

201[ ] No.

## ROADS AND BRIDGES

### The A830 Trunk Road (Shlatach Rail Bridge Replacement) (Trunking) Order 201[ ]

*Made* 201[ ]

*Coming into force* 201[ ]

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 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 but having regard to the selection criteria contained in Annex III that is should not be made subject to an environmental impact assessment in accordance with the Directive and have published notice of that determination on 31 January 2019.

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

#### Citation and commencement

1. This Order may be cited as the A830 Trunk Road (Shlatach Rail Bridge Replacement) (Trunking) Order 201[ ] and comes into force on 201[ ]

2. The meanings in the schedule of this Order have effect.

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- (a) 1984 c.54. Section 5 was amended by the Transport and Works (Scotland) Act 2007 (asp 8), schedule 3, paragraph 1. 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, p1. Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC, O.J. L 175, 5.7.1985, p.40, as amended by Council Directive 97/11/EC, O.J. L 73,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 24.4.2014, pl. I.
- (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, S.S.I. 1999/1, S.S.I. 2006/614 and S.S.I 2011/396. Amendments made by S.S.I. 2017/137 do not apply. 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.

### **Trunk road**

3. The Scottish Ministers direct that the length of road (hereafter referred to as “the new trunk road”) which they propose to construct along the route described in the schedule of this Order shall become trunk road on the date this Order comes into force.

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

A member of the staff of the Scottish Ministers

201[ ]

## SCHEDULE

Articles 2 & 3

### INTERPRETATION

In this schedule—

“the plan” means the plan entitled “The A830 Trunk Road (Shlatach Rail Bridge Replacement) (Trunking) Order 201[ ]” signed with reference to this Order and deposited at the offices of Transport Scotland, 5th Floor Reception, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF; and

“point 1” means the north-west corner of the property known as Blythwood Cottage, Glenfinnan, PH37 4LS, shown marked “point 1” on the plan.

### ROUTE OF THE NEW TRUNK ROAD

From a point 80 metres or thereby west of point 1 in a generally north-westerly, then north north-westerly, then north-westerly direction for a distance of 160 metres or thereby to a point 200 metres or thereby north-west of point 1 as shown by a heavy black line between points marked “point A” and “point B” on the plan.