

STATEMENT OF CASE

on behalf of

Aberdeen Petroleum Club

ROADS (SCOTLAND) ACT 1984

ACQUISITION OF LAND (AUTHORISATION PROCEDURE) (SCOTLAND)

ACT 1947

Following representations to the various Draft Scheme Orders published in 2006, 2007 and 2008 in respect of the proposed Aberdeen Western Peripheral Route

Lot Numbers 1902, 1911, 1913, 1915, 1916, 1917, 1919 and 1921

Transport Scotland Objection References: AWPR/OBJ/11409/11749 and

AWPR/OBJ/11609/11739.

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STATEMENT of CASE

on behalf of

ABERDEEN PETROLEUM CLUB (“KIPPIE”) c/o
Paull and Williamsons, Solicitors, 6 Union Row,
Aberdeen, AB10 1DQ

.....OBJECTORS

Following representations to the various Draft
Scheme Orders published in 2006, 2007 and 2008 in
respect of the proposed Aberdeen Western Peripheral
Route

Lot Numbers 1902, 1911, 1913, 1915, 1916, 1917,
1919 and 1921

Transport Scotland (“the Promoters”) Objection
References: AWPR/OBJ/11409/11749 and
AWPR/OBJ/11609/11739

1 INTRODUCTION

- 1.1 Aberdeen Petroleum Club (Kippie) (“the Objectors”) have been in discussions with representatives of the Promoters since 2006 over the proposed route of the AWPR passing their land and the design of the Milltimber junction. As far back as 2 August 2006 the Objectors intimated to the Managing Agent their concerns about the impact that the route and junction arrangements would have on the operation of the Club. Despite a number of meetings and exchanges of correspondence the large majority of these concerns remain outstanding. Formal objections to the Orders were submitted on 10 January 2007 and 26 October 2007 and have been allocated reference numbers AWPR/OBJ/11409/11749 and AWPR/OBJ/11609/11739.

2. THE OBJECTIONS

2.1 The various letters of objection dating back to 2006 set out under the various headings the concerns which the Objectors have with the line of the AWPR through and alongside the Club's land. Going forward to the Inquiry it is the intention that the Club will maintain their objections on the following points:-

- Permanent mitigation works proposed in the vicinity of the Club are deficient in terms of noise barriers, security barriers, visual screening and landscaping.
- No information or assurance has been provided to the Club regarding temporary mitigation works or measures during the construction period.
- Mitigation works for adverse effects both during and after construction, such as relocation of the crèche, soundproofing by double glazing, alternative ventilation (all needed before construction commences) and site rationalisation post CPO have not been agreed.
- The Environmental Statement is insufficient in that it does not indicate that the triangle of land bounded by the Club, the AWPR and the North Deeside Road will not be available to contractors. Without this prohibition on use, the Environmental Statement should have considered the impact on the Club should this triangle be used by the contractors. Reference is made at paragraph 4.6.10 of the Environmental Statement. Accordingly, the full impact on the Club has not been assessed and appropriate mitigation put forward by the Promoters. The position is complicated by the fact that the Promoters have acquired the land by agreement from the current owners and therefore it does not need to be included in the advertised scheme as the Environmental Statement acknowledges. It is of great concern that outwith the Inquiry process, the Promoters may allow the contractors to utilise this area.
- The mitigation works are deficient in terms of the proposed measures to allow continued safe use of the 9 hole Scottish Golf Union (SGU) accredited golf course.

- The Club has outstanding concerns relating to the design of the junction of the new slip road with the North Deeside Road and the adjacent access into the Club relating to the need for safe, unhindered access to the Club and the potential for increased local journey times during the construction period. The Club has been given no information or assurances on the layout or conduct of the construction work or how the Club's interests will be protected.

3. EVIDENCE AND WITNESSES TO BE LED

- 3.1 The Objector will lead evidence to support the objections as set out at Section 2.1 above.
- 3.2 It had been hoped that the Club would be able to reach agreement with the Promoters on certain aspects of the objection and a list of outstanding concerns was sent to the Promoters on 10 June 2008. As at the date of submitting the Statement of Case no response has been received from the Promoters and therefore the Club will require to participate in the Inquiry.
- 3.3 The Objector wishes to participate in any session at the Inquiry dealing with the A93 junction and site specific objections.
- 3.4 It is anticipated that the Club will lead the following witnesses to speak to its objections:-
- Stephen Roberts, Chairman of Aberdeen Petroleum Club to speak to the operation of the Club and the impact of the route on the Club.
 - Colin English of The English Cogger Partnership to speak to noise issues; and
 - Ian Ross of W.A Fairhurst & Partners to speak on design, construction, and transportation / access issues.
- 3.5 It is envisaged that it will take 2 days to promote the objection and to cross-examine the Promoters' witnesses although this time may be able to be reduced following discussion with the Promoters in advance of the Inquiry.

4 DOCUMENTS

4.1 As at the date of writing this Statement of Case, it is anticipated that in addition to referring to the Core Documents and the Promoters' own Documents, the Objectors will make reference to the following:-

- AP1 Letter to Nicol Stephen MSP dated 16 June 2006
- AP2 Letter to AWPR Managing Agent dated 2 August 2006
- AP3 Letter from AWPR Managing Agent dated 13 October 2006 to Nicol Stephen MSP
- AP4 Letter from Nicol Stephen MSP dated 20 October 2006
- AP5 Letter of Objection to Transport Scotland undated but sent on 10 January 2007
- AP6 Letter from AWPR Managing Agent dated 28 March 2007
- AP7 Email from AWPR Managing Agent dated 18 June 2007
- AP8 Letter to AWPR Managing Agent dated 10 July 2007
- AP9 Letter to Ledingham Chalmers dated 11 October 2007
- AP10 Letter from Ledingham Chalmers dated 15 October 2007
- AP11 Letter to Transport Scotland dated 26 October 2007
- AP12 Letter to AWPR Managing Agent dated 16 January 2008
- AP13 Letter from Transport Scotland dated 7 January 2008
- AP14 Letter from Transport Scotland dated 31 March 2008
- AP15 Letter from AWPR Managing Agent dated 23 May 2008
- AP16 Letter from Transport Scotland dated 29 April 2008
- AP17 Email to Transport Scotland dated 1 May 2008 attaching letter and attachments from 21 January 2008
- AP18 Kippie Lodge Impact Assessment, May 2006

4.2 The Objectors reserve the right to alter and expand this list prior to the date for lodging the Documents for the Inquiry.

PAULL & WILLIAMSON
Solicitors, Aberdeen

AGENT FOR THE OBJECTORS