

# Citizen Participation and Public Petitions Committee

## Inquiry into A9 dualling programme: 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 have 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 An annex providing a brief description of each document, in date order, which highlights any significant, previously unpublished information, quotes, or data.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                                                                                                                 |
|------------------------------------------------|--------|--------------------------------------------------------------------------------------------------------------------------------|
| <a href="#">Kincaig to Dalraddy</a>            | 7.5km  | Completed September 2017.                                                                                                      |
| <a href="#">Luncarty to Pass of Birnam</a>     | 9.5km  | Completed August 2021.                                                                                                         |
| <a href="#">Tomatin to Moy</a>                 | 9.6km  | Orders made. First procurement exercise for construction contractor unsuccessful. Procurement exercise currently being re-run. |
| <a href="#">Tay Crossing to Ballinluig</a>     | 8.2km  | Orders made.                                                                                                                   |
| <a href="#">Pitlochry to Killiecrankie</a>     | 6.4km  | Orders made.                                                                                                                   |
| <a href="#">Killiecrankie to Glen Garry</a>    | 22km   | Orders made.                                                                                                                   |
| <a href="#">Glen Garry to Dalwhinnie</a>       | 9.5km  | Orders made.                                                                                                                   |
| <a href="#">Dalwhinnie to Crubenmore</a>       | 11km   | Orders made.                                                                                                                   |
| <a href="#">Crubenmore to Kincaig</a>          | 16.5km | Orders made.                                                                                                                   |
| <a href="#">Dalraddy to Slochd</a>             | 25km   | Orders made.                                                                                                                   |
| <a href="#">Pass of Birnam to Tay Crossing</a> | 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 Kincaig-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

**Alan Rehfisch**  
Senior Researcher  
SPICe Research  
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 Economy and Connectivity Committee | 23 June 2016     | <p>Briefing for Cabinet Secretary for Rural Economy and Connectivity (Fergus Ewing MSP) for Committee appearance. Although briefing mentions the A9, Fergus Ewing MSP was not asked about A9 dualling at the <a href="#">Rural Economy and Connectivity Committee meeting of 29 June 2016</a>. 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.</p> <p>The briefing 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 £3bn estimated budget and 2025 completion date.</p> |
| Extract from Ministerial briefing for appearance                                    | 23 June 2016     | As above.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

before Rural  
Economy and  
Connectivity  
Committee

|                                                                                                                |              |                                                   |
|----------------------------------------------------------------------------------------------------------------|--------------|---------------------------------------------------|
| 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 | <p>Briefing setting out the capital budget required for delivery of A9 dualling by 2025.</p> <p>2017-18: £64m<br/>2018-19: £108m<br/>2019-20: £290m<br/>2020-21: £369m<br/>2021-22: £450m<br/>2022-23: £513m<br/>2023-24: £455m<br/>2024-25: £454m<br/>2025-26: £276m<br/>TOTAL: £2.979 billion</p> |
|--------------------------------------------------------------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                      |                  |                                                                                                                                                                                          |
|------------------------------------------------------|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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 | <p>Briefing setting out the budget required for delivery of A9 dualling by 2025:</p> <p>2017-18: £48.421m<br/>2018-19: £57.326m<br/>2019-20: £244.472m<br/>2020-21: £368.365m<br/>2021-22: £449.192m</p> |
|--------------------------------------------------------------------------------------|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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 pipeline variances report   | 6 October 2017   | Notes that the Kincaig-Dalraddy section opened in September 2017.                                                                                                                                                                                                                                                                                                                                                                                                     |
| 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                         | 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.                                                                                                                                                                                                                                   |



| Connectivity Committee                                                                |                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------------------------------------------------------------------------------|------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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 Connectivity Committee | 18 March 2019     | General briefing for the Cabinet Secretary on the A9 project. Mentions £3bn budget, but no mention of 2025 completion date.                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 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.<br><br>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 progress report                                                             | 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.<br><br>Document refers to £3bn budget and 2025 completion date.                  |
| 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                                                                                                      | 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                                                                                                                                                                                                                                                                                 |

Transport  
Infrastructure and  
Connectivity  
briefing on capital  
funding

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: £374.2m  
2022-23: £589.5m  
2023-24: £388.3m  
TOTAL: £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)”<br><br>Includes the following proposed spending on the A9, with the proviso that “Revised profile with MIM not achieved by 2025”<br><br>2021-22: £32.5m<br>2022-23: £43.6m<br>2023-24: £70.9m<br>2024-25: £41.0m<br>2025-26: £41.6m<br>TOTAL: £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.                                                                                                                                                                                                                                                                           |
| 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 | <p>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.”</p> <p>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.”</p> <p>Any questions about the 2025 deadline were to be answered by reference to the ongoing market consultation, due to end in summer 2021.</p> |
| 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     | <p>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.</p> <p>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.”</p>                                                              |
| Extract from briefing for                                                                                                             | 10 March 2021    | General briefing for the Cabinet Secretary on the A9 project. Mentions £3bn budget, but no                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |

|                                                                                                     |                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-----------------------------------------------------------------------------------------------------|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Cabinet Secretary for Transport Infrastructure and Connectivity for appearance before TIC Committee |                   | 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.<br><br>Notes that made orders for the Glen Garry-Dalwhinne 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.<br><br>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.”<br><br>Emerging findings from the evaluation of these two options include: |

|                                                                                                                                                                           |                 |                                                                                                                                                                                                                                                                                                                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                                           |                 | <p>Earliest programme completion dates of 2034 (capital) or 2032 (revenue).</p> <p>Net Present Value of £2.078bn (capital) or £1.945bn (revenue).</p> <p>Nominal total capital and revenue costs over a 30-year period of £4.532bn (capital) or £7.179bn (revenue).</p>                                                                                                                    |
| Supplement to discussion paper of 23 December 2021                                                                                                                        | 19 January 2022 | <p>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.”</p>         |
| Extract from Post Budget Scrutiny Committee meeting briefing for Ministers                                                                                                | 21 January 2022 | <p>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.”</p> <p>Mentions the market procurement exercise launched in 2021 to inform future procurement.</p> |
| Briefing pack for meeting between Transport Scotland Officials, Minister for Transport and Cabinet Secretaries for Finance and Economy, and Net Zero Energy and Transport | 4 February 2022 | <p>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.</p>                                                                                                                                                       |
| Extract from submission to Cabinet Secretary for Net Zero Energy and Transport regarding Capital Spending Review                                                          | 3 May 2022      | <p>Short update on budget for delivery of Tomatin to Moy section and wider A9 dualling works.</p>                                                                                                                                                                                                                                                                                          |



|                                                                                                                         |                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------------------------------------------------------------------------------------------------------------------------|------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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  | <p>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.</p> <p>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".</p>                                                                                                                                     |
| 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.</p> <p>Highlights work to identify the preferred procurement model for the remaining eight section. Two models are identified:</p> <ol style="list-style-type: none"> <li>1. eight traditional design and build contracts,</li> <li>2. three resource funded Mutual Investment Model contracts, comprising two or three of the eight individual projects.</li> </ol> <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</p> |

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.

|                                                                                                                                                |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Ministerial engagement briefing for Minister for Transport and Deputy First Minister prior to meeting with Fergus Ewing MSP and Drew Hendry MP | 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. |
| Briefing note for Minister for Transport meeting with A9 Dual Action Group <b>(Petitioners)</b>                                                | 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                                                                                                                     | 31 January 2023 | Submission to senior Ministers on the A9 programme, proposing a ministerial statement                                                                                                                                                                                                                                                                                                                                                                                                      |

Minister, Cabinet Secretary for Net Zero Energy, and Transport and Minister for Transport

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:

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 funder delivery model”. It <a href="#">highlights research into this issue by the Scottish Futures Trust</a> 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”. |
| Final version of ministerial statement                                                                                                          | 8 February 2023  | Final version of statement delivered by Minister for Transport to the Scottish Parliament on 8 February.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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.

The Scottish Parliament, Edinburgh, EH99 1SP [www.parliament.scot](http://www.parliament.scot)