

Citizen Participation and Public Petitions Committee
Wednesday 27 November 2024
18th Meeting, 2024 (Session 6)

PE1916: Request a public inquiry into the management of the rest and be thankful project

Introduction

Petitioner Cllr Douglas Philand and Cllr Donald Kelly

Petition summary Calling on the Scottish Parliament to urge the Scottish Government to instigate a public inquiry regarding the political and financial management of the A83 rest and be thankful project which is to provide a permanent solution for the route.

Webpage <https://petitions.parliament.scot/petitions/PE1916>

1. [The Committee last considered this petition at its meeting on 21 February 2024.](#) At that meeting, the Committee agreed to write to the Cabinet Secretary for Transport.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received new written submissions from Cabinet Secretary for Transport and the Petitioner, which are set out in **Annexe C**.
4. [Written submissions received prior to the Committee's last consideration can be found on the petition's webpage.](#)
5. [Further background information about this petition can be found in the SPICe briefing](#) for this petition.
6. [The Scottish Government gave its initial position on this petition on 23 December 2021.](#)
7. Every petition collects signatures while it remains under consideration. At the time of writing, 3 signatures have been received on this petition.

Action

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

Clerks to the Committee
November 2024

Annexe A: Summary of petition

PE1916: Request a public inquiry into the management of the Rest and Be Thankful project

Petitioner

Cllr Douglas Philand and Cllr Donald Kelly

Date Lodged

2 December 2021

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to instigate a public inquiry regarding the political and financial management of the A83 rest and be thankful project which is to provide a permanent solution for the route.

Previous action

We have raised 2 petitions at the Scottish Parliament calling for a permanent solution. We have the support of our local MSP Jenni Minto, our Local MP Brendon O'Hara and the previous cabinet secretary Michael Russell. We undertook a petition in 2012 and had more than 400 businesses and over 10 thousand signatories for a permanent solution. We advocated for an A83 Task force which is currently in process.

Background information

The 2 petitions raised with the committee are freely available to view with all the actions well documented at the Scottish Parliament. It is important to state that on the hillside presently there is 100.000 tonnes of unstable hillside which could fall at any time. If this were to fall it would be devastating for the connectivity of the area. This problem has been well documented over the years and how serious a problem this is. The work by the Scottish government to date whilst welcome has not and will not provide stability to the only lifeline road in and out of Argyll and it can be said confidently if the M8 between Glasgow and Edinburgh were to constantly be blocked it would not take 19 years to find a permanent solution. Since the petitions were launched with the backing of 10,000 signatures the cost of the mitigation exercise has been in the region of £90 million since 2007 with no permanent solution in sight.

Annexe B: Extract from Official Report of last consideration of PE1916 on 21 February 2024

The Convener: PE1916, lodged by Councillors Douglas Philand and Donald Kelly, calls on the Scottish Parliament to urge the Scottish Government to instigate a public inquiry regarding the political and financial management of the A83 Rest and Be Thankful project, which is due to provide a permanent solution for the route.

We last considered the petition on 17 May 2023, after which we wrote to the Minister for Transport. However, since our previous considerations, Transport Scotland has announced the preferred route for a long-term solution. The then minister, who is now Cabinet Secretary for Transport, provided details of the preferred route in her response. The response also notes that the proposed medium-term solution is a temporary solution that is intended to add resilience and operational benefits while the permanent solution is constructed.

We have also received a submission from the petitioner raising concerns about whether the preferred route option is the right choice, and how the solution will be funded, particularly if a new government has different spending priorities.

There will always be a view as to what the right choice would be. The important thing here is that we now have a preferred option for both temporary and long-term solutions. I wonder how we might take the matter forward. Do colleagues have any suggestions?

David Torrance: I was very tempted to suggest closing the petition under standing orders, but I would like the committee to write to the Cabinet Secretary for Transport seeking further detail on the delivery plan, funding and governance of the A83 Rest and Be Thankful programme, including information on work that is being undertaken to ensure the statutory processes and construction are completed without unnecessary delay.

The Convener: Do we agree to do that?

Members *indicated agreement.*

The Convener: We should ask for as candid a response as possible from the cabinet secretary, because we are aware that statements are being made in the chamber almost daily about the inability to deliver on major projects. We want to understand where the Rest and Be Thankful project sits within that framework.

Annexe C: Written submissions

Cabinet Secretary for Transport written submission, 20 March 2024

PE1916/I: Request a public inquiry into the management of the rest and be thankful project

Thank you for your letter of 23 February 2024 concerning the above petition following further consideration at the Citizen Participation and Public Petitions Committee meeting on Wednesday 21 February 2024.

In your letter you are seeking further detail on the delivery plan, funding, and governance of the A83 Rest and Be Thankful project including information on work being undertaken to ensure the statutory processes and construction are completed without unnecessary delay. You are also seeking an indication of where this project sits in relation to the delivery of other major infrastructure projects currently being undertaken. I will address each of these points in turn.

Delivery plan for the Permanent Long-Term Solution

I can assure you that the Scottish Government is steadfastly committed to an infrastructure solution to address landslip risks at the A83 Rest and Be Thankful. Delivery of a permanent and resilient solution is a priority and we will continue to seek ways to achieve that as quickly as possible.

I fully recognise the impacts landslips have on the local community and businesses and I share the urgency required on maintaining and improving connectivity of this vital route, which is why we are progressing measures for the short, medium and long term in tandem.

We continue to progress design work at pace and the announcement on 2 June 2023 of the preferred route option for the long term solution through the Glen Croe valley is a very important milestone to this long-standing problem. The proposed new debris flow shelter will help protect the road and road users from future landslides.

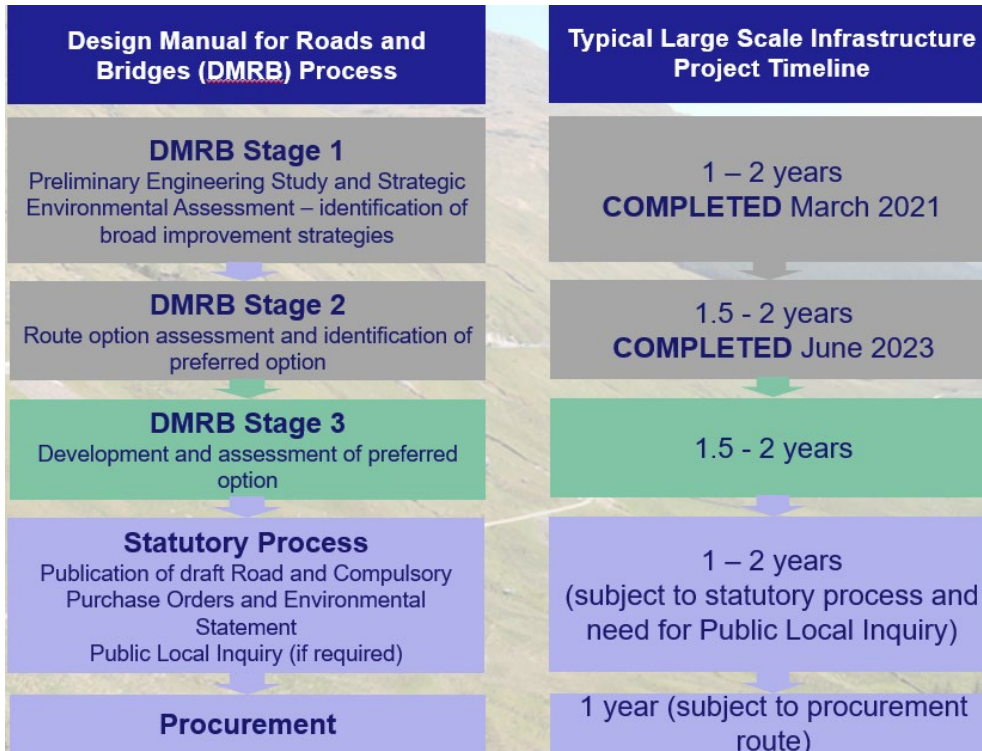
The next step for the project, which is the detailed design and assessment of the preferred option, is progressing swiftly and will conclude with the publication of draft Orders for comment, with publication expected by the end of 2024. Progress following publication of draft Orders will depend on the level and nature of any representations, including objections, to the published draft Orders.

As with all our infrastructure projects, construction of the long term solution can only commence if it is approved under the relevant statutory authorisation process and thereafter a timetable for construction can be determined.

However, let me assure you this scheme is a priority for us, it is a key recommendation in the Strategic Transport Projects Review 2 (STPR2), it is included in the Programme for Government 2023 to 2024 as well as the First Minister's Policy Prospectus, highlighting our commitment to a solution to the challenges at the Rest and Be Thankful. In addition, I can confirm that at the travelling cabinet meeting in

Inveraray on 2 October 2023 the First Minister gave a commitment for a solution at the Rest and Be Thankful with the funding to support it.

The diagram below shows typical timescales for the various stages of a large infrastructure project, such as this scheme, and was presented at A83 Taskforce meetings in January and October 2023. The project is currently at Design Manual for Roads and Bridges (DMRB¹) Stage 3 as indicated in green in the diagram.



Delivery plan for the Medium term solution:

The medium term solution consists of improvements to the existing Old Military Road through the Glen Croe corridor to make it a more resilient diversion route until the long term solution is in place. These improvements will improve the resilience of the diversion route, reduce journey times, and are the quickest to implement and would have the least impacts overall across the range of criteria assessed of the medium term options considered.

It is expected that these works will be carried out on a phased basis with Phase 1, which is the realignment of the southern end of the route, having commenced in December 2023 and due for completion this Spring. A detailed programme for future phases of the proposed medium term improvements is currently being developed. These include debris catch fences, temporary bunds, drainage improvements and road widening. It is anticipated that Phases 2 and 3 will commence during 2024/25, subject to obtaining any necessary statutory authorisation consents. Construction of

¹ The Design Manual for Roads and Bridges (DMRB) assessment process is considered standard good practice and used throughout the UK for assessing road schemes of this scope. The three-stage assessment process considers engineering, environment, traffic and economic criteria.

these phases, to complete the medium term works, are expected to take approximately 12 months, subject to weather conditions.

Funding

The current estimated cost for the permanent, long-term solution is between £405 million and £470 million at 2023 prices. At this stage we present a range as there remain a number of unknowns (e.g. ground conditions), so as we gather more information and develop the design in greater detail during DMRB Stage 3, we will be able to more accurately estimate the cost of the scheme.

Funding as set out in the Scottish Budget 2023-24 provides allocation to commence delivery of the medium-term improvements, which started in a phased manner in December 2023, along with taking forward preparatory work on the long-term solution. As we move into 2024-25, I would like to reassure you that funding is included in the Budget approved by Parliament to continue to progress both the medium and long term solutions.

Funding to take forward the construction stage of the long term solution will be determined as part of the annual Scottish Budget setting process and subsequent capital spending reviews (CSR).

The Scottish Government has been consistently open about the challenges facing our capital investment plans and tough decisions will need to be taken to ensure we remain fiscally sustainable. The challenging economic conditions of the last few years resulting from Brexit and high inflation as well as the real terms fall in the capital grant allocation from the UK Government has significantly impacted our ability to deliver on all capital infrastructure commitments. However, despite the challenges to our capital investment plans, the Scottish Government remains committed to delivering the vital improvements needed to address the landslip risks at the Rest and Be Thankful.

Governance of A83 Rest and Be Thankful

As highlighted above the scheme is being designed and assessed in accordance with the Design Manual for Roads and Bridges (DMRB) assessment process. As an integral part of this assessment process, Transport Scotland has and will continue to consult with a diverse range of stakeholders, local communities and interested parties, including, environmental, public transport and active travel groups.

We are currently progressing DMRB Stage 3 which is the detailed development and assessment of the preferred option and this stage will culminate in the publication of draft road Orders, compulsory purchase Orders and Environmental Impact Assessment in accordance with the Road (Scotland) Act 1984. We expect to publish draft Orders by the end of 2024. Progress thereafter will depend on whether any objections are received to the proposed scheme.

Construction of the scheme can only commence once the statutory process is complete and a main works contractor appointed. We are duty bound to properly follow the correct statutory planning process which rightly includes consultation with communities, landowners and others with a direct interest in the scheme.

Additionally, Transport Scotland is progressing the project through the necessary governance approval procedures which is standard practice for projects of this scale. These procedures include: preparation of a Strategic Business Case; preparation of the Outline Business Case; and approval from Transport Scotland's Investment and Decision Making (IDM) Board at key milestones of the project to inform investment decisions.

Indication of where this project sits in relation to the delivery of other major infrastructure projects currently being undertaken

With respect to the point you raised on delivery and where this project sits within Transport Scotland's priorities, I would note the impact of the UK Government's Spring budget is forecast to see our block grant for capital reduce in real terms by 2027-28 – a cumulative loss of over £1.3 billion. Despite this, the 2024-25 Scottish Budget includes over £3.87 billion to be spent on transport across Scotland. At the same time, we are prioritising our spending towards our core missions and making difficult choices to ensure our finances remain on a sustainable trajectory.

However, next financial year we plan to spend over £1 billion on our critical safety, adaptation, maintenance and improvement priorities on the trunk road network. This is essential for undertaking the vital work on the A83 at the Rest and Be Thankful and for the repair of the M8 Woodside Viaduct, which are just two examples of the investment that is being undertaken to look after our transport assets.

Looking forward, we are carefully considering the implications for all our capital improvement programmes. The intention is that this will be set out in a forthcoming transport investment Delivery Plan. Further details on how we are approaching this work are set-out in my letter to the Committee, dated 29 January 2024, in relation to a similar question regarding the A75 and A77, in relation to Petitions: PE1610 and PE1657. For reference, a copy my letter is available on your webpage here: [pe1610ww_pe1657tt.pdf \(parliament.scot\)](https://www.parliament.scot/pe1610ww_pe1657tt.pdf).

I would like to thank the Committee for their letter and hope that this response provides clarification on the queries that have been raised. Rest assured, delivery of a permanent and resilient solution is a priority, as I have outlined above, and we will continue to seek ways to achieve that as quickly as possible.

Your sincerely

Fiona Hyslop
Cabinet Secretary for Transport

Petitioner written submission, 12 November 2024

PE1916/J: Request a public inquiry into the management of the rest and be thankful project

Note – submission provided by the Petitioner, Cllr Douglas Philand, on behalf of the Rest and Be Thankful (RABT) Campaign Group.

The RABT campaign group views on the current proposals to fix the RABT

We have not seen 2-way access into Argyll at the RABT for the past 4 years, when the A83 is open, its only one lane, often with a convoy and is still regularly diverted onto the Old Military Road (OMR). This abnormal situation has become normalised, but this is still causing disruption, business closures, increasing cost, and adding to the stress of living and working in Argyll.

We have seen traffic management in place on the A83 since the beginning of the year, consisting of a trailer loaded with fencing, which is supposed to protect road users from falling rocks. Transport Scotland confirmed at the A83 Task Force meeting in May that a permanent fence will be constructed, and the road returned to two-way use the Autumn. As we approach the winter we neglected to ask if they meant Autumn 2024!

Our group have had discussions with Transport Scotland to try to find a compromise to the current OMR medium-term solution so that it will deliver a two-way road in the medium term. Unfortunately, Transport Scotland has confirmed the provision of a two-way road was not considered “proportionate” for anything other than a permanent solution. This will mean the OMR will be in use as a single road under convoy throughout the build well into the 2030s.

We are not convinced that the best solution is being progressed in the short, medium or longer term, money is still being wasted on activity that has not and will not open the road to two-way traffic, and we are presented with a permanent solution that is unaffordable.

We have identified the following issues:

1. The impact of this road not being open to two-way traffic for the past 4 years and under convoy until sometime in the 2030's was not even a consideration in the decision process for the short and medium term solutions. We believe businesses and people of Argyll will continue to suffer from the effects poor connectivity and population decline for another decade at least.
2. We are amazed that anyone would try to build a road on the existing route under constant threat of landslides from 200,000 tonnes of unstable material. Work will constantly be stopped every time there is movement on the hillside, increasing building costs, and delay delivery of a solution. Even if this gets built there will be the cost of the constant clear up operation every time there is a landslide, and we do not think this has been fully considered in the evaluation process.
3. We believe the costing for other alternatives are inflated compared to other tunnelling and viaduct projects which are currently being delivered at lower cost elsewhere in the UK. Whatever the actual cost, we are concerned that any of the current permanent solutions will be unaffordable when they are finally presented for approval. At the last Task Force meeting, the Cabinet Secretary said the Government was committed to funding this project but that funding decisions are being made on an annual basis, which we take to mean there is no guarantee the project will have the finance in place to go ahead when it is finally presented for funding.

4. Despite everything that has been done in the past 12 years, and all the money spent on mitigation, catch pits and studies, the hillside is still susceptible to significant landslide activity with Transport Scotland's own estimates of 200,000 tonnes of unstable material above the road, yet nothing constructed there can be called a success if the road is continually diverted. The cost estimates we have from Transport Scotland are that when the improvement to the OMR is complete, £60m will have been spent on this section of road since 2015, which has not delivered a reliable two-way road.
5. The medium-term green route option could be a cheaper £100m alternative on the opposite side of the glen, which could be delivered within 2 years according to Transport Scotland. This side of the glen has not had landslides, already has a mature forest above binding the soil, and the slopes are less steep.

Given the cost constraints all governments are facing, we have tried to engage with Transport Scotland and the Transport Secretary to ask them to review an alternative approach, to see if there is a more affordable proportionate solution, but have been told quite clearly that no other solution will be considered.

We feel the past 4 years have been wasted in analysing the wrong solutions, on mitigation that does not deliver a two-way road and a long-term solution that may be unaffordable in future. It is time to get a consensus from all parties as to what is affordable, to deliver a two-way road more quickly. The issues at the RABT have been well known for decades, the A83 Task Force was set up in 2012 to help the Government deliver a permanent solution, but all that has been approved are solutions along the existing route which fail to keep up with the increasingly unstable hillside. We believe the only solutions worth considering are those which move away from the existing route.