

**ACQUISITION OF LAND (AUTHORISATION PROCEDURE)
(SCOTLAND) ACT 1947**

**The A9 Trunk Road (Killiecrankie to Glen Garry) (Extinguishment of
Public Rights of Way) Order 201[]**

Made 201[]

Coming into force 201[]

The Scottish Ministers make the following Order in exercise of the powers conferred by section 3 of the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947(a) and all other powers enabling them to do so.

In accordance with section 3(1) of that Act, they are satisfied that suitable alternative rights of way will be provided, or that the provision of an alternative right of way is not required.

They have complied with all other provisions of section 3 of that Act.

Citation, commencement and interpretation

1. (1) This Order may be cited as the A9 Trunk Road (Killiecrankie to Glen Garry) (Extinguishment of Public Rights of Way) Order 201[] and comes into force on [].
- (2) The definitions in the schedule of this Order have effect.

Extinguishment of public right of way

2. The extinguishment of the public rights of way described in Part 1 of the schedule are hereby ordered when the related new public rights of way described in Part 2 of the schedule, which the Scottish Ministers consider are suitable alternatives, have been provided.

(a) 1947 c.42. Section 3 was amended by the Town and Country Planning (Scotland) Act 1947 (c.53), schedule 8; the Telecommunications Act 1984 (c.12), section 109, schedule 4, paragraph 23, schedule 5, paragraph 45; the Civil Aviation Act 1982 (c.16), schedule 15, paragraph 2 and also by S.S.I 1999/1820. 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).

Statutory Undertakers

- 3. Where immediately before the date on which the foregoing public rights of way are extinguished under this Order there is on, over or under those public rights of way any apparatus belonging to a statutory undertaker, such statutory undertaker's rights in respect of such apparatus shall be preserved.

Subscribed by _____ being an officer of the Scottish Ministers at Glasgow on the [] day of []
201[] before this witness _____, Buchanan House, 58 Port Dundas Road, Glasgow G4 0HF.

Witness

SCHEDULE

Articles 1 and 2

INTERPRETATION

In this schedule –

“the plan folio” means the plan folio entitled “The A9 Trunk Road (Killiecrankie to Glen Garry) (Extinguishment of Public Rights of Way) Order 201[]”, signed with reference to this Order and deposited at the offices of Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF;

“point A1” means the southern corner of the building known as Inverbanvie House, Tulloch Road, Blair Atholl, Pitlochry, Perthshire, PH18 5SL;

“point A2” means the south-eastern corner of the building known as 2 Woodend, Blair Atholl, Pitlochry, Perthshire, PH18 5TN; and

“point A3” means the north-eastern corner of the building known as Struan Hall, Calvine, Pitlochry, Perthshire, PH18 5UA.

PART 1

PUBLIC RIGHTS OF WAY TO BE EXTINGUISHED

1. The public right of way, not being a right of way enjoyable by vehicular traffic, from a point 400 metres or thereby south, south-east of point A1 in a generally north, north-easterly, then north-easterly, then north, north-easterly direction for a distance of 110 metres or thereby to a point 315 metres or thereby south, south-east of point A1 as shown by black and white hatching between points marked “A” and “B” and numbered “1” on plan ROW1 in the plan folio.
2. The public right of way, not being a right of way enjoyable by vehicular traffic, from a point 565 metres or thereby south, south-west of point A2 in a generally north, north-westerly then north-easterly direction for a distance of 310 metres or thereby to a point 365 metres or thereby west, south-west of point A2 as shown by black and white hatching between points marked “C” and “D” and numbered “2” on plan ROW2 in the plan folio.
3. The public right of way, from a point 100 metres or thereby east of point A3 in a generally easterly then north, north-easterly direction for a distance of 120 metres or thereby to a point 180 metres or thereby east, north-east of point A3 as shown by black and white hatching between points marked “E” and “F” and numbered “3” on plan ROW3 in the plan folio.

PART 2

ALTERNATIVE PUBLIC RIGHTS OF WAY TO BE PROVIDED

1. An alternative right of way will be provided from a point 400 metres or thereby south, south-east of point A1 in a generally west, north-westerly then easterly then north, north-easterly then north-westerly then north, north-westerly then north-easterly then south-easterly then easterly direction for a distance of 315 metres or thereby to a point 310 metres or thereby south, south-east of point A1 as shown by stipple between points marked "G" and "H" and numbered "4" on plan ROW1 in the plan folio.
2. An alternative right of way will be provided from a point 570 metres or thereby south, south-west of point A2 in a generally north, north-easterly then east, north-easterly then north, north-easterly then east, north-easterly then west, north-westerly then northerly then westerly direction for a distance of 785 metres or thereby to a point 320 metres or thereby south-west of point A2 as shown by stipple between points marked "I" and "J" and numbered "5" on plan ROW2 in the plan folio.
3. An alternative right of way, not being a right of way enjoyable by vehicular traffic, will be provided from a point 95 metres or thereby east of point A3 in a generally north-westerly then north, north-easterly then east, south-easterly then easterly direction for a distance of 160 metres or thereby to a point 180 metres or thereby east, north-east of point A3 as shown by stipple between points marked "K" and "L" and numbered "6" on plan ROW3 in the plan folio.