

201[] No.

ROADS AND BRIDGES

**The A9 and A86 Trunk Roads (Crubenmore to Kincaig)
(Trunking) Order 201[]**

Made - - - - 201[]

Coming into force - - 201[]

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 5(2) and 75(1) 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.

In accordance with section 76(1) of that Act, they have taken into consideration the reasonable requirements of navigation in the waters affected by this Order.

They determined that the project falls within Annex I 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 and have published notice of that determination on 4th September 2018.

They prepared an environmental statement and published notice of it on 4th September 2018.

This Order is made in compliance with the provisions of Parts I and III of schedule 1 of the Roads (Scotland) Act 1984(c).

(a) 1984 c.54. Section 5 was amended by the Transport and Works (Scotland) Act 2007 (asp 8) schedule 3, paragraph 1. Section 75 was amended by S.S.I. 2003/2155, schedule 1, paragraph 10. 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) O.J. L 26, 28.1.2012, p.1. Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC, O.J. L 175, 5.7.1985 p.40, as amended by Council Directive 97/11/EC, O.J. L 73, 14.3.1997,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 Directive 2003/35/EC of the European Parliament and of the Council, O.J. L 156, 25.6.2003, p.17, and Directive 2009/31/EC of the European Parliament and of the Council, O.J. L 140, 5.6.2009, p.114. Directive 2011/92/EU was amended by Directive 2014/52/EU of the European Parliament and of the Council, O.J.L 124, 25.4.2014, p.1.

(c) 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 and S.S.I. 1999/1, 2006/614 and 2011/396. Amendments made by S.S.I. 2017/137 do not apply. Part III of schedule 1 was amended by the New Road 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.

Citation and commencement

1. This Order may be cited as the A9 and A86 Trunk Roads (Crubenmore to Kincaig) (Trunking) Order 201[] and comes into force on [].

Trunk road

2. The schedule of this Order has effect.

3. The Scottish Ministers direct that the lengths of roads which they propose to construct along the routes described in Part 1 of the schedule of this Order will become trunk roads on the date this Order comes into force.

4. The Scottish Ministers, as road authority, are authorised to construct as part of the trunk road a bridge over the navigable waters of the River Spey in accordance with the plan and specification set out in Part 2 of the schedule of this Order.

A member of the staff of the Scottish Ministers

Transport Scotland
Buchanan House,
58 Port Dundas Road
Glasgow
G4 0HF

201[]

SCHEDULE

Articles 2, 3 & 4

INTERPRETATION

In this schedule—

“the existing A9 Trunk Road” means the existing M9/A9 Edinburgh – Stirling – Thurso Trunk Road including all lay-bys and bus lay-bys;

“the existing A86 Trunk Road” means the existing A86 Spean Bridge – Kingussie Trunk Road including all lay-bys and bus lay-bys;

“the plan folio” means the plan folio entitled “The A9 and A86 Trunk Roads (Crubenmore to Kinncraig) (Trunking) Order 201[]”, signed with reference to this Order and deposited at the offices of Transport Scotland, Major Transport Infrastructure Projects, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF;

“point 1” means the eastern corner of the property known as Invermore Lodge, Ralia, Newtonmore, PH20 1BD shown marked “point 1” on plan TR1 in the plan folio;

“point 2” means the north-eastern corner of the property known as Kerrow Cottage, Kingussie, PH21 1LS shown marked “point 2” on plan TR2 in the plan folio.

THE ROUTES OF THE NEW TRUNK ROAD

1. From a point 235 metres or thereby south, south-west of point 1 in a generally north, north-easterly direction for a distance of 50 metres or thereby to a point 190 metres or thereby south, south-west of point 1 as shown by a heavy black line between points marked “point A” and “point C” on plan TR1 in the plan folio.

2. From a point 200 metres or thereby south, south-east of point 1 in a generally north-westerly direction for a distance of 50 metres or thereby to a point 190 metres or thereby south, south-west of point 1 as shown by a heavy black line between points marked “point B” and “point C” on plan TR1 in the plan folio.

3. From a point 190 metres or thereby south, south-west of point 1 in a generally northerly then north-easterly then east, north-easterly direction for a distance of 135 metres or thereby to a point 120 metres or thereby south, south-east of point 1 as shown by a heavy black line between points marked “point C” and “point D” on plan TR1 in the plan folio.

4. From a point 100 metres or thereby south, south-east of point 1 in a generally south, south-easterly then south-westerly then north-westerly direction for a distance of 305 metres or thereby to a point 260 metres or thereby south, south-east of point 1 as shown by a heavy black line between points marked “point E” and “point F” on plan TR1 in the plan folio.

5. From a point 260 metres or thereby south, south-east of point 1 in a generally north-westerly direction for a distance of 45 metres or thereby to a point 250 metres or thereby south, south-west of point 1 as shown by a heavy black line between points marked “point F” and “point G” on plan TR1 in the plan folio.

6. From a point 260 metres or thereby south, south-east of point 1 in a generally north-easterly direction for a distance of 45 metres or thereby to a point 220 metres or thereby south, south-east of point 1 as shown by a heavy black line between points marked “point F” and “point H” on plan TR1 in the plan folio.

7. From a point 1740 metres or thereby south, south-west of point 2 in a generally north, north-easterly then north, north-easterly, then north-easterly direction for a distance of 2420 metres or thereby to a point 690 metres or thereby north-east of point 2 as shown by a heavy black line between points marked “point I” and “point J” on plan TR2 in the plan folio.

8. From a point 470 metres or thereby south, south-west of point 2 in a generally north, north-easterly direction then north, north-westerly direction for a distance of 140 metres or thereby to a point 335 metres or thereby south, south-west of point 2 as shown by a heavy black line between points marked “point M” and “point O” on plan TR2 in the plan folio.

9. From a point 305 metres or thereby south of point 2 in a generally north, north-easterly direction for a distance of 200 metres or thereby to a point 130 metres or thereby south, south-east of point 2 as shown by a heavy black line between points marked “point P” and “point N” on plan TR2 in the plan folio.

10. From a point 175 metres or thereby east of point 2 in a generally westerly then south, south-westerly direction for a distance of 215 metres or thereby to a point 175 metres or thereby south, south-east of point 2 as shown by a heavy black line between points marked “point S” and “point Q” on plan TR2 in the plan folio.

11. From a point 280 metres or thereby north-east of point 2 in a generally south-westerly then southerly then south, south-easterly direction for a distance of 160 metres or thereby to a point 175 metres or thereby east of point 2 as shown by a heavy black line between points marked “point R” and “point S” on plan TR2 in the plan folio.

12. From a point 175 metres or thereby east of point 2 in a generally south-easterly direction for a distance of 145 metres or thereby to a point 285 metres or thereby east, south-east of point 2 as shown by a heavy black line between points marked “point S” and “point T” on plan TR2 in the plan folio.

13. From a point 305 metres or thereby east, south-east of point 2 in a generally west, south-westerly direction for a distance of 85 metres or thereby to a point 235 metres or thereby east, south-east of point 2 as shown by a heavy black line between points marked “point U” and “point V” on plan TR2 in the plan folio.