

2017 No. 30

ROADS AND BRIDGES

The A90 & A96 Trunk Roads (Middlefield Place to Auchmill Terrace) Detrunking Order 2017

Made - - - - *6th February 2017*

Coming into force - - *17th February 2017*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 5(2) and (6) 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 have taken into consideration the requirements of local and national planning, including the requirements of agriculture and industry, and are satisfied as to expediency.

They determined that the project falls within Annex II to Directive 2011/92/EU of the European Parliament and of the Council(b) on the assessment of the effects of certain public and private projects on the environment as amended by Directive 2014/52/EU of the European Parliament and of the Council(c), and have published notice of that determination on 26th June 2015.

They have complied with the requirements of Parts I and III of schedule 1(d) of that Act.

Citation and commencement

1. This Order may be cited as the A90 & A96 Trunk Roads (Middlefield Place to Auchmill Terrace) Detrunking Order 2017 and comes into force on 17th February 2017.

Road ceasing to be a trunk road

2. On 1st April next after the date on which the new side road numbered “1” on plan SR1 in The A90 & A96 Trunk Roads (Haudagain Improvement) (Side Roads) Order 2017 plan folio is open for the purposes of through traffic, the lengths of roads along the route described in the schedule

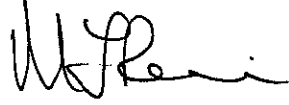
(a) 1984 c.54. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).

(b) OJ. L 26, 28.1.2012, p.1. Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC, OJ. L 175, 5.7.1985, p.40, as amended by Council Directive 97/11/EC, OJ. L 73, 14.3.1997, p.5, Directive 2003/35/EC of the European Parliament and of the Council, OJ L 156, 25.6.2003, p.17 and Directive 2009/31/EC of the European Parliament and of the Council, OJ. L 140, 5.6.2009, p.114.

(c) OJ. L 124, 25.4.2014 p.1.

(d) Part I of schedule 1 was relevantly 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, paragraphs 2 and 3, and schedule 3, paragraph 1, S.S.I. 1999/1, S.S.I. 2006/614 and S.S.I. 2011/396. Part III of schedule 1 was amended by the New Roads and Street Works Act 1991 (c.22), schedule 8, paragraph 96(2) and the Transport and Works (Scotland) Act 2007 (asp 8), schedule 3, paragraph 1.

of this Order shall cease to be trunk road and Aberdeen City Council(a) will become the roads authority for those lengths of roads and must enter those lengths of roads in their list of public roads(b).



A member of the staff of the Scottish Ministers

Transport Scotland,
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF
6th February 2017

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- (a) A council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c.39). Aberdeen Council changed the name of their area from "Aberdeen" to "Aberdeen City" by resolution under section 23(1) of the Local Government (Scotland) Act 1973 (c.65) on 9th May 1995.
- (b) The list of public roads prepared and kept by the local roads authority under section 1(1) of the Roads (Scotland) Act 1984.

SCHEDULE 1

Article 2

INTERPRETATION

In this schedule—

“the existing A90 Trunk Road” means the existing M90/A90 Edinburgh – Fraserburgh Trunk Road between Middlefield Place, Aberdeen and the existing Haudagain Roundabout, Aberdeen including all lay-bys, bus lay-bys and roundabouts;

“the existing A96 Trunk Road” means the existing A96 Aberdeen – Inverness Trunk Road between the existing Auchmill Terrace, Aberdeen and the existing Haudagain Roundabout, Aberdeen including all lay-bys and bus lay-bys;

“the plan” means the plan marked “plan DT1” and entitled “The A90 & A96 Trunk Roads (Middlefield Place to Auchmill Terrace) Detrunking Order 2017”, signed with reference to this Order and deposited at the offices of Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF;

“Haudagain Roundabout” means the roundabout at the junction of the existing A90 Trunk Road and the existing A96 Trunk Road and the existing A96 Great Northern Road, Aberdeen;

“point 1” means the centre of the Haudagain Roundabout, shown marked “point 1” on plan DT1.

LENGTH OF ROAD CEASING TO BE A TRUNK ROAD

1. That length of the existing A90 Trunk Road from a point 600 metres or thereby south, south-east of point 1 in a generally north, north-westerly direction for a distance of 615 metres or thereby including the existing Haudagain Roundabout to a point 20 metres or thereby west of point 1 as shown by black and white hatching between the points marked “point A” and “point B” on the plan.

2. That length of the existing A96 Trunk Road from a point 20 metres or thereby west of point 1 in a generally west, north-westerly direction for a distance of 550 metres or thereby to a point 570 metres or thereby west, north-west of point 1 as shown by black and white hatching between the points marked “point B” and “point C” on the plan.