

2010 No.18

ROADS AND BRIDGES

The A95 Trunk Road (Lackghie Improvement) Order 2010

Made 22nd January 2010

Coming into force 29th January 2010

The Scottish Ministers make the following Order in exercise of the powers conferred by section 5(2) of the Roads (Scotland) Act 1984(a) and all other powers enabling them to do so.

In accordance with section 5(2) of that Act, they are satisfied as to expediency.

In accordance with sections 20A(b) and 55A(c) of that Act, they have determined that the project falls within Annex II to Council Directive 85/337/EEC(d) on the assessment of the effects of certain public and private projects on the environment but having regard to the selection criteria contained in Annex III it should not be made subject to an environmental impact assessment in accordance with the Directive.

They have complied with the requirements of Part 1 of Schedule 1(e) to that Act.

Citation and commencement

1. This Order may be cited as the A95 Trunk Road (Lackghie Improvement) Order 2010 and comes into force on 29th January 2010.

(a) 1984 c.54. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) Section 20A was substituted by S.S.I. 1999/1 and was amended by S.S.I. 2006/614.

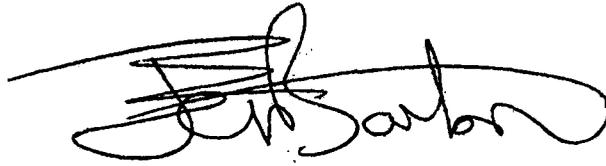
(c) Section 55A was substituted by S.S.I. 1999/1 and was amended by S.S.I. 2006/614.

(d) O.J. L 175, 5.7.1985, p.40 as amended by Council Directive 97/11/EC (O.J. L 73, 14.3.1997, p.5) and Council Directive 2003/35/EC (O.J. L 156, 26.6.2003, p.17).

(e) Part 1 of Schedule 1 was amended by the Local Government etc. (Scotland) Act 1994 (c.39) Schedule 13, paragraph 135, the Water Industry (Scotland) Act 2002 (asp 3), schedule 7, paragraph 14, the Transport and Works (Scotland) Act 2007 (asp 8), section 24, schedule 2, paragraph 2 and schedule 3, and S.S.I. 1999/1 and 2006/614.

Trunk Road

2. The length of road which the Scottish Ministers propose to construct along the route described in the Schedule shall become a trunk road on the date of the coming into force of this Order.

A handwritten signature in black ink, appearing to read 'J G Barton', with a large, sweeping flourish extending to the right.

J G BARTON
A member of the staff of the Scottish Ministers

Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF
22nd January 2010

SCHEDULE

INTERPRETATION

In this Schedule "the plan" means the plan entitled "The A95 Trunk Road (Lackghie Improvement) Order 2010 Plan TR1", signed with reference to this Order and deposited at the offices of Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF.

THE ROUTE OF THE NEW TRUNK ROAD

From a point 666 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally north-easterly direction for a distance of 856 metres or thereby to a point 190 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by a heavy black line between points marked "point A" and "point B" on the plan.

It is certified that the instrument known as The A95 Trunk Road (Lackghie Improvement) Order 2010 is a local instrument.

A handwritten signature in black ink, appearing to read 'J G Barton', with a long horizontal stroke extending to the left.

J G BARTON
A member of the staff of the Scottish Ministers

Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF
22nd January 2010

ROADS (SCOTLAND) ACT 1984

THE A95 TRUNK ROAD (LACKGHIE IMPROVEMENT)

NOTICE IS HEREBY GIVEN, that the Scottish Ministers have made the following Orders:

1. The A95 Trunk Road (Lackghie Improvement) Trunk Road Order 2010 under section 5(2) of the Roads (Scotland) Act 1984, the general effect of which will be to provide for the construction of new Trunk Road at Lackghie, Boat of Garten, Inverness-shire.

2. The A95 Trunk Road (Lackghie Improvement) (Side Roads) Order 2010 under sections 12(1) and (5) and 70(1) of the Roads (Scotland) Act 1984, the general effect of which will be to provide for the construction of new private means of access to the new trunk road; the stopping up of various existing roads; the stopping up of various private means of access; and the provision and improvement of certain new private means of access.

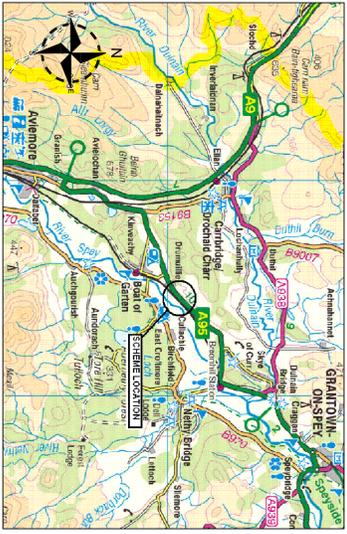
COPIES of the Orders as made together with the relevant plans may be inspected, free of charge, during normal business hours, from 29th January 2010 to 12th March 2010 at the offices of Transport Scotland, Buchanan House, Glasgow, G4 0HF; the offices of The Highland Council, Grantown Service Point, The Town House, The Square, Grantown-on-Spey, PH26 3HF; the offices of The Highland Council, Aviemore Service Point, School House, Milton Park, Aviemore, PH22 1RR; and the offices of BEAR Scotland, BEAR House, Inveralmond Road, Inveralmond Industrial Estate, Perth, PH1 3TW.

ANY PERSON aggrieved by the Order who desires to question the validity thereof, or of any provision therein on the grounds that they are not within the powers of the Roads (Scotland) Act 1984 or that any requirement of the said Act has not been complied with in relation to the Order may within 6 weeks of 22nd January 2010 make application to the Court of Session for the suspension of the operation of, or the quashing of, the Order or any provision contained therein.

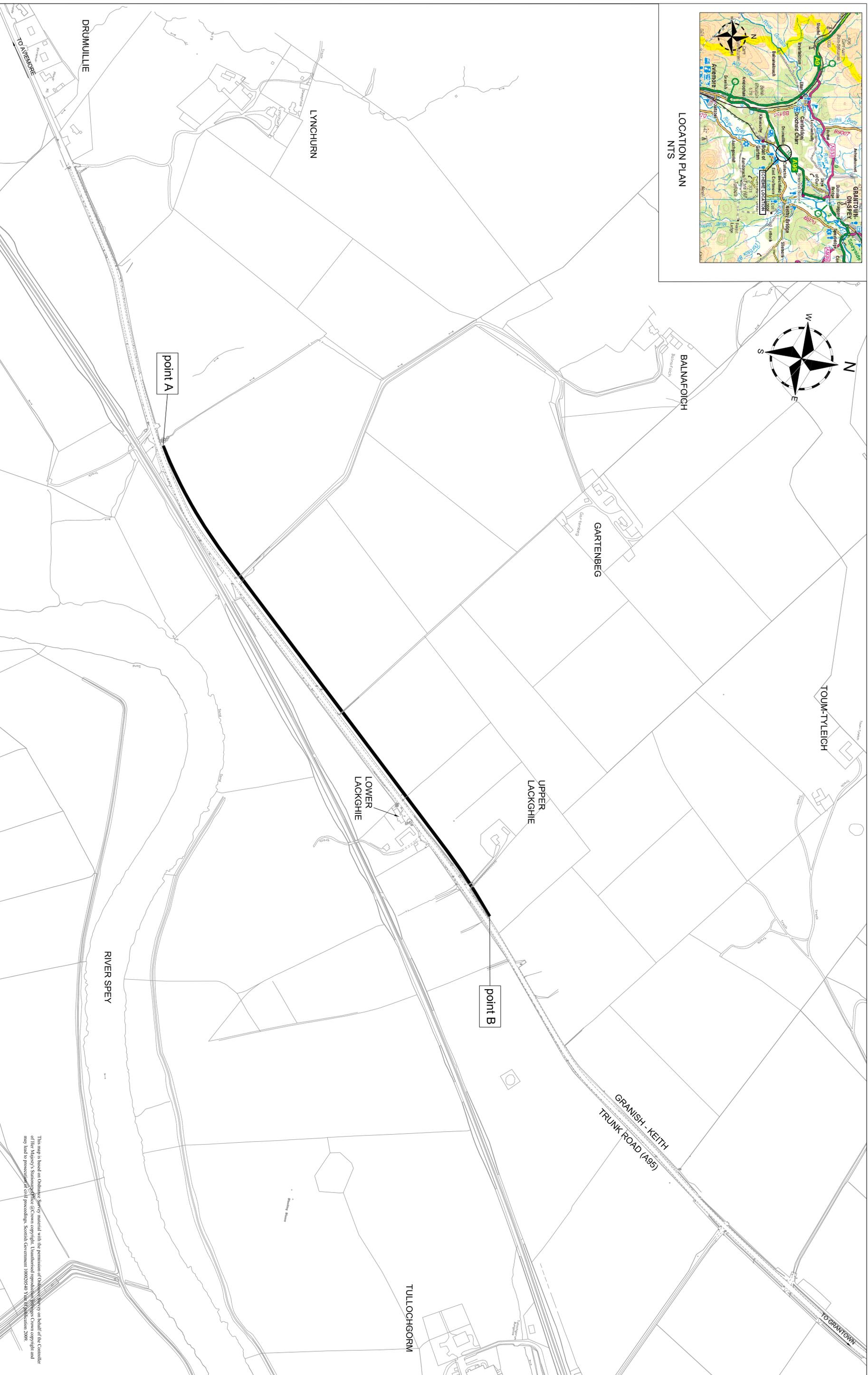
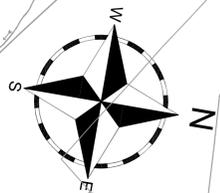


J G BARTON
A member of the staff of the Scottish Ministers

Transport Scotland
Buchanan House
58 Port Dundas Road
GLASGOW
G4 0HF



LOCATION PLAN
NTS



point A

point B

LEGEND

ROUTE OF NEW TRUNK ROAD



Scale 1:2500



NOTE
This plan does not show widths or construction details



Part of The Scottish Government

The A95 (Lackghe Improvement) Trunk Road Order 2010

Plan TR1

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