

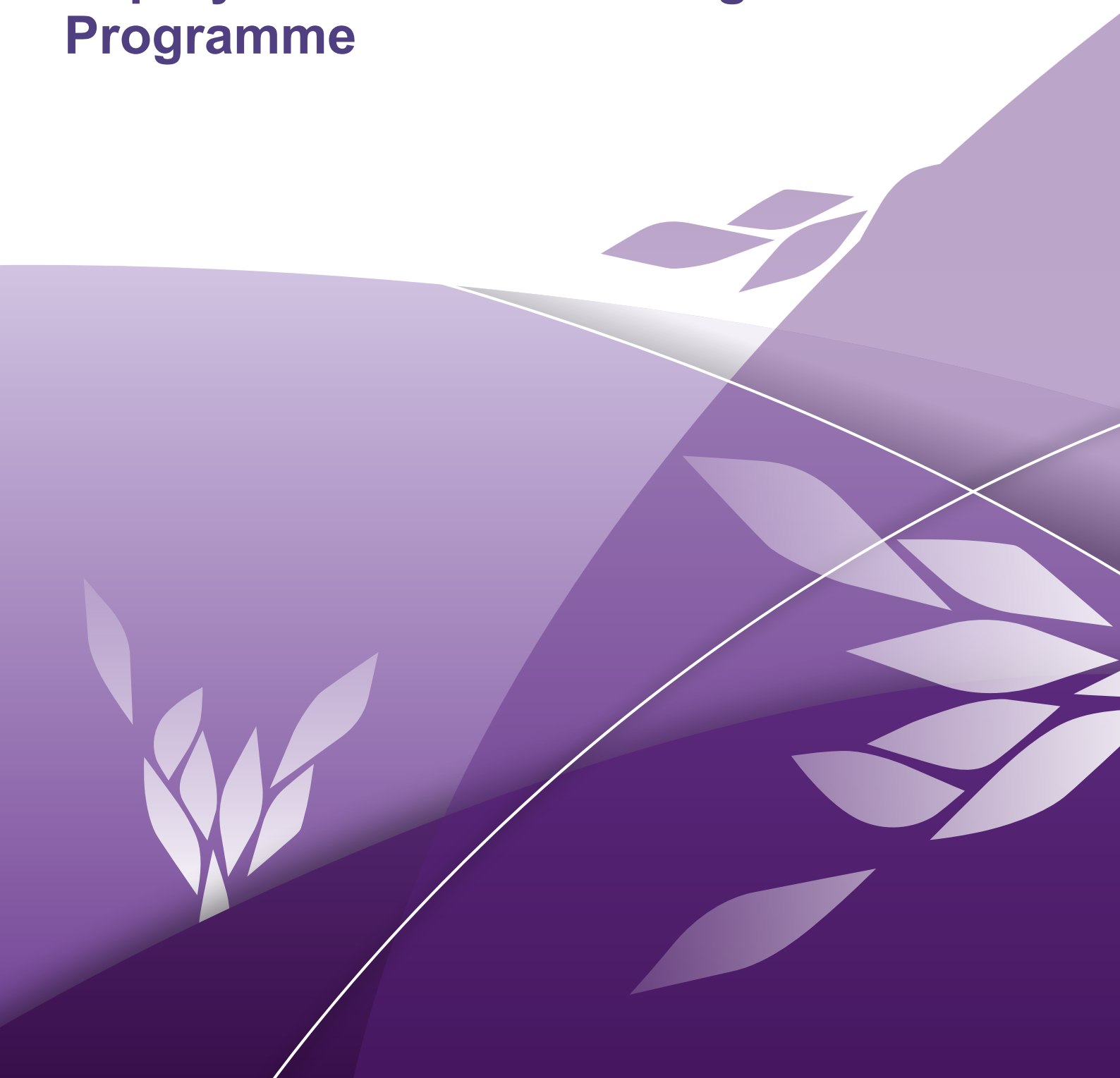


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Citizen Participation and Public Petitions Committee

Inquiry into the A9 Dualling Programme



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Contents

Membership changes	1
Introduction	2
Looking Back - what led to the 2025 target becoming unachievable?	5
Overview of A9 Dualling Programme 2012 - 2023	5
Governance of A9 Dualling Programme	6
Looking Forward - achieving dualling of the A9 by 2035	14
Governance and reporting	14
Funding the A9 dualling project 2024 - onwards	17
Confidence in the process going forward	19
National Memorial	22
Conclusions and Recommendations	23
Annexe A - Extracts from the minutes	27
Annexe B - Evidence and information gathered	30
Annexe C - SPICe Summary of Ministerial Papers	32
Bibliography	46

Citizen Participation and Public Petitions Committee

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Membership changes

The following changes to the Committee's membership occurred during the Committee's consideration of petition PE1992: Dual the A9 and improve road safety and this inquiry:

- On 25 April 2023, Foysol Choudhury replaced Carol Mochan as member of the Committee.
- On 29 June 2023, Maurice Golden replaced Alexander Stewart as a member of the Committee.

The SNP substitute on the Committee, Marie McNair, attended the meeting on 4 October 2023 and contributed during the evidence session related to this inquiry.

Introduction

1. Petition PE1992: Dual the A9 and improve road safety was lodged by Laura Hansler on 28 December 2022.
2. The petition calls on the Scottish Parliament to urge the Scottish Government to deliver on the commitment it made in 2011, and address safety concerns on the A9 by:
 - publishing a revised timetable and detailed plan for dualling each section
 - completing the dualling work by 2025
 - creating a memorial to those who have lost their lives in road traffic accidents on the A9.

[A full summary of the petition and its aims is available on the Scottish Parliament petition website: PE1992 Dual the A9 and improve road safety.](#)

3. In February 2023, the Committee began considering petition PE1992.
4. As the subject of the petition falls within the remit of the Net Zero, Energy and Transport Committee, it was invited to nominate a reporter to attend and contribute to the consideration of petition PE1992. The Net Zero, Energy and Transport Committee nominated its Convener, Edward Mountain, to this role.
5. The A9 is a key arterial route, often referred to as “Scotland’s spine”, linking the Highlands with the rest of the country. In addition to being a popular tourist route, this trunk road is a key economic route helping to ensure the delivery of essential supplies to rural communities, and is likely to see further increases in the volume of traffic as investment and growth, particularly that aligned with the national transition to net zero, continues in the region.
6. Dualling the A9 between Perth and Inverness is viewed as a vital measure in addressing road safety concerns on a route that has seen 52 fatalities between 2011 and September 2022, the majority of which are understood to have occurred on single carriageway sections ¹. Despite Scottish Government investment in a range of road safety measures on the A9, fatal collisions continue to affect this route. The Committee recognises the devastating impact this has on those living in the communities along the A9, with some residents now avoiding using this road and fearing the worst every time they hear sirens passing.
7. Before the first consideration of petition PE1992, [the then Minister for Transport, Jenny Gilruth, provided a statement to the Scottish Parliament on 8 February 2023](#) which confirmed that the original completion date of 2025 for dualling the A9 between Perth and Inverness was “simply no longer achievable”.
8. [The Committee considered the petition at its meetings on 22 February 2023, 14 June 2023, and 28 June 2023](#). As part of its consideration of the petition, the Committee agreed to gather written and oral evidence from a wide range of stakeholders, including the Petitioner, the Minister for Transport, community councils, and the transport and engineering industries.

9. A call for views took place over the summer of 2023, with over 335 people offering comments on four key issues -
- The strategy for dualling the A9, with options being:
 - to complete the dualling work as quickly as possible, regardless of possible disruption to traffic;
 - to minimise disruption, even if dualling takes longer;
 - a compromise between the two, or another approach.
 - The proposal to create a monument to those killed in traffic collisions on the A9.
 - Transport Scotland’s proposed interim road safety improvements.
 - The impact of road closures and delays on the A9 on businesses and the local economy.

[A summary of the views gathered has been provided by the Parliament's impartial research service, SPICe.](#)

10. The Committee heard oral evidence from the petitioner, the Civil Engineering Contractors Association (CECA) Scotland, and Transport Scotland on 14 June 2023.
11. At its meeting on 6 September 2023, the Committee agreed to elevate its scrutiny of petition PE1992 to the level of an inquiry. Following this decision, the Committee has held five oral evidence sessions, hearing evidence from current and former Cabinet Secretaries and Transport Scotland officials with a responsibility for the A9 Dualling Programme, CECA Scotland, and the former First Ministers, the late Alex Salmond and Nicola Sturgeon. [A full list of evidence sessions is available at Annexe B.](#)
12. The Committee has also received written evidence from Transport Scotland, including 74 documents relating to advice provided to Ministers between 2012 and February 2023 on progress to dual the A9. [A summary of the documents provided by Transport Scotland is available at Annexe C.](#)
13. Throughout the consideration of the petition and related inquiry, the Committee has received a total of 26 written submissions. This includes written evidence provided by 7 former Ministers, who held portfolio responsibility for infrastructure or transport between 2012 and 2023. [Details of written evidence provided by current and former Ministers is available at Annexe B.](#)
14. As the inquiry progressed, the following key themes were identified:
- funding for the A9 dualling project
 - governance and decision-making structures, including how progress on the project was and is being monitored
 - confidence in the process going forward


- creating a national memorial, and how best to commemorate all those who have lost their lives on this route.

Looking Back - what led to the 2025 target becoming unachievable?

15. Throughout this inquiry, the Committee has sought to understand the reasons why the target of dualling the A9 between Perth and Inverness by 2025 became "unachievable". In particular, the Committee has sought clarity on when it became apparent to Transport Scotland officials and senior members of the Scottish Government that this commitment would not be met, with a view to identifying lessons for the future.

Overview of A9 Dualling Programme 2012 - 2023

16. In their manifesto for the 2011 Scottish Parliament elections, the SNP made a commitment to dual the A9 -

 The A9 is a key artery in Scotland's transport network and we will continue to invest in improvements to the road on a continuing and progressive basis. We are fully committed to dualling the A9 from Perth to Inverness and have fast-tracked work to extend the dualled section at Crubenmore.²
17. Having secured a majority of seats at the 2011 election, the SNP went on to form the Scottish Government for a second term with Alex Salmond re-elected as First Minister. On 6 December 2011, the Scottish Government launched its Infrastructure Investment Plan, which included a commitment to dual the A9 between Perth and Inverness by 2025.
18. The project was due to be delivered in 11 sections that together would form 80 miles of new dual carriageway in what was described as one of the largest infrastructure projects ever undertaken in Scotland.
19. [A programme outline was provided to then Cabinet Secretary for Infrastructure and Capital Investment, Alex Neil, in May 2012](#), setting out when progress could be expected on various sections.
20. Scottish Government Ministers and Transport Scotland officials have said repeatedly in written and oral evidence that dualling the A9 is a complex project, with each of the 11 sections considered a "major project" in their own right. Due to the scale and complexity of the project, the 2025 target was described by Ministers, Government officials, and civil engineering industry experts as being "challenging but achievable".
21. The Kincaig to Dalraddy section was due to be first to be completed, followed by the section from Luncarty to Pass of Birnam. The statutory processes for the remaining sections were to be completed by 2021, enabling the majority of procurement and construction work to take place between 2019 and 2025.
22. A major milestone was reached in September 2017 when the section from Kincaig to Dalraddy was opened, broadly in line with the expected delivery schedule. This was followed by completion of the section from Luncarty to Pass of Birnam, which opened in August 2021. This section was initially expected to be completed by

2019, however, [an extract from the Infrastructure Investment Plan 2015 progress report](#), dated 19 April 2018, states that the planned construction date for Luncarty to Pass of Birnam had “slipped by 3 months due to the scope of required ground investigation works required by tenderers”. At that point there was still an expectation that this section would be opened in 2020, however, the final stages of construction are likely to have been impacted by restrictions introduced during the COVID-19 pandemic.

23. Following completion of the first two sections, the section between Tomatin and Moy was the next to be put out to tender, with the contract notice for this section published in August 2021. [An updated extract from the Infrastructure Investment Plan 2015 progress report](#), issued in September 2021 confirmed –

” The next section to be constructed is between Tomatin and Moy. The start of the procurement for the £115 million construction contract commenced with the publication of the Contract Notice on 19 August 2021. This is expected to be awarded in the second half of 2022.

24. By November 2021, the statutory processes appeared to be nearing completion. Made Orders for 5 of the remaining 9 sections to be constructed had been published, and preparations for the procurement of the remainder of the dualling programme was due to get underway. [Briefings and discussion papers provided to Ministers in late 2021 and early 2022 confirm that “a market consultation exercise commenced in 2021 to inform assessment of procurement options for remaining sections when the statutory process is complete.”](#)

25. [A further discussion paper, dated 7 December 2022](#), stated that work “has been progressing for some time to determine the most suitable procurement options” with the two primary options considered being:

- eight individual capital funded Design and Build contracts
- three resource funded Mutual Investment Model contracts, each comprising two or three of the eight individual projects.

26. In February 2023, the Minister for Transport confirmed that the target of completing dualling by 2025 would no longer be achievable, and that the procurement exercise for the Tomatin to Moy section had been unsuccessful. At that stage, the Minister advised that work was underway by Transport Scotland for the retendering of the Tomatin to Moy section, and that a revised timetable for A9 dualling would be provided by autumn 2023.

Governance of A9 Dualling Programme

27. Ministers and transport officials frequently emphasised the scale and complexity of the A9 dualling, often describing each of the 11 sections as being major projects in their own right.
28. The Committee explored with witnesses whether the appointment of a project director focused solely on the A9 could have improved the management of the project. This was the approach taken to the Forth Replacement Crossing (now

known as the Queensferry Crossing). In the case of the Queensferry Crossing, David Climie was appointed as Project Director to oversee the project, which was delivered below its original budget. The former Chief Executive of Transport Scotland, Roy Brannen, did not confirm whether this approach had been considered at the outset of the A9 project, referring instead to the role of the Director of Major Projects.

29. The Committee heard that the then Director for Major Projects, Michelle Quinn, not only ran the A9 dualling programme, but was also the lead on a number of other projects such as the Aberdeen Western Peripheral Route, the Queensferry Crossing, and upgrades to the M8, M73 and M74 motorways. Mr Brannen told the Committee that the Director ran most of these major projects to "successful completion, and on time and under budget."
30. With the Director of Major Projects responsible for overseeing a number of concurrent projects, it is unclear to the Committee where the A9 dualling programme sat within Transport Scotland's priorities, or whether challenges arising in relation to other major transport projects, had a knock-on effect on the oversight of the dualling programme and its progress.
31. In addition to the practical day-to-day responsibility for the project, the Committee have also considered the political oversight and governance of the dualling programme.
32. Keith Brown held portfolio responsibility for the A9 dualling programme between September 2012 and June 2018, initially as a junior minister before being promoted to the Cabinet in November 2014. In his submission to the Committee, Mr Brown reflected-

” I think having a single Minister in charge throughout a project, which is of course difficult in the political environment, produces advantages in terms of focus and momentum.

Mr Brown also observed that changing financial circumstances, market conditions and changes to ministerial personnel can all impact the expected path of physical infrastructure projects. Although he acknowledged the challenging financial circumstances facing the Scottish Government during his time in this role, Mr Brown did not recall being advised at any point to slow or pause progress on A9 dualling, noting that he regularly sought assurances from Transport Scotland that the 2025 target remained achievable.

33. While the evidence we received from Keith Brown highlighted some of the advantages of ministerial continuity for major projects, between December 2011 and February 2023 five Scottish Ministers have held responsibility for delivering the A9 dualling programme. During this time, the transport portfolio and responsibility for dualling the A9 has switched between Cabinet and junior ministerial level. The Committee note that it is the case that some Ministers, such as the Cabinet Secretary for Finance, would have had sight of key updates throughout the different stages of the project.
34. The former Transport Scotland Chief Executive, Roy Brannen, dismissed the suggestion that changes in ministerial personnel may have contributed to drift in the timescales, telling the Committee “every minister under whom we have worked has

been very well engaged on the A9 programme”.

35. The Committee requested copies of internal advice provided to Ministers about the A9 dualling programme with a view to understanding what Ministers’ engagement with the programme looked like in practice. The Committee also wrote to former ministers who had held the transport or infrastructure portfolios between 2012 and February 2023 to seek information on the advice they received on the progress of the A9 dualling project. [Responses to the Committee’s request for this information have been published on the inquiry’s webpage.](#)
36. Transport Scotland provided the Committee with 74 documents related to ministerial advice provided between 2012 and 2023. The documents, providing a partial view of the development and delivery of the A9 programme, range from very short extracts of draft budget proposals for ministerial consideration to longer briefing documents for major parliamentary announcements. [A summary of these ministerial papers has been published by SPICe and is available at Annexe C.](#)
37. A small number of documents contained redactions that went beyond the standard redaction of names of officials below senior levels and other third-party individuals. Transport Scotland have provided the following explanations for redactions:
- Contained details of a fatal accident and related safety information
 - Information relates to A96 or other infrastructure, which is beyond scope of the inquiry
 - Information is commercially sensitive.

While the Committee accepts the explanations provided, it remains possible redacted information may have been helpful in adding further context to the Committee's conclusions.

38. The documents show issues were raised over a number of years, all of which increased the risk of the 2025 target becoming unachievable. Risks to the programme included the time taken to complete statutory processes, funding, and procurement.

Statutory Processes

39. The Committee have heard that the time taken to complete statutory processes for each of the 11 sections has taken longer than originally anticipated, impacting the overall timetable for completing the project. [Roy Brannen told the Committee that when the original timetable was set out in 2011, it was estimated it would take around six years to complete the statutory processes.](#) A briefing, dated August 2017, asked the then Cabinet Secretary for Economy, Jobs and Fair Work to note “the target of completing the dualling of the A9 between Perth and Inverness is challenging but remains achievable, subject to successful progress of statutory processes and agreement of the approach by close 2017.”
40. [A heavily redacted email sent to the Cabinet Secretary on 7 September 2017](#) raised concerns about delays to the co-creative process being undertaken on the design for the section at Dunkeld and Birnam and noted that should this process not be completed by April 2018 there would be an increased risk of not achieving 2025.

41. Witnesses have reflected on the importance of stakeholder engagement during the statutory processes. The then Cabinet Secretary for Transport, Net Zero and Just Transition emphasised that engagement with affected communities reduced the need for Public Local Inquiries, which would have added further delays into the process -

” I was going to say that we have been lucky in the sense that we have had only one public inquiry, but I would not put it down to luck. I would put it down to the quite robust and deep engagement that was had with communities. That may have meant that it took a bit longer, but we may also have saved time as it meant that we fewer public inquiries.

42. While efforts were being made by Transport Scotland to avoid potentially lengthy Public Local Inquiries, it is unclear what action was being taken by either Ministers or Transport Scotland to ensure that the additional time taken to progress statutory processes could be regained as the programme continued.

Funding and procurement options

43. Alongside the challenge of completing the statutory process, documents provided by Transport Scotland indicate uncertainty as to how the dualling programme would be funded beyond the Tomatin to Moy section.

44. When the commitment to dual the A9 was made in 2011, the expected total cost of the project was approximately £3 billion (at 2008 prices). As would usually be the case for projects of this scale, the funding mechanism for the programme was still to be decided.

45. The Committee heard from both Máiri McAllan and Alex Salmond there was always an expectation that a combination of capital and private financing would be used for the project. Mr Salmond highlighted that having a mixture of traditional capital and other finance can provide great advantages, allowing the government of the day to seize opportunities as they arise.

46. However, reclassification of the Non-Profit Distribution (NPD) model in 2014 as public rather than private finance meant that this model, previously expected to form part of the project's funding package, was no longer available to the Scottish Government.

47. Briefings provided to Ministers during this period state that consideration of funding options was underway, but with construction beyond the first section between Kincaig and Dalraddy not due to continue until 2017, [a decision on how the remainder of the programme would be funded would “be made nearer the time once our plans are further developed”](#).

48. The Kincaig to Dalraddy, Luncarty to Pass of Birnam, and Tomatin to Moy sections have all been procured using capital funding involving the competitive tendering of Design and Build contracts managed by Transport Scotland. However, no clear decision on funding for the eight remaining sections appears to have been taken, with [Transport Scotland advising Ministers in August 2017](#) that –

- ” the available window to procure the required programme is diminishing... any reduction in this spend profile in the next three years to support development and procurement of the programme will place the 2025 completion commitment at significant risk...
49. The Scottish Futures Trust (SFT) was tasked with finding a suitable alternative to the NPD model and, in May 2019, recommended that future revenue procurements in Scotland be based on the Mutual Investment Model (MIM).
 50. The briefing provided to Ministers in August 2017 is clear that the spend profile being set out is “based on a capially funded delivery programme” due to the “absence of an agreed private finance model”.
 51. Funding is a consistent theme in briefings and updates being provided to Ministers from August 2018 onwards, demonstrating the importance of developing a procurement strategy and securing the necessary funding to enable successful delivery of the programme.
 52. In response to a request from then Cabinet Secretary for Transport, Infrastructure and Connectivity, Michael Matheson, [the Director of Major Projects provided a briefing in August 2018](#) on the impact of private financing on existing major roads projects, in which it was noted that the time it would take to develop and procure a private finance option for the A9 dualling programme would mean that “a 2025 target date would be unachievable, even assuming that we could commence procurement immediately”.
 53. This raises questions about what action the Scottish Government was taking between 2014 and 2018 to ensure funding for dualling the A9 was in place. The Committee were told by witnesses that, at the outset, the expectation was that a mix of capital funding and private finance would be used. The Committee also heard that the decision to reclassify the Non-Profit Distribution (NPD) model in 2014 meant a new private finance model had to be found. From the Transport Scotland papers quoted above we know that in 2017 Ministers were told that spend profile for the A9 dualling was based on it being a capially funded project because no other funding mechanism had been agreed, and that in 2018 Ministers were told that private finance would make 2025 unachievable.
 54. With a clear alternative to the NPD model not becoming available until 2019, and despite warnings from Transport Scotland in 2017 of a “diminishing window” to agree the procurement strategy, what remains unclear is how urgently Transport Scotland were communicating the impact the ongoing lack of certainty about funding was likely to have on programme timescales. It is also unclear what discussions were taking place, or what agreements had been reached, within the Scottish Government about providing capital funding for the programme given that by 2018 this was the only option for meeting the 2025 completion date.
 55. The Committee heard from witnesses, including Máiri McAllan and Nicola Sturgeon, that while the adoption of a privately funded approach for A9 dualling would have resulted in the 2025 date being missed, a traditional design and build, capital funded option for the remainder of the project had not been ruled out, and remained a possible option until late 2022. While that may have been the case, Ms McAllan conceded there was “a diminishing likelihood of completion by 2025” as time went

on, as this “would require ever more capital up front and ever more disruption on the route”.

56. However [as early as March 2019 advice being provided to Ministers](#) suggests uncertainty about 2025, with the date dropped from communication lines and the following suggestion offered in response to questions on the timeline for programme –

” Transport Scotland remains committed to securing a strong delivery model which delivers the A9 dualling programme within budget and **at the earliest opportunity**, ... [emphasis added].

57. [A discussion paper from December 2021](#) demonstrates that a decision was still to be reached on financing the remainder of the dualling programme, with Ministers invited to consider two options; one a privately-financed MIM approach and the other a traditional capital funded option. Transport Scotland analysis “estimated that [the] most efficient timetable achievable under [each] option would give a construction completion date” of 2032 for a MIM approach, or 2034 for a capital-financed approach. The paper is clear that both options would require re-prioritisation from other budgets and difficult choices about the affordability of other projects.

58. This paper casts doubt on the view that an entirely capital-funded approach that could deliver dualling by 2025 remained a possibility until late 2022. While it remained theoretically possible that the dualling could have been completed using capital funding, the above evidence indicates that this was not being considered as a realistic option. Indeed, it suggests completion of the statutory process and work to develop the procurement strategy were not progressing at the necessary pace to ensure that even a capital-funded approach would enable dualling to be completed by 2025.

59. It is regrettable that the Scottish Government did not feel it necessary to inform the public about the challenges in keeping to the original delivery timetable. This was a point Nicola Sturgeon reflected on when telling the Committee –

” However, when I look at it now, I would ask myself whether we were as candid as we should have been with ourselves, as well as with the public, about just how challenging it would always have been to meet the target, even with the fairest of winds.

60. The evidence has led the Committee to conclude that there is no single issue or incident which caused the 2025 target date to become unachievable, but rather that delivery of the programme slipped as it competed with other Transport Scotland projects and other priorities being pursued by the Scottish Government.

61. However, it is the Committee’s view that uncertainty on the availability of funding and the related delays to decision-making on the preferred procurement approach significantly contributed to the 2025 completion target becoming unachievable.

62. During evidence to the Committee on 24 January 2024, the Chief Executive of CECA Scotland highlighted that once there is drift on a project of the size and scale of the A9 dualling, it is difficult to make the time up quickly.

63. [CECA Scotland also told the Committee that “major transport infrastructure projects](#)

in Scotland in recent years have been a painful experience for the contractors involved” due to the bespoke contract Transport Scotland use when procuring road projects.

64. The Committee heard the bespoke design and build contract Transport Scotland used was unattractive to contractors because it places the burden of financial risk on the contractor. This has resulted in Transport Scotland attracting single bidders on two separate occasions for a major road project (the A92/A96 Haudagain Improvement and the Tomatin to Moy section of the A9 programme).
65. In contrast the New Engineering Contract (NEC) – adopted by wider industry in 1993 – embeds a more equitable sharing of risk between the client and the contractor. CECA Scotland’s view was that Transport Scotland should move over to using the NEC suite of contracts if it is to regain the interest of the wider UK contracting industry in delivering future road improvements and enhancements.
66. The reluctance of contractors to submit bids for Transport Scotland projects may also have contributed to the 2025 target being missed, as it is unclear whether there would have been sufficient industry interest in bidding for contracts even had a decision on funding been reached, given the difficulty attracting bidders for the Tomatin to Moy section.
67. The Committee is concerned that there did not appear to be a structured practice for bringing issues to the relevant Ministers’ attention, nor for raising concerns about delivery of the 2025 target at Cabinet level. A lack of transparency about how such issues were being communicated both internally and externally has limited parliamentary scrutiny and created a sense of distrust among the public who are keen to see the dualling completed.
68. The Committee has concluded that while there was no single issue or incident which led to the 2025 target becoming unachievable, the Scottish Government’s failure to reach agreement on programme funding significantly contributed to progress stalling as the programme was reaching the procurement and construction stages. In addition to the funding issue, an unwillingness from Transport Scotland to address industry concerns about the balance of risk in its design and build contracts also led to programme drift. The Committee believes this could have been avoided and challenges addressed more efficiently had there been an individual whose main or only focus was to progress the A9 dualling programme.
69. A lack of open, external discussion of the challenges being faced in the delivery of the A9 dualling programme has negatively impacted public confidence in Transport Scotland and its ability to deliver major infrastructure projects within the timescales it says it will.
70. To assist the Scottish Government and Transport Scotland in regaining public trust, the Committee recommend that a duty of candour be introduced to help ensure that challenges faced on this, and future major projects, can be subject to improved public and parliamentary scrutiny. This should include the Scottish Government being proactive in publishing relevant advice and updates throughout the development of major projects. It is the Committee's view that had

such a duty been in place previously then there would have been greater urgency in finding solutions, resulting in faster progress to complete the dualling work.

Looking Forward - achieving dualling of the A9 by 2035

71. [On 20 December 2023, the then Cabinet Secretary for Transport, Net Zero and Just Transition, Máiri McAllan, provided a statement to Parliament on the A9 dualling programme.](#) The Cabinet Secretary confirmed that the Scottish Government would take a hybrid approach to the procurement of the remaining sections. Four sections of the A9 will be dualled using traditional design and build contracts, financed through the Government's capital budget, with the remaining five sections packaged into two privately financed Mutual Investment Model (MIM) contracts.
72. The statement also included an update on the change in approach by Transport Scotland for the procurement of its design and build contracts, with the re-tender of the Tomatin to Moy section using a new engineering contract offering a more balanced approach to the sharing of risk between the Scottish Government and contractors.
73. This revised approach means that dualling of the A9 is now scheduled to be completed by 2035, with the then Cabinet Secretary setting out in her statement that careful consideration was given to "how works will be sequenced to provide an efficient overall programme that aligns with the market's capacity to deliver, that minimises disruption to road users and that is achievable within the wider financial constraints."
74. Part of the Committee's work on this inquiry has been to explore potential challenges to the planned programme delivery and how these might be addressed to ensure the successful dualling of the A9.
75. The Committee welcomes [the Scottish Government's renewed focus and "unwavering commitment" to progress the revised A9 delivery plan.](#) However there are concerns that this plan contains some potentially significant caveats, such as the timely completion of statutory processes, adverse weather affecting construction, and the availability of funding to progress the various programme phases. With many of these issues having contributed to the 2025 target being missed, the Committee sought assurances that these issues are being actively and transparently managed to mitigate the risks.

Governance and reporting

76. Following the announcement of the revised delivery plan for dualling the A9, the Committee explored what the new approach would mean for the overall governance of the dualling programme.
77. On 7 February 2024, the Committee heard that ministerial responsibility for major transport projects was split, with the then Cabinet Secretary for Transport, Net Zero and Just Transition taking responsibility for major projects investment, while the Minister for Transport held responsibility for major projects delivery. With the transport portfolio having now been elevated to a full cabinet position, responsibility for both investment and delivery for projects including the A9 dualling programme now rests solely with the Cabinet Secretary for Transport.

78. The Committee also heard that Ministers regularly meet with Transport Scotland's Director of Major Projects and his team to receive updates on the A9 and a range of other major projects, for example the A83 Rest and Be Thankful project. The then Cabinet Secretary indicated that she also met twice weekly with Transport Scotland directors to receive operational updates.
79. Alongside ministerial oversight and engagement, Transport Scotland advised the Committee it has an internal A9 programme board. The programme board is made up of four directors, including Transport Scotland's Chief Executive, and typically meets every six weeks to discuss the whole A9 dualling programme. Project meetings also take place in relation to the individual sections with each of the projects coming together to provide regular reports to the programme board. The Committee heard that there will be monthly meetings for the Tomatin to Moy section as it progresses, with a similar expectation for all the other project sections. [Transport Scotland told the Committee it will continue to review the frequency and content of these meetings, and how it reports back to the Cabinet Secretary.](#)
80. This suggests there is now a clearer internal structure at Transport Scotland for identifying any issues with delivery of the A9 dualling programme and enabling them to be addressed. While it remains the responsibility of the Director of Major Projects to regularly update the Cabinet Secretary on the programme, having the Transport Scotland Chief Executive as part of the programme board is an encouraging indication of the priority being given to the A9.
81. [On 4 October 2024, the Cabinet Secretary for Transport wrote to the Net Zero, Energy and Transport Committee](#) with a commitment that Transport Scotland officials will provide a written update on the progress of the A9 Dualling Programme at six-monthly intervals, and setting out arrangements for engaging with the Net Zero, Energy and Transport Committee on this matter. The letter proposed that update briefings be provided for all interested MSPs, also at six-monthly intervals, with an opportunity for MSPs to raise any questions they may have about the programme.
82. Evidence from Transport Scotland and the Scottish Government has referenced other major transport infrastructure projects that have been undertaken since the commitment to dual the A9 was announced, predominately in central and southern Scotland. The Committee have considered whether this has contributed to a sense among people living in northern Scotland that they have not received a commensurate share of capital expenditure to improve the road network across the Highlands.
83. It is welcome that Transport Scotland directors, including its Chief Executive, form the membership of the A9 programme board. However, with A9 dualling continuing to be one of many major road projects being pursued by the Scottish Government, the Committee would welcome clarification from the Cabinet Secretary on where exactly the A9 dualling programme sits within Transport Scotland's priorities for capital funding, and what provisions, including staff resource, have been allocated to support delivery of the programme over the next decade.
84. Transparency is essential to the rebuilding of public confidence in this

programme. The Committee welcomes the commitment that Transport Scotland will provide six-monthly updates to both the Net Zero, Energy and Transport Committee, and other interested Members of the Scottish Parliament on the progress of the A9 Dualling Programme.

85. The scale and complexity of the A9 dualling programme has drawn comparisons with other major infrastructure projects, including the Queensferry Crossing. One area the Committee has explored is the role of parliamentary scrutiny in providing oversight and impetus for major projects. Reflecting on his own experience of the Forth Replacement Crossing Bill Committee, [the Convener suggested that “the existence of a parliamentary committee that oversaw some of the harder work created its own momentum” on a project](#) that came in on time and within budget.
86. While the A9 programme does not require a hybrid bill committee as the Forth Replacement Crossing did, there was widespread support from witnesses, including those with extensive experience in government, for continuing parliamentary scrutiny of the dualling programme.
87. [The Committee heard from former First Minister, Alex Salmond](#), that a parliamentary mechanism might be an appropriate way of “re-establishing the faith that people in the Highlands once had in their Government”.
88. During evidence to the Committee in May 2024, former First Minister, [Nicola Sturgeon](#), also agreed that “serious consideration” be given to some form of [parliamentary oversight](#). Ms Sturgeon noted that MSPs in effect become specialists, which can be helpful in carrying forward institutional memory where projects such as the A9 run over the course of multiple parliamentary sessions.
89. The [then Cabinet Secretary \(Mairi McAllan\)](#) stated she had been “considering the best way to make sure there is strong parliamentary engagement on the next steps” and would update the Committee when there was more certainty on what form this engagement would take.
90. The Committee welcomes comments from current and former members of the Scottish Government on the importance of parliamentary scrutiny. Routine, and regular, sharing of information with Parliament is key to addressing concerns about the transparency of decision-making on major projects such as the A9.
91. To enable this scrutiny to take place, the Committee recommends that, in addition to the six-monthly updates to both the Net Zero, Energy and Transport (NZET) Committee, and other interested Members of the Scottish Parliament, the Cabinet Secretary for Transport also provides statements to Parliament at key milestones, aligned to the delivery plan published in December 2023.
92. With the contractor for the Tomatin to Moy section having now been confirmed as Balfour Beatty Ltd., and a shortlist of contractors invited to bid on the Tay Crossing to Ballinuig section, the next key milestones would appear to be the award of the Tay Crossing to Ballinuig section and the decision on the use of MIM contracts for the remaining North and Central sections.

93. The Committee have also reflected on the importance of keeping momentum, as well as building and maintaining public confidence in the dualling programme from now through to 2035, and the role parliamentary scrutiny can play in achieving this.
94. While the Cabinet Secretary for Transport's commitment to update the NZET Committee at regular intervals is welcome, this Committee acknowledges that subject committees such as NZET have extensive remits which cover a number of important issues. It is with this in mind that the Committee recommends a dedicated Parliamentary committee should be established to provide oversight on major infrastructure projects being pursued by the Scottish Government, specifically where the project is likely to run over multiple parliamentary sessions. A dedicated, standalone committee would be able to focus on the A9 dualling programme, and maintain momentum on scrutiny of a long-running, multi-session infrastructure project of this nature. With the A9 dualling programme expected to cover another two parliamentary sessions, the Committee strongly believe that a new committee focused on scrutiny of the A9 dualling programme be established, and invites the Parliamentary Bureau to consider how this can be achieved, both for the remainder of this parliamentary session, and in future parliaments.
95. The Committee strongly believes that a committee with a remit focused on the A9 dualling programme would gain expertise on the issues and challenges still to be resolved in the delivery of the Scottish Government's commitment, and use this expertise and institutional knowledge to ensure the Government is properly held to account on its commitment over the next decade. This could then be used as a model for oversight of infrastructure projects of a similar scale.

Funding the A9 dualling project 2024 - onwards

Overall costs

96. In announcing their revised delivery plan, the Scottish Government estimate that the total scheme cost to complete the A9 dualling programme is £3.7 billion at April 2023 prices. When adjusted for inflation, this figure is equivalent to £2.45 billion at April 2008, indicating the programme remains within the original cost estimate of £3 billion at 2008 prices. This £3.7 billion figure is considerably lower than totals quoted in discussion papers provided by Transport Scotland to Scottish Ministers in 2021 and 2022, which indicated costs of between £4.5 billion and £6.25 billion for traditional capital funded and hybrid procurement options.
97. It is difficult to directly compare total costs for traditional capital finance and Mutual Investment Model (MIM) funding, as MIM contracts include an element for maintenance of the road by the contractors for a period of up to 30 years. However, [during evidence to the Committee on 7 February 2024](#), Transport Scotland officials indicated that the £3.7 billion figure is a present day price, which "does not include forward inflation from this date or costs for the operation and maintenance of the constructed costs".

98. The operation and maintenance costs are not part of a total scheme estimate cost and are not part of the April 2023 pricing cost.

Hybrid Approach

99. Current and former senior Government Ministers told the Committee that there was always an expectation that a mix of capital and private finance would be used to deliver the project. However, it was not until the announcement of the hybrid approach in December 2023 that the Parliament and the public were provided with information on what the balance of funding might look like in practice.
100. The A9 dualling programme is now expected to be delivered in six sections, four of which will be delivered through traditional capital funding using design and build contracts; the remaining sections will be packaged into two privately financed Mutual Investment Model (MIM) contracts.
101. The sections to be delivered using the capital financed design and build contracts are –
- Tomatin to Moy
 - Tay Crossing to Ballinluig
 - Pitlochry to Killiecrankie
 - Pass of Birnam to Tay Crossing.
102. On 9 July 2024, the Scottish Government announced that it has awarded the construction contract for the first of those sections (Tomatin to Moy) to Balfour Beatty Civil Engineering Ltd. The contract is worth £184.7 million.
103. The procurement process for the Tay Crossing to Ballinluig section is also underway with a contract notice for this section published in May 2024. It is expected that the award of this £155 million contract will be made in summer 2025.
104. Procurement for the Pitlochry to Killiecrankie, and Pass of Birnam to Tay Crossing sections are scheduled to begin in summer 2025 and summer 2027 respectively. The estimated total scheme cost for these sections are £296 million and £478 million, though estimates for the Pass of Birnam to Tay Crossing project will require to be updated following development and assessment of the preferred route option.
105. At the northern end of the A9 dualling programme, procurement of the Dalraddy to Slochd and Crubenmore to Kincaig sections via a MIM contract is expected to get underway in winter 2026/27. Three remaining sections (Dalwhinnie to Crubenmore, Glen Garry to Dalwhinnie, and Killiecrankie to Glen Garry) will be packaged together to form the A9 Dualling Central project, with procurement of this MIM contract commencing in winter 2028/29.
106. The use of MIM contracts for sections on the north and central part of the A9 are “subject to ongoing due diligence and further decision-making in late 2025”.
107. The Committee heard from the then Cabinet Secretary for Transport, Net Zero and Just Transition that, if market conditions in 2025 are not suitable and mean that MIM cannot be used, [there is contingency that the 2035 completion date could still be](#)

met through capital funding, “provided that capital was available”. The Cabinet Secretary indicated that she would be “determinedly pushing for capital to be available” if market conditions mean MIM could not prevail, stating -

” Cabinet has agreed to my plan. It has understood the point about 2025 and MIM decision making and our view that 2035 remains possible should capital be made available in the case that MIM is not suitable. The Cabinet has collectively agreed to manage the financial pressures that that will create, and that delivers a degree of certainty that we have not had to date.

108. During this discussion on the potential availability of capital funds if required, the Cabinet Secretary also highlighted other projects such as the A83 Rest and Be Thankful and the M8 Woodside viaduct, that will need to be met from the transport budget. The announcement during summer 2024 that Scottish Government spending will be limited to those areas that are considered truly essential or unavoidable (i.e. where there is a legal obligation to do so), has created further uncertainty on the availability of capital funds to deliver the A9 dualling.

109. The Committee remains concerned that funding will be available when it needs to be, and is unconvinced by the then Cabinet Secretary’s assurance there is a contingency to use capital funding to ensure the project is completed by 2035 should MIM be unsuitable.

110. Given the delays and damage to public trust experienced on this programme to date, the Committee asks that the Scottish Government, in its response to this report, clearly sets out the key decision points for the rest of the A9 dualling programme. This should include details of key funding decisions, specifically dates when funding requires to be available or released.

111. To support this approach, the Committee also asks the Scottish Government to set out what its plan for communicating the decision on the use of MIM contracts is. This plan must be transparent, allow for public scrutiny, and be clear about when people can expect an announcement to be made.

112. If MIM is not recommended, the Scottish Government must commit to providing funding to enable the 2035 target to be met. Assurances provided to date have been caveated and the Committee demands that the Scottish Government unambiguously confirm that funding will be available when needed to ensure the 2035 date is met regardless of whether this is through MIM, capital funding, or another funding mechanism.

Confidence in the process going forward

113. As the Committee has explored the governance and funding of the A9 dualling programme, one of the key themes that has emerged is confidence in the Scottish Government to deliver on its commitment to fully dual this route. This relies not only on good governance and availability of funding to progress the individual projects, but also a range of wider factors including the availability of skilled workforce and materials to complete construction.

114. In addition to other Transport Scotland projects, such as upgrades to the A83 Rest and Be Thankful and the M8 Woodside viaducts, the Committee has also heard about other major infrastructure and engineering projects over the next decade that have the potential to impact the delivery of the dualling programme.
115. [CECA Scotland highlighted during their evidence to the Committee on 24 January 2024 the scale of civil engineering planned for Scotland in the coming decades](#) -
- ” In the transfer and generation of electricity sector alone, £45 billion or £46 billion is being spent by just two clients in Scotland. Those are phenomenal numbers.
116. There will be further demand on the civil engineering industry with Network Rail planning to spend £4.2 billion on maintenance and enhancement of the Scottish rail network between 2024 and 2029, and Scottish Water spending around £2 billion over the next two years on its infrastructure.
117. The significant levels of spend mean that contractors will have great choice of potential work to bid for, and a choice of who they wish to work for over the course of the next 10 to 15 years. The Chief Executive of CECA Scotland also told the Committee –
- ” Unlike at any other time when I have been involved in the sector, Scotland is busy whereas England and Wales are less so, so you might find a drift of contractors moving from England to Scotland to deal with that work. That is what will have to happen, because we just do not have the capacity to do all this work in Scotland.
118. Increased competition among contractors trying to recruit the workforce required to complete these major projects could have an impact on the A9 dualling work both in terms of workforce availability and workforce costs. CECA Scotland highlighted that where there is a lack of suitable workers and a rising workload then competition among contractors and organisations occurs, resulting in increased wages. While Transport Scotland indicated that issues around workforce availability and adverse weather are factored in to the development of delivery timetables, it remains unclear what impact the potential for increased wage demand will have on the overall cost of the A9 dualling programme and whether this has been accounted for.
119. [In a letter to the Net Zero, Energy and Transport Committee, dated 7 October 2024, the Cabinet Secretary for Transport has indicated that construction of the Tomatin to Moy section is now expected to be completed by Spring 2028](#), rather than the end of 2027 as set out in the A9 Dualling delivery plan. While the Cabinet Secretary states this “will have no effect on either the expected overall completion date of the A9 Dualling programme of the end of 2035, or on the expected dates of commencement of any of the procurements within the A9 Dualling delivery plan”, the Spring 2028 date could potentially be subject to change, due to effects of exceptionally adverse weather.
120. A key issue to be addressed in the Government’s engagement with the civil engineering industry relates to the balance of risk in the contracts being used by Transport Scotland. As referred to earlier in this report, CECA Scotland told the Committee that the traditional design and build contracts used by Transport Scotland placed the burden of risk on the contractor, which was deterring many

from submitting bids for projects including the Tomatin to Moy section of the A9.

121. When re-tendering the Tomatin to Moy section, Transport Scotland used a new form of contract, NEC4, which takes a more balanced approach to the sharing of risk between Scottish Ministers and the contractor. This new approach from Transport Scotland has resulted in 3 bids being received for the Tomatin to Moy section, and a further shortlist of 3 contractors being invited to bid on the contract for the Tay Crossing to Ballinluig section.
122. The Committee thanks CECA Scotland for the candid evidence its Chief Executive provided throughout the inquiry and joins them in welcoming the “large leap” Transport Scotland has taken by changing to the NEC4 contract. There is little doubt in the Committee’s mind that CECA Scotland’s forthright evidence and engagement with this Committee’s inquiry prompted Transport Scotland to rethink its approach to procurement contracts.
123. The Committee is concerned that there is already an anticipated delay to the completion of the Tomatin to Moy section, and seeks detail from the Scottish Government, in its response to this report, on the action being taken to prevent and mitigate against further delays to the A9 Dualling Programme.
124. Given the important role the A9 plays in connecting the Highlands and rural Perthshire with the rest of Scotland, the Committee recommends Transport Scotland accelerate procurement of the remaining sections, wherever possible, as a way of increasing contractor confidence while also helping to ensure the required workforce and materials are in place to keep the project on time and within budget.
125. The Committee is aware that a cross-party delegation of MSPs met with the First Minister, and Cabinet Secretary for Transport in June 2024 to discuss their request that the work programme be accelerated. The Committee asks that the Scottish Government provide an update to Parliament on what further consideration the Government has given to accelerating delivery of the dualling programme.
126. In considering options to progress delivery of the A9 dualling programme at pace, the Committee also asks the Scottish Government to reflect on the ongoing safety concerns about the sections of the A9 that have not yet been dualled.

National Memorial

127. Petition PE1992 also called for the creation of a memorial for those who have lost their lives on road traffic incidents on the A9.
128. Despite the use of measures such as enhanced lane markings and road safety campaigns, incidents on single carriageway sections of the A9 continue to cause frequent closure of key parts of this route, and tragically have resulted in further loss of life. During the course of this inquiry (2023-2024), 11 people have lost their lives in incidents on the A9, and the Committee extends its condolences to all those who have been impacted by fatalities on this route.
129. The Call for Views invited views on this proposal. There were a range of responses - 67% of respondents opposed the idea of creating an A9 memorial while 33% were in favour. Many of those who were opposed to the idea thought that dualling the A9 as quickly as possible would be the best memorial, others were concerned about where such a memorial would be placed, why such a memorial should focus on those killed on the A9 rather than all roads, and the potential costs involved.
130. The commitment to dual the A9 between Perth and Inverness was largely driven by the fact dualling could lead to a significant reduction in the loss of life on the route. For those who have lost loved ones on the A9, it is important they are given a say on the options for a memorial, to ensure that these tragic fatalities are commemorated in way that sensitively reflects the grief they experience. [This sentiment was shared by Nicola Sturgeon](#), who reflected that -
- ” I know from talking to bereaved families, ... ,how important it is to have recognition and somewhere that people can to reflect, remember and come to terms with their grief. The importance of that cannot be overstated.
131. The Committee recommends that the Scottish Government consult on the proposal for a national memorial, by engaging with the petitioner and affected families on what kind of memorial they would like to see. This consultation should also explore possible locations for an appropriate memorial.

Conclusions and Recommendations

132. The Committee has used this inquiry to expand its consideration of petition PE1992: Dual the A9 and improve road safety, and explore the circumstances which led to the Scottish Government's commitment to dual the A9 between Perth and Inverness by 2025 becoming unachievable.

133. The Committee has concluded that while there was no single issue or incident which led to the 2025 target becoming unachievable, the Scottish Government's failure to reach agreement on programme funding significantly contributed to progress stalling as the programme was reaching the procurement and construction stages. In addition to the funding issue, an unwillingness from Transport Scotland to address industry concerns about the balance of risk in its design and build contracts also led to programme drift. The Committee believes this could have been avoided and challenges addressed more efficiently had there been an individual whose main or only focus was to progress the A9 dualling programme.

134. A lack of open, external discussion of the challenges being faced in the delivery of the A9 dualling programme has negatively impacted public confidence in Transport Scotland and its ability to deliver major infrastructure projects within the timescales it says it will.

135. To assist the Scottish Government and Transport Scotland in regaining public trust, the Committee recommend that duty of candour be introduced to help ensure that challenges faced on this, and future major projects, can be subject to improved public and parliamentary scrutiny. This should include the Scottish Government being proactive in publishing relevant advice and updates throughout the development of major projects. It is the Committee's view that had such a duty been in place previously then there would have been greater urgency in finding solutions, resulting in faster progress to complete the dualling work.

136. During the course of the Committee's inquiry, the Scottish Government announced a revised timetable and delivery plan to complete the dualling of the A9 between Perth and Inverness. A new target date of 2035 has been set for the dualling work to be completed.

137. To ensure there is no repetition of the drift which led to the previous timetable falling so far behind schedule, the Committee examined the governance of the A9 dualling programme. The Committee recommends the following actions aimed at enhancing opportunities for parliamentary scrutiny and rebuilding public confidence throughout the remainder of the dualling programme.

138. Evidence from Transport Scotland and the Scottish Government has referenced other major transport infrastructure projects that have been undertaken since the commitment to dual the A9 was announced, predominately in central and southern Scotland. The Committee have considered whether this has contributed to a sense among people living in northern Scotland that they have not received

a commensurate share of capital expenditure to improve the road network across the Highlands.

139. It is welcome that Transport Scotland directors, including its Chief Executive, form the membership of the A9 programme board. However, with A9 dualling continuing to be one of many major road projects being pursued by the Scottish Government, the Committee would welcome clarification from the Cabinet Secretary on where exactly the A9 dualling programme sits within Transport Scotland's priorities for capital funding, and what provisions, including staff resource, have been allocated to support delivery of the programme over the next decade.
140. Transparency is essential to the rebuilding of public confidence in this programme. The Committee welcomes the commitment that Transport Scotland will provide six-monthly updates to both the Net Zero, Energy and Transport (NZET) Committee and other interested Members of the Scottish Parliament on the progress of the A9 Dualling Programme.

141. The Committee welcomes comments from current and former members of the Scottish Government on the importance of parliamentary scrutiny. Routine, and regular, sharing of information with Parliament is key to addressing concerns about the transparency of decision-making on major projects such as the A9.
142. To enable this scrutiny to take place, the Committee recommends that, in addition to the six-monthly updates to both the Net Zero, Energy and Transport (NZET) Committee, and other interested Members of the Scottish Parliament, the Cabinet Secretary for Transport also provides statements to Parliament at key milestones, aligned to the delivery plan published in December 2023.
143. With the contractor for the Tomatin to Moy section having now been confirmed as Balfour Beatty Ltd., and a shortlist of contractors invited to bid on the Tay Crossing to Ballinuig section, the next key milestones would appear to be the award of the Tay Crossing to Ballinuig section and the decision on the use of MIM contracts for the remaining North and Central sections.

144. The Committee have also reflected on the importance of keeping momentum, as well as building and maintaining public confidence in the dualling programme from now through to 2035, and the role parliamentary scrutiny can play in achieving this.
145. While the Cabinet Secretary for Transport's commitment to update the NZET Committee at regular intervals is welcome, this Committee acknowledges that subject committees such as NZET have extensive remits which cover a number of important issues. It is with this in mind that the Committee recommends a dedicated Parliamentary committee should be established to provide oversight on major infrastructure projects being pursued by the Scottish Government, specifically where the project is likely to run over multiple parliamentary sessions. A dedicated, standalone committee would be able to focus on the A9 dualling

programme, and maintain momentum on scrutiny of a long-running, multi-session infrastructure project of this nature. With the A9 dualling programme expected to cover another two parliamentary sessions, the Committee strongly believe that a new committee focused on scrutiny of the A9 dualling programme be established, and invites the Parliamentary Bureau to consider how this can be achieved, both for the remainder of this parliamentary session, and in future parliaments.

146. The Committee strongly believes that a committee with a remit focused on the A9 dualling programme would gain expertise on the issues and challenges still to be resolved in the delivery of the Scottish Government's commitment, and use this expertise and institutional knowledge to ensure the Government is properly held to account on its commitment over the next decade. This could then be used as a model for oversight of infrastructure projects of a similar scale.
147. Throughout this inquiry the Committee has explored evolving funding commitments for the A9 dualling programme, and recommends the Scottish Government take further steps to ensure clarity on financing the remainder of the programme.
148. The Committee remains concerned that funding will be available when it needs to be, and is unconvinced by the then Cabinet Secretary's assurance there is a contingency to use capital funding to ensure the project is completed by 2035 should MIM be unsuitable.
149. Given the delays and damage to public trust experienced on this programme to date, the Committee asks that the Scottish Government, in its response to this report, clearly sets out the key decision points for the rest of the A9 dualling programme. This should include details of key funding decisions, specifically dates when funding requires to be available or released.
150. To support this approach, the Committee also asks the Scottish Government to set out what its plan for communicating the decision on the use of MIM contracts is. This plan must be transparent, allow for public scrutiny, and be clear about when people can expect an announcement to be made.
151. If MIM is not recommended, the Scottish Government must commit to providing funding to enable the 2035 target to be met. Assurances provided to date have been caveated and the Committee demands that the Scottish Government unambiguously confirm that funding will be available when needed to ensure the 2035 date is met regardless of whether this is through MIM, capital funding, or another funding mechanism.
152. The Committee considered the announcement that the Tomatin to Moy section is expected to be operational by Spring 2028, rather than by the end of 2027.
153. The Committee is concerned that there is already an anticipated delay to the completion of the Tomatin to Moy section, and seeks detail from the Scottish Government, in its response to this report, on the action being taken to prevent

and mitigate against further delays to the A9 Dualling Programme.

154. The Committee has joined the civil engineering industry in tentatively welcoming the steps Transport Scotland has taken to amend its approach to contracts, particularly on the balance of risk shared between the client and contractor.

155. Given the important role the A9 plays in connecting the Highlands and rural Perthshire with the rest of Scotland, the Committee recommends Transport Scotland accelerate procurement of the remaining sections, wherever possible, as a way of increasing contractor confidence while also helping to ensure the required workforce and materials are in place to keep the project on time and within budget.

156. The Committee is aware that a cross-party delegation of MSPs met with the First Minister, and Cabinet Secretary for Transport in June 2024 to discuss their request that the work programme be accelerated. The Committee asks that the Scottish Government provide an update to Parliament on what further consideration the Government has given to accelerating delivery of the dualling programme.

157. In considering options to progress delivery of the A9 dualling programme at pace, the Committee also asks the Scottish Government to reflect on the ongoing safety concerns about the sections of the A9 that have not yet been dualled.

158. Road safety and the need to address the number of collisions resulting in fatalities was central to the original commitment to dual the A9 between Perth and Inverness.

159. The precise form and location of any memorial commemorating lives tragically lost on the A9 will require to be sensitively managed.

160. The Committee recommends that the Scottish Government consult on the proposal for a national memorial, by engaging with the petitioner and affected families on what kind of memorial they would like to see. This consultation should also explore possible locations for an appropriate memorial.

Annexe A - Extracts from the minutes

- [3rd Meeting \(Session 6\) Wednesday 22 February 2023](#)

3. Consideration of new petitions

The Committee considered the following new petitions -

PE1992: Dual the A9 and improve road safety

- [10th Meeting \(Session 6\) Wednesday 14 June 2023](#)

1. Consideration of continued petitions

The Committee then considered PE1992: Dual the A9 and improve road safety. Edward Mountain MSP declared an interest as the owner of a business that is dependent on the A9. The Committee took evidence from —

Laura Hansler, Petitioner

Grahame Barn, Chief Executive, Civil Engineering Contractors Association (CECA) Scotland Ltd

and then from —

Lawrence Shackman, Director, Major Projects, Robert Galbraith, Head of Construction, and Morag MacKay, Development Management and Trunk Road Casualty Reduction Manager, Transport Scotland

and agreed to consider the evidence at a later meeting.

- [12th Meeting \(Session 6\) Wednesday 6 September 2023](#)

6. Work programme (In Private):

The Committee considered its work programme and agreed to elevate its scrutiny of petition PE1992 (Dual the A9 and improve road safety) to the level of an inquiry, and to invite Alex Neil, former Cabinet Secretary for Infrastructure and Capital Investment, to give evidence at a future meeting

- [14th Meeting \(Session 6\) Wednesday 4 October 2023](#)

3. Inquiry into A9 Dualling Project:

The Committee took evidence from Alex Neil, former Cabinet Secretary for Infrastructure and Capital Investment, and agreed to consider this evidence at a future meeting.

- [15th Meeting \(Session 6\) Wednesday 25 October 2023](#)

7. Inquiry into A9 Dualling Project (In Private):

The Committee considered evidence heard to date, and its wider approach to this inquiry. The Committee agreed to write to the Scottish Government and to all relevant Government Ministers who served in the Scottish Government since 2012.

- [1st Meeting \(Session 6\) Wednesday 24 January 2024](#)

3. Inquiry into A9 Dualling Project:

The Committee took evidence from—

Grahame Barn, Chief Executive, CECA Scotland

And then from —

Alison Irvine, Chief Executive, Transport Scotland

Rob Galbraith, Head of Project Delivery, Transport Scotland

Roy Brannen, former Chief Executive, Transport Scotland

Michelle Quinn, former Director of Major Projects and former interim Chief Executive, Transport Scotland

The Committee agreed to consider the evidence at a future meeting.

Edward Mountain declared a financial interest as a partner in and owner of 50% of Delfur Fishings, of Moray, a rod and line salmon fishing business.

- [2nd Meeting \(Session 6\) Wednesday 7 February 2024](#)

2. Inquiry into A9 Dualling Project:

The Committee took evidence from—

Màiri McAllan, Cabinet Secretary for Transport, Net Zero and Just Transition, Scottish Government; Lawrence Shackman, Director, Major Projects, Jo Blewett, Head of Sustainable Transport Projects and Rob Galbraith, Head of Project Delivery, Transport Scotland.

- [8th Meeting \(Session 6\) Wednesday 8 May 2024](#)

2. Inquiry into A9 dualling project:

The Committee took evidence from—

Alex Salmond, former First Minister

- [10th Meeting \(Session 6\) Wednesday 29 May 2024](#)

2. Inquiry into A9 Dualling Project

The Committee took evidence from—

Nicola Sturgeon MSP, former First Minister

- [12th Meeting \(Session 6\) Wednesday 26 June 2024](#)

4. Inquiry into A9 Dualling Project:

The Committee agreed its approach to its draft report on its Inquiry into the A9 Dualling

Project.

- [13th Meeting \(Session 6\) Wednesday 11 September 2024](#)

5. Inquiry into A9 Dualling Project:

The Committee agreed to consider a revised draft at a future meeting.

- [14th Meeting \(Session 6\) Wednesday 25 September 2024](#)

4. Inquiry into A9 Dualling Project:

The Committee agreed to consider a revised draft at a future meeting.

- [15th Meeting \(Session 6\) Wednesday 9 October 2024](#)

5. Inquiry into A9 Dualling Project:

The Committee agreed to consider a revised draft at a future meeting.

- [16th Meeting \(Session 6\) Wednesday 30 October 2024](#)

5. Inquiry into A9 Dualling Project

The Committee considered a revised report. Various changes were agreed to, and the report was agreed for publication. The Committee delegated authority to the Convener for finalising the report and arrangements for publication. It also agreed to publish key documents received from Transport Scotland on its inquiry webpage.

Annexe B - Evidence and information gathered

Oral Evidence

Meetings at which oral evidence was taken:

- [14 June 2023 - Petitioner, and Civil Engineering and Contractors Association \(CECA\) Scotland, followed by Transport Scotland](#)
- [4 October 2023 - Alex Neil, former Cabinet Secretary for Infrastructure and Capital Investment](#)
- [24 January 2024 - CECA Scotland, followed by current and former senior Transport Scotland Officials](#)
- [7 February 2024 - Máiri McAllan MSP, Cabinet Secretary for Transport, Net Zero and Just Transition](#)
- [8 May 2024 - Alex Salmond, former First Minister](#)
- [29 May 2024 - Nicola Sturgeon, former First Minister.](#)

Written Evidence

The Committee ran a call for views, which closed on 15 September 2023. [You can read the responses at the Scottish Parliament website: Dualling the A9.](#) Additional responses received after the call for views had closed are available on the inquiry homepage: [Inquiry into A9 Dualling Project - Citizen Participation and Public Petitions Committee \(Scottish Parliament\)](#). This includes responses from -

- [Transform Scotland](#)
- [Chris Miller](#)
- [Killiecrankie, Fincastle and Tummel Community Council](#)
- [John Mason MSP.](#)

[All written submissions received as part of the consideration of petition PE1992 are available on the petition history webpage.](#) This includes submissions provided by -

- [Scottish Government, 23 December 2022](#)
- [Petitioner, 13 February 2023](#)
- [Nethy Bridge and Vicinity Community Council, 4 April 2023](#)
- [Society of Chief Officer of Transportation in Scotland, 6 April 2023](#)
- [Rhoda Grant MSP, 8 June 2023](#)
- [Civil Engineering Contractors Association \(CECA\) Scotland, 12 June 2023](#)

- [Transport Scotland, 13 June 2023, and 30 October 2023](#)
- [Road Safety Scotland, 13 July 2023](#)
- [Road Safety Foundation, 3 August 2023](#)
- [Inverness Chamber of Commerce, 8 January 2024](#)
- [IAM RoadSmart, 12 January 2024](#)

All correspondence received as part of the inquiry is published and available to read at the inquiry homepage: [Inquiry into A9 Dualling Project - Citizen Participation and Public Petitions Committee \(Scottish Parliament\)](#). This includes the submissions received from Scottish Ministers:

- [Keith Brown MSP, Minister with portfolio responsibility for the A9 between 2012-2018](#)
- [Graeme Dey MSP, Minister for Transport 2021-2022](#)
- [Jenny Gilruth MSP, Minister for Transport 2022-2023](#)
- [Derek Mackay, Minister for Transport and Islands 2014-2016](#)
- [Michael Matheson MSP, Cabinet Secretary for Transport, Infrastructure and Connectivity 2018-2021](#)
- [Máiri McAllan MSP, Cabinet Secretary for Transport, Net Zero and Just Transition, 2023-2024](#)
- [Nicola Sturgeon MSP, Cabinet Secretary for Infrastructure, Investment and Cities 2012-2014, and First Minister 2014-2023](#)
- [Humza Yousaf MSP, Minister for Transport and Islands 2016-2018, and First Minister 2023-2024.](#)

Annexe C - SPICe Summary of Ministerial Papers

Introduction

The Committee decided to elevate scrutiny of petition PE1992: Dual to A9 and Improve Road Safety to the level of an inquiry at its meeting of 6 September 2023. It subsequently heard evidence from Alex Neil, former Cabinet Secretary for Infrastructure and Capital Investment, at its meeting of 4 October 2023, where the issue of A9 dualling related documentation and advice provided by Transport Scotland and Scottish Government officials to Ministers was discussed.

The Committee considered its approach to the Inquiry at its meeting of 25 October 2023. It agreed to write to the Scottish Government to request copies of official advice provided to Ministers between 2012 and 2023 about the dualling of the single carriageway sections of the A9 between Perth and Inverness.

Transport Scotland officials has supplied the Committee with 74 documents, which were provided to Scottish Ministers between 28 May 2012 and 22 February 2023. These documents range from very short extracts of draft budget proposals for ministerial consideration to lengthy briefing documents for major parliamentary announcements.

The content of these documents is analysed in this paper, which includes three sections:

1. A brief overview of the A9 dualling programme, which places the issues covered in the ministerial documents within their wider context.
2. Significant information, advice, or data provided in the ministerial documents that has not previously been publicly available.
3. An annex providing a brief description of each document, in date order, which highlights any significant, previously unpublished information, quotes, or data.

Overview of the A9 dualling programme

On 6 December 2011, [the Scottish Government committed to dualling the 134 kilometres of single carriageway road on the A9 between Perth and Inverness](#). The programme had an expected completion date of 2025 and an estimated total cost of £3bn (at 2008 prices).

The project is due to be delivered in 11 sections, as outlined in the table below:

Section	Length	Current status
Kincraig to Dalraddy	7.5km	Completed September 2017.
Luncarty to Pass of Birnam	9.5km	Completed August 2021.
Tomatin to Moy	9.6km	Orders made. First procurement exercise for construction contractor unsuccessful. Procurement exercise currently being re-run.
Tay Crossing to Ballinluig	8.2km	Orders made.
Pitlochry to Killiecrankie	6.4km	Orders made.
Killiecrankie to Glen Garry	22km	Orders made.
Glen Garry to Dalwhinnie	9.5km	Orders made.
Dalwhinnie to Crubenmore	11km	Orders made.
Crubenmore to Kincraig	16.5km	Orders made.
Dalraddy to Slochd	25km	Orders made.
Pass of Birnam to Tay Crossing	8.4km	Design stage.

“Orders made” means that the various Road Orders required to authorise the construction of a new road or road widening project, made under the provisions of the Secretary of State’s Traffic Orders (Procedure) (Scotland) Regulations 1987, have been approved by Scottish Ministers.

Significant new information

This section sets out significant, previously unpublished, information, on the A9 programme identified through an analysis of the ministerial papers provided to the Committee by Transport Scotland. It is important to note that it does not provide a summary of every issue raised in these documents but aims to identify key points that may be of interest to the Committee. It should also be remembered that these documents provide only a partial view of the development and delivery of the A9 programme, although as briefings for responsible Ministers it is reasonable to expect that they contain sufficient information for effective high-level decision making.

Some information in the documents has been redacted. It appears that these redactions are largely for reasons of commercial confidentiality, where they deal with the tendering and award of contracts, or to protect the privacy of officials below Senior Civil Service grades.

Key points that may be of interest to the Committee include:

- Scottish Ministers have never formally agreed a mechanism to procure the construction of eight of the 11 sections of the A9 programme. That is all sections except Kincraig-Dalraddy, Luncarty-Pass of Birnam, and Tomatin-Moy, which have been (or will be) procured using the traditional capital funding method involving the competitive tendering of Design and Build contracts managed by Transport Scotland.
- Officials, responding to an August 2018 request from Michael Matheson MSP (then Cabinet Secretary for Transport Infrastructure and Connectivity) about possible private financing options for the A9 programme, advised that pursuing such an approach would mean “...a 2025 target date would be unachievable”.

- An extract from a November 2018 Cabinet paper stated that “The forward capital plan assumes one further capital funded A9 project after Luncarty-Birnam in order to maintain momentum and economic activity recognising the time it will take to develop and procure a private financed solution for the remainder of A9 programme. The revised approach to delivery will mean the 2025 timescale is not achievable with the end date yet to be determined based on market appetite and the packaging of the remaining projects.”
- While traditional capital funding of future sections has never formally been ruled out, between November 2018 and December 2022 ministerial papers presented a privately funded approach to future A9 programme delivery as the favoured option. Several papers argued that a Scottish version of the Welsh Government’s Mutual Investment Model (MIM), investigated by the Scottish Futures Trust in its Options appraisal to examine profit sharing finance schemes, was the best way to proceed. Officials indicated that the remaining eight sections of the A9 programme could be delivered through three MIM contract packages, each made up of two or three contiguous geographic programme sections.

This apparent favouring of a privately financed approach changed in a paper presented to the Deputy First Minister, Cabinet Secretary for Net Zero Energy and Transport, and Minister for Transport dated 7 December 2022. This stated, after a significant redacted section, that “...it is not considered possible to provide a recommendation at present regarding the most suitable procurement options for the remainder of the Programme.”

- A December 2021 discussion paper, produced by officials for the Cabinet Secretaries for Finance and Economy, and Net Zero Energy and Transport indicated that:
 - the earliest completion date for the A9 programme would be 2032 for a privately financed option, or 2034 for a traditional capital financed option. Both dates were subject to the availability of funding.
 - total costs over a 30-year period for the privately financed option would be £7.179 billion, or £4.532 billion for the traditional capital finance option.
 - The Net Present Value at April 2021 prices would be £1.945bn for the privately financed option or £2.078bn for the traditional capital option.
 - The paper was clear that “Both of these options would require re-prioritisation from other budgets and difficult choices about the affordability of other projects – including the emerging findings of STPR2 [Strategic Transport Projects Review 2].” It goes on to state that, based on an assumption that investment in active and sustainable travel will not be reduced, that “...the current suggested options for delivery of the policy in respect of the A9 Dualling Programme are not affordable for TS [Transport Scotland] or the wider NZET portfolio without guarantees of additional funding.”
- In December 2022, officials presented Scottish Ministers with two options for the future of the A9 programme:
 - **Option 1:** Pausing the Programme in its entirety for an indefinite period, to be restarted when circumstances permit; or
 - **Option 2:** Progressing certain elements of the Programme while reviewing and

updating the work to determine the most suitable procurement options, enabling procurement and construction to progress following normal business case processes and subject to suitable market conditions prevailing and budget availability permitting.

Officials recommended that Ministers pursue Option 2. A particular concern being that pausing the programme could lead to the lapsing of some statutory authorisations, particularly relating to land acquisition. Ministers have three years from the date on which they publish confirmation of a Compulsory Purchase Order to implement the Order, i.e. take title to the land. The Order falls if title is not taken within that three-year period. Once the land is acquired, there is no time limit for development to begin

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December 2023

Annex: Document timeline

Description	Date	Content and key issues
Advice to Cabinet Secretary for Infrastructure and capital Investment and Minister for Housing and Transport: A9 upgrade to dual carriageway	28 May 2012	19-page briefing setting out initial, high-level financial, delivery and communications plan for the A9 dualling project. Confirms “challenging but achievable” 2025 completion date and £3bn estimated cost. States that the project funding route is to be decided. Considers three funding and delivery structures – Non-profit distributing, hub, and arms-length company. More work to be done to identify best option. Delivery initially focused on Luncarty-Pass of Birman and Kincaig-Dalraddy sections. Outline programme splits the project into nine sections.
Event briefing for Cabinet Secretary for Infrastructure and Capital Investment	30 May 2012	Briefing for launch of A9 dualling strategy. Project cost estimate of £3bn. 2025 date “challenging but achievable”. Construction to start in 2017, funding route to be decided.
Luncarty-Birnam – Detailed design and draft orders publication	17 July 2012	Request for Cabinet Secretary approval to appoint Jacobs to undertake detailed design and publication of draft order for the Luncarty-Birnam section.
Preliminary engineering services and Strategic Environmental Assessment	8 August 2012	Request for Cabinet Secretary approval to appoint Jacobs and Halcrow to undertake preliminary baseline assessment for the A9 dualling programme.
Extract from ministerial briefing	10 September 2012	Short briefing on the A9 dualling project – “Given the varying challenges to dualling along the A9 it is likely that cost estimates will continue to be reviewed for the entire strategy as the design development is progressed.”
Advice to Ministers	January 2013	Request for Cabinet Secretary approval of the appointment of contractors to undertake A9 dualling design work. The route being split into three large sections and each tendered separately. Outlines concerns about the capacity of contractors to undertake work on such a large project, noting international consolidation in the engineering consultant sector and the status of offices in Scotland. Considers the approach suggested provides the greatest resilience and maintains competition between bidders.
Ministerial engagement briefing	5 September 2013	Briefing for meeting between the Minister for Transport and Veterans and the moderator of the Free Church of Scotland in Inverness. States that “We expect to have around one third of the dualling completed by 2021 and over half completed only a year later”.
Advice to Ministers	6 February 2014	Advice to Minister for Transport and Veterans on whether construction of the Kincaig-Dalraddy section could begin during 2014. Earliest start date was confirmed as spring 2015.
Ministerial engagement briefing	17 March 2014	Briefing for Minister for Transport and Veterans on the launch of the “Fitting Landscapes” programme and other A9 dualling announcements. First announcement that the project is to be delivered in 11 sections. Luncarty-Pass of Birnam draft orders published.
Ministerial engagement briefing	20 August 2014	Briefing for the Minister for Transport and Veterans on the announcement of the decision to proceed with procurement of the Kincaig-Dalraddy section.
Extract from an Infrastructure Investment Plan progress report to Ministers	6 March 2015	Notes work underway on environmental assessments and engineering studies and that procurement of Kincaig-Dalraddy section is underway.
Ministerial briefing for appearance before Rural	23 June 2016	Briefing for Cabinet Secretary for Rural Economy and Connectivity (Fergus Ewing MSP) for Committee appearance. States construction on Kincaig-Dalraddy started 10 September 2015 and that a Public Inquiry was held into objections to the Luncarty-Pass of Birnam section in June 2015, construction expected to start in 2017. Reconfirms

Citizen Participation and Public Petitions Committee
 Inquiry into the A9 Dualling Programme, 2nd Report, 2024 (Session 6)

Economy and Connectivity Committee		£3bn estimated budget and 2025 completion date. It is worth noting that Fergus Ewing MSP was not asked about A9 dualling at the Rural Economy and Connectivity Committee meeting of 29 June 2016 . The Cabinet Secretary for Economy, Jobs and Fair Work (then Keith Brown MSP) mentioned the A9 programme in his opening remarks in the session following Fergus Ewing's appearance.
Extract from Ministerial briefing for appearance before Rural Economy and Connectivity Committee	23 June 2016	As above.
Extract from supplementary Ministerial briefing for appearance before Rural Economy and Connectivity Committee	29 June 2016	No substantive change from 23 June 2016 briefing.
Ministerial briefing on predicted capital demand for the A9 dualling programme	31 October 2016	Briefing setting out the capital budget required for delivery of A9 dualling by 2025. 2017-18: £64m 2018-19: £108m 2019-20: £290m 2020-21: £369m 2021-22: £450m 2022-23: £513m 2023-24: £455m 2024-25: £454m 2025-26: £276m TOTAL: £2.979 billion
Excerpt from the Infrastructure Investment Plan 2015	20 December 2016	Short extract from the Infrastructure Investment Plan 2015 submitted to Ministers of 20 December 2016 outlining the basics of the A9 dualling programme, including 2025 completion date.
Extract from Ministerial briefing for appearance before Rural Economy and Connectivity Committee	20 December 2016	Notes progress constructing the Kincaig-Dalraddy section and the making of Orders for the Luncarty-Pass of Birnam section and allocation of budget for its construction. Reconfirms £3bn budget and 2025 completion date.
Briefing for the Cabinet Secretary for Economy, Jobs and Fair Work (Keith Brown MSP)	24 August 2017	Briefing setting out the budget required for delivery of A9 dualling by 2025: 2017-18: £48.421m 2018-19: £57.326m 2019-20: £244.472m 2020-21: £368.365m 2021-22: £449.192m 2022-23: £512.692m 2023-24: £454.667m 2024-25: £454.347m 2025-26: £276.135m TOTAL: £2.865 billion These figures exclude the Kincaig-Dalraddy and Luncarty-Birnam sections. Notes that the 2025 completion date is "challenging but remains achievable, subject to successful progress of statutory processes and agreement of approach to delivery by close 2017". Also notes in bold that " Any reduction in this spend profile in the next three years to support the development and procurement of the programme will place the 2025 completion commitment at significant risk ".
Email to Deputy First Minister and Cabinet Secretary for Economy, Jobs and Fair Work	7 September 2017	Email from officials outlining concerns about delays to the co-creative process for the Dunkeld and Birnam section, stating that "...if we can conclude the co-creative process in April 2018, the timeline for the completion of the project by 2025 [REDACTED]. Further slippage beyond April would increase the risk of not achieving 2025."
Excerpt from Infrastructure Investment Plan 2015 project	6 October 2017	Notes that the Kincaig-Dalraddy section opened in September 2017.

pipeline variances report		
Advice to Ministers	21 November 2017	Asks Cabinet Secretary for Economy, Jobs and Fair Work to note publication of draft orders for the Killiecrankie-Glen Garry section on 28 November 2017 and confirms that draft orders for all other sections will be published by summer 2018, except the Birnam-Tay Crossing section which is “subject of a co-creative process”. Notes that “Whilst the interim programme dates have moved, the overall completion by 2025 is challenging but remains achievable”.
Ministerial briefing for appearance before Rural Economy and Connectivity Committee	19 December 2017	Confirms draft orders for Pitlochry-Killiecrankie published on 15 December 2017 and for Glan Garry-Dalwhinnie and Dalwhinnie-Crubenmore on 19 December 2017. States the Government “is on target” to meet the 2025 completion date.
Excerpt from the Infrastructure Investment Plan 2015 progress report	19 April 2018	Notes that procurement of the Luncarty-Pass of Birnam section had slipped by three months due to the need for more ground investigation works. Completion of this section still expected in 2020.
Briefing for new Cabinet Secretary	27 June 2018	Briefing on the A9 dualling programme. Confirms that the project remains within the £3bn budget. Notes recent press speculation about whether the project can be completed by 2025, stating “The Scottish Government remains committed to dualling the A9 between Perth and Inverness by 2025 – and we remain on target to meet that commitment”.
Advice to Cabinet Secretary for Transport Infrastructure and Connectivity	12 August 2018	Response to a ministerial request for information on possible private financing of A9 and A96 dualling projects. Notes that delivery of these programmes within their 2025 and 2030 deadlines will require annual capital funding between financial years 2022-23 and 2025-26 of £800m to £900m. Notes that pursuing a private financing model would mean the 2025 deadline would not be met, also notes possible difficulties in pursuing such an approach.
Extract from briefing on Infrastructure Investment Plan 2015 updated project pipeline	25 October 2018	Advises that completion of Luncarty-Pass of Birnam section delayed by nine months. Three months each for tendering, construction, and contingency.
Extract from Cabinet briefing paper	19 November 2018	Notes “The forward capital plan assumes one further capital funded A9 project after Luncarty-Birnam in order to maintain momentum and economic activity recognising the time it will take to develop and procure a private financed solution for the remainder of A9 programme. The revised approach to delivery will mean the 2025 timescale is not achievable with the end date yet to be determined based on market appetite and the packaging of the remaining projects.”
Extract from ministerial briefing on draft budget 2019-20	16 January 2019	Confirms level 4 budget figures for trunk road capital works and mentions ongoing work on Luncarty-Pass of Birnam section.
Briefing for Cabinet Secretary for Transport Infrastructure and Connectivity for appearance before Rural Economy and	18 March 2019	General briefing for the Cabinet Secretary on the A9 project. Mentions £3bn budget, but no mention of 2025 completion date.

Citizen Participation and Public Petitions Committee
 Inquiry into the A9 Dualling Programme, 2nd Report, 2024 (Session 6)

Connectivity Committee		
Extract from Ministerial briefing for appearance before Rural Economy and Connectivity Committee	14 May 2019	General briefing on A9 project and current status, emphasises impact of objections and the need to hold public inquiries on project delivery.
Briefing for Cabinet Secretary for Transport Infrastructure and Connectivity	21 May 2019	Briefing about funding of future sections of the A9 programme. Mentions Scottish Futures Trust appraisal of profit-sharing schemes and its recommendation to use a version of the Welsh Government's Mutual Investment Model. Notes agreement between the Cabinet Secretaries for Transport Infrastructure and Connectivity and Finance, Economy and Fair Work that the A9 programme could be funded through a revenue financed approach. Asks Cabinet Secretary to note advert seeking financial advisers to assist in developing this funding approach.
Briefing for Cabinet Secretary for Transport Infrastructure and Connectivity for appearance at TIC Committee	11 September 2019	General briefing on A9 dualling progress. Mentions £3bn budget but not 2025 deadline. Does not directly mention option of private finance.
Contract award for commercial and financial advisory services	5 December 2019	Cabinet Secretary invited to note award of commercial and financial advisory services contracts to Turner and Townsend Cost Management Limited, and PriceWaterhouseCoopers.
Ministerial budget briefing	18 February 2020	Notes concerns about the environmental impact of road construction projects, stating that "The Green party have repeatedly made calls (including Patrick Harvie at FMQs on 30 Jan) for a "climate emergency" budget and are strongly in favour of axing road upgrades such as A9 and A96 dualling programmes and the A720 Sheriffhall Improvement scheme." Goes on to reiterated Scottish Government support for A9 dualling.
Briefing for Cabinet Secretary for Transport Infrastructure and Connectivity	12 March 2020	Cabinet Secretary invited to note that CMS LLP will be appointed to provide legal advisory services for the A9 dualling project.
Briefing for Cabinet Secretary for Transport Infrastructure and Connectivity for appearance at Rural Economy and Connectivity Committee	17 March 2020	General briefing on A9 project progress. Mentions £3bn budget but not 2025 deadline. Does not directly mention private finance approach to future procurement.
Extract from the Infrastructure Investment Plan 2015 annual	2 April 2020	Notes that Luncarty-Pass of Birnam section due to open in spring 2021. States under the "How the project is being funded" section that "First 2 phases of programme capital funded. A range of financing options to be considered during subsequent stages of design and assessment". Advisors are to be appointed to assist with this work. Document refers to £3bn budget and 2025 completion date.

progress report		
Extract from Covid-19 briefing for Cabinet Secretary for Transport Infrastructure and Connectivity	6 May 2020	This briefing stated that "...depending on the duration of Covid19 restrictions and measures being enforced, the commitment to complete the dualling by 2025 is anticipated to become increasingly more challenging and unlikely to be achievable".
Extract from Cabinet Secretary for Transport Infrastructure and Connectivity briefing on capital funding	7 July 2020	States that "Aside from the completion of the existing section and progressing one further section, the remainder of the A9 dualling is being progressed through the Mutual Investment Model private finance. However, significant preparation, land and enabling works still require capital funding..."Identifies the following requirement traditional capital funding with the proviso that "Assumes one further section of Design and Build and remainder funded by MIM":2021-22: £374.2m2022-23: £589.5m2023-24: £388.3mTOTAL: £1.352 billion
Extract from submission sent to Cabinet Secretary for Transport Infrastructure and Connectivity	10 July 2020	States "...the proposal to fund the remainder of the A9 dualling by MIM is still being developed and the procurement strategy will need Ministerial approval...Funding the remainder of the A9 through MIM would mean that completion by 2025 would not be achievable, as the procurement phases for private finance contracts take considerably longer than traditional Design and Build contracts. Initial indications are that the earliest date by which completion may be achieved through this means would be 2028 but it is too early to say definitely whether this would be likely to be achieved."
Extract from Cabinet Secretary for Transport Infrastructure and Connectivity briefing on spending review and infrastructure investment plan	10 August 2020	Includes A9 project the capital spending proposals for years 2021-22 to 2025-26, noting that they will require to be revised as "Given the delay in being able to progress this option [Mutual Investment Model] it is likely that the timescales will be pushed out significantly."
Briefing for Cabinet Secretary for Transport Infrastructure and Climate Change in advance of Cabinet meeting	11 August 2020	Speaking notes state "As with other portfolios I have engaged with officials to significantly improve the TIC projections in order to address targets and reflect measures that are anticipated to be funded by the Carbon Fund. The measures taken however include changes in respect of some long-standing political commitments in relation to road improvement projects that will prevent us from completion of dualling the A9 by 2025."
Extract from Cabinet Secretary for Transport Infrastructure and Connectivity briefing on capital funding	24 August 2020	Notes that "The £1 billion earmarked for allocation of any further funding announced by the UK Government includes £110 million for A9 (rather than £115 million)"Includes the following proposed spending on the A9, with the proviso that "Revised profile with MIM not achieved by 2025"2021-22: £32.5m2022-23: £43.6m2023-24: £70.9m2024-25: £41.0m2025-26: £41.6mTOTAL: £229.6m
Covid-19 Core Brief – Transport, Islands and Digital	1 September 2020	Covid-19 related briefing advising that work would restart of Luncarty-Pass of Birnam section and that, where possible, design work continued.

Citizen Participation and Public Petitions Committee
 Inquiry into the A9 Dualling Programme, 2nd Report, 2024 (Session 6)

Extract from briefing for Cabinet Secretary for Transport Infrastructure and Connectivity for appearance before REC Committee	2 September 2020	General briefing for the Cabinet Secretary on the A9 project. Mentions £3bn budget, but no mention of 2025 completion date.
Extract from draft infrastructure investment plan – circulated to Cabinet	9 September 2020	Notes commitment to delivery of A9 dualling.
Extract from briefing for Cabinet Secretary for Transport Infrastructure and Connectivity for appearance before REC Committee	7 October 2020	Notes restart plan for work on Luncarty-Pass of Birnam section.
Extract from Infrastructure Investment Plan 2015 – six monthly reporting updates	29 October 2020	Notes Covid related delays to Luncarty-Pass of Birnam section. Mentions £3bn budget and 2025 programme delivery timetable.
A9 Dualling programme – Update on Progress and Advice on Handling for Cabinet Secretary for Transport Infrastructure and Connectivity	21 December 2020	States that “...work has been progressing on the assumption that capital funding will be confirmed for one scheme (Tomatin to Moy) and the remainder of the programme will be procured on a revenue funded basis.”It notes that there would be “...a need to “package” sections of the A9 Dualling programme together to provide contracts of sufficient scale for this market. Based on work carried out to refine cost estimates, it is presently considered that there would need to be either two or three contracts of this nature.”Any questions about the 2025 deadline were to be answered by reference to the ongoing market consultation, due to end in summer 2021.
Extract from “Publishing the infrastructure investment plan 2021-22 to 2025-26”	26 January 2021	Extract from a briefing for the Cabinet Secretary for Transport Infrastructure and Connectivity. Notes £3bn total budget, with planned A9 dualling capital expenditure between 2021-22 and 2025-26 of £328m.
Advice to Cabinet Secretary for Transport Infrastructure and Connectivity	8 March 2021	Asking Cabinet Secretary if they wish to announce the publication of made orders for the Tay Crossing-Ballinluig, Pitlochry-Killiecrankie, Glen Darry-Dalwhinnie, and Dalwhinnie-Crubenmore sections at the Rural Economy and Connectivity Committee meeting of 10 March 2021.It also notes that “The Cabinet Secretary is aware of recent press and political queries about the 2025 programme completion date. We continue to emphasise that A9 market consultation is currently underway to determine the most efficient delivery model for the programme and that we expect this process to conclude in summer 2021.”
Extract from	10 March	General briefing for the Cabinet Secretary on the A9 project. Mentions £3bn budget, but

briefing for Cabinet Secretary for Transport Infrastructure and Connectivity for appearance before TIC Committee	2021	no mention of 2025 completion date. Notes procurement of a contractor to build the Tomatin-Moy section began in February 2021.
Extract from Infrastructure Investment Plan 2015 – progress report 2020-21	8 June 2021	Notes progress of Luncarty-Pass of Birnam section, tendering of Tomatin-Moy section and design nearing completion on eight of the remaining nine sections.
Ministerial Engagement briefing – meeting between Minister for Transport and Fergus Ewing MSP	5 July 2021	Briefing on A9 and A96 dualling for Minister for Transport. Emphasises progress, mentions market testing exercise and states that delivery timetable cannot be established until all statutory processes complete.
Updated extract from Infrastructure Investment Plan 2015 – progress report 2020-21	30 September 2021	Luncarty-Pass of Birman opens in August 2021, works complete in winter 2021. Notes that made orders for the Glen Garry-Dalwhinnie and Dalwhinnie-Crubenmore were published on 30 July 2021, with made orders for Tay Crossing-Ballinluig and Pitlochry-Killiecrankie due to be published in the coming weeks.
Discussion Paper: A9 Dualling Programme: Approach to procurement of the remainder of the programme	23 December 2021	A discussion paper for Ministers evaluating the costs and benefits of pursuing a traditionally capital funded approach to completing the final eight of 11 A9 dualling programme stages, or a privately financed, revenue funded option – most probably based on the Welsh Government’s Mutual Investment Model. This paper is clear that “Both of these options would require re-prioritisation from other budgets and difficult choices about the affordability of other projects – including the emerging findings of STPR2.” Emerging findings from the evaluation of these two options include: Earliest programme completion dates of 2034 (capital) or 2032 (revenue). Net Present Value of £2.078bn (capital) or £1.945bn (revenue). Nominal total capital and revenue costs over a 30-year period of £4.532bn (capital) or £7.179bn (revenue).
Supplement to discussion paper of 23 December 2021	19 January 2022	The Minister for Transport (Graeme Dey MSP) asked officials to provide information on a possible hybrid capital/revenue funding model. Two hybrid models were assessed, but the paper concludes that “The nature of the risks presented by the Hybrid approaches set out above are such that it is considered that adopting one of these options could not be recommended.”
Extract from Post Budget Scrutiny Committee meeting briefing for Ministers	21 January 2022	Notes that “The budget allocation for the A9 will allow us to continue to progress with completion of statutory processes, procurement and commencement of construction of the Tomatin to Moy section, and preparations for procurement of the remaining elements of the programme.” Mentions the market procurement exercise launched in 2021 to inform future procurement.
Briefing pack for meeting between Transport Scotland Officials, Minister for Transport and Cabinet	4 February 2022	Briefing pack for meeting on 10 February 2022 between ministers and officials about the procurement options for A9 dualling, largely based on the Discussion Paper of 23 December 2021 and the supplement of 18 January 2022.

Secretaries for Finance and Economy, and Net Zero Energy and Transport		
Extract from submission to Cabinet Secretary for Net Zero Energy and Transport regarding Capital Spending Review	3 May 2022	Short update on budget for delivery of Tomatin to Moy section and wider A9 dualling works.
Extract from a briefing to Cabinet Secretary	1 November 2022	Extract from a draft budget table, appears to indicate a reduction in the 2023-24 Capital Spending Review refresh allocation for the Tomatin-Moy section of £3.6 million (from £28.6 million to £25 million)..
Extract from a briefing for the Cabinet Secretary for Net Zero Energy and Transport for a meeting with Mark Ruskell MSP	28 November 2022	Very short extract from a ministerial briefing that states "...the unfunded over commitment from the Capital Spending Review refresh (CSR) relating to the dualling of the A9. Should NZET receive a reduced CSR allocation, the funding gap will be between £160 million and £235 million and while a number of savings options have been identified, in order to close the gap, we would (alongside a number of other actions) need to cease works on the A9..."
Extract from Scottish Budget sent to Ministers in advance of publication	5 December 2022	A table indicating a reduction in the budget for delivery of Tomatin-Moy section from £28.610 million to £1,610 million. States "£1,370k legally committed land costs (per November 2022 DV estimates). Need to revisit tender due to increased costs, vfm issues. Market conditions and vfm assessment unlikely to change in 2023-24. Indicates a reduction in the "A9 dualling programme" budget from £31,338 million to £1.338 million. States "Market conditions and vfm assessments make pausing the project a preferred option for 2023-24".
Submission to Deputy First Minister, Cabinet Secretary for Net Zero Energy and Transport and Minister for Transport	7 December 2022	<p>Paper seeking approval from ministers on how to proceed with the A9 programme. Highlights work to identify the preferred procurement model for the remaining eight section. Two models are identified:</p> <ol style="list-style-type: none"> eight traditional design and build contracts, three resource funded Mutual Investment Model contracts, comprising two or three of the eight individual projects. <p>Following a significant redacted section, the paper concludes "...it is not considered possible to provide a recommendation at present regarding the most suitable procurement options for the remainder of the Programme. Two options have therefore been considered for determining next steps: Option 1: Pausing the Programme in its entirety for an indefinite period, to be restarted when circumstances permit; or Option 2: Progressing certain elements of the Programme while reviewing and updating the work to determine the most suitable procurement options, enabling procurement and construction to progress following normal business case processes and subject to suitable market conditions prevailing and budget availability permitting." The paper recommended Ministers pursue Option 2. Notes "...completion would be no earlier than early-mid 2030s". Annex A to the paper proposes reallocating almost all funding earmarked for the development of the Tomatin-Moy section between 2022-23 to 2025-26 to either support the general A9 programme, or to reduce A9 programme budget "over" commitment.</p>
Ministerial engagement briefing for Minister for Transport and Deputy First Minister prior to meeting	11 January 2023	Ministerial briefing on A9 and A96 dualling. Mentions Scottish Government commitment to the £3bn (2008 prices) A9 programme, progress to date, market testing exercise and consideration of both capital and revenue funded models for future sections. Also highlights co-creation of Pass of Birnam -Tay Crossing section and other ongoing statutory processes. Confirms delivery and procurement programme can only be published once Ministers have decided on the procurement model.

with Fergus Ewing MSP and Drew Hendry MP		
Briefing note for Minister for Transport meeting with A9 Dual Action Group (Petitioners)	23 January 2023	Briefing highlighting short-term road safety works, ongoing work on the wider A9 programme including procurement of Tomatin-Moy, and exercise looking into future procurement options.
Submission to Deputy First Minister, Cabinet Secretary for Net Zero Energy, and Transport and Minister for Transport	31 January 2023	Submission to senior Ministers on the A9 programme, proposing a ministerial statement that mentions re-tendering of Tomatin-Moy, and confirming that the A9 programme 2025 deadline is no longer achievable. Several redacted sections.
Briefing pack for meeting between First Minister, Deputy First Minister, Cabinet Secretary for Net Zero Energy, and Transport and Minister for Transport	2 February 2023	Discusses procurement of Tomatin-Moy section. Highlights that two of the three bidders invited to tender withdrew from the bidding process, one due to issues around “risk allocation within Transport Scotland’s bespoke Conditions of Contract” and one “citing inability to achieve internal governance approval to submit a tender”. The remaining tender was compliant but considered not to represent value for money and officials recommended that it be rejected. The tendering process is to be re-run. There are considerable redactions in this section of the paper. The paper also states that “While the publicly known 2025 completion date of the Programme is generally accepted as no longer credible, the lack of certainty around a new date will also be received negatively”. The Ministerial statement announced that “...it is clear that the A9 Dualling programme will not be completed in full by 2025”. The paper also includes a media handling strategy, draft press release, draft ministerial statement, and Ministerial briefing for possible questions in Parliament following the statement.
Submission to First Minister, Deputy First Minister, Cabinet Secretary for Net Zero Energy, and Transport and Minister for Transport	2 February 2023	Proposals for the re-tendering of Tomatin-Moy section. Considers the re-tendering of this section under two models: <ol style="list-style-type: none"> 1. a modified version of Transport Scotland’s current Design and Build contract, which reduces risk to the contractor. 2. As part of a wider Mutual Investment Model contract. The paper recommends Ministers agree that tendering will proceed using the modified version of the current Design and Build contract using the “competitive procedure with negotiation” route, although notes that “...there may be limited market appetite to participate in a new procurement. If such circumstances were to arise then a change in approach would likely be required.”
Update to ministerial statement – sent to Minister for Transport, Deputy First Minister and Cabinet Secretary for Net Zero Energy and Transport	3 February 2023	Email confirming to the Minister that the 2025 completion date would not be replaced by another at the present time.
Update to parliamentary briefing pack	8 February 2023	Response from officials to questions from the Minister for Transport about issues in the briefing pack. The largest section provides background on the Mutual Investment Model, which it describes as “...a Public Private Partnership (PPP) revenue funded delivery model”. It highlights research into this issue by the Scottish Futures Trust which concluded that the Scottish Government use MIM as “...the recommended investment model for privately financed, privately classified, revenue funded infrastructure.” The response to the minister goes on to state “We are therefore considering MIM as a PPP revenue funded model in the A9 Dualling Programme procurement options assessment”.

Citizen Participation and Public Petitions Committee
 Inquiry into the A9 Dualling Programme, 2nd Report, 2024 (Session 6)

Final version of ministerial statement	8 February 2023	Final version of statement delivered by Minister for Transport to the Scottish Parliament on 8 February.
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Minister for Transport briefing paper for Conservative party debate on A9 dualling	22 February 2023	Ministerial briefing paper, draft speech, and Q&A, largely repeating details from previous briefings produced for the 8 February 2023 ministerial statement.
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Note: Committee briefing papers are provided by SPICe for the use of Scottish Parliament committees and clerking staff. They provide focused information or respond to specific questions or areas of interest to committees and are not intended to offer comprehensive coverage of a subject area.

- [1] Scottish Government. (2023, January 27). A9 Perth to Inverness: FOI release. Retrieved from <https://www.gov.scot/publications/foi-202200325424/>
- [2] Scottish National Party. (2011). Re-elect A Scottish Government Working For Scotland. Retrieved from <https://blog.stevenkellow.com/manifestos/snp-2011.pdf>

