ... the A82 Tarbet to Inverarnan scheme.”*

Of course, the High Road would have “*considerable engineering and environmental issues*”, but so would the Low Road. Extending viaducts across two embayments, and considerable lengths of road deck cantilevered out over the shoreline won’t come cheap and will do immeasurable damage to one of the National Park’s principal assets –

the tree lined, beautiful, precious and wildlife rich “bonnie banks” of Loch Lomond.

We do not agree that a High Road would have an *“increased detrimental effects on Ancient Woodland Inventory areas when compared to the preferred [low road] route option”*.

As we have pointed out before, south of Inveruglas, the high route would be along the edge of a mature coniferous plantation which is now undergoing harvesting. A new road there with its accompanying landscaping and planting would actually enhance the existing impoverished biodiversity. North of Inveruglas, the high road would be in tunnels and cuttings or on viaducts, so there would be minimal loss to the mainly birch woodland there which, compared with the dense oakwood canopy along the loch side, tends to be patchy and relatively sparse anyway due to historic overgrazing and the rugged nature of the topography.

Contrary to the Minister’s submission, we have clearly stated that the existing A82 would require to remain in place to provide continued access to land, property and tourist facilities. Furthermore, given the very light traffic it would have, we see no good reason why the existing route could not be repurposed to active travel, exactly what has been done further south at Firkin, and exactly what was done 40 or so years ago at Killiecrankie.

We hope that the Minister for Transport will come before the Petitions Committee to respond to the points we have raised above and explain why the Government continues to support such an ill-advised, short sighted and damaging scheme.

We also hope that she will accompany the Committee should it take up the option to visit to the site, at which point we would be very happy to explain our case in more detail.

In the event Transport Scotland proceeds to the publication of the draft Orders, we welcome the assurance that stakeholders will have the opportunity to provide formal comment or objection to the proposed scheme during the following statutory consultation period. In that case we wish to record in the strongest terms our desire that a Public Local

Inquiry be held so that the many objections we and others have to this damaging proposal can be heard.

## Stuart Corder submission of 27 February 2024

### PE1967/J: Protect Loch Lomond's Atlantic oakwood shoreline by implementing the High road option for the A82 upgrade between Tarbet and Inverarnan

The A82 and the beautiful wooded shoreline of Loch Lomond between Tarbet and Inveruglas are two items which are fundamental to our loch cruises business on the northern arm of Loch Lomond. Operating out of Tarbet and Inveruglas, we have built the business over many years so that it is now a major player in the local economy employing in excess of 40 local people and annually carrying 160,000 passengers. We were therefore alarmed to learn that The Friends of Loch Lomond and The Trossachs is struggling to make headway with its petition to persuade the Scottish Government to reconsider its "Low Road" policy for the A82 upgrade.

I therefore wish to bring the following matters to the attention of the Petitions Committee.

As the existing road is widened, there will inevitably be a long period – potentially extending over years – of traffic disruption. Our business is heavily dependent on the free flow of traffic on the A82 and the prospect of an extensive period of traffic hold ups fills us with horror.

We are also extremely worried that so much of the proposed engineering will be so close to the shore – in two cases actually bridging out across bays. We also understand there will be long stretches where the road is cantilevered out over the loch (as it is at Pulpit Rock). It is also obvious that much of the natural shoreline and its woodland will be damaged or lost and we consider that these measures will be seriously detrimental to its existing unspoilt natural appearance. As the premier

tourism business in the area which is so reliant on the scenic quality of those “Bonnie Banks”, we are surprised and concerned that a high road proposal was not discussed with us.