

**20[ ] No.**

**ROAD TRAFFIC**

**The A78 Trunk Road (West Kilbride incorporating Seamill)  
(30mph and 40mph Speed Limit) Order 20[ ]**

*Made* - - - -

*Coming into force* - -

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 82(2)(a) and (b), 83(1), 84(1)(a), and 124(1)(d) of, and paragraph 27 of schedule 9 of, the Road Traffic Regulation Act 1984(a) and all other powers enabling them to do so.

In accordance with sections 83(1) and 84(2)(b) of that Act, they have given public notice of their intention to make the following Order, and have complied with Parts II and III of the Secretary of State's Traffic Orders (Procedure) (Scotland) Regulations 1987(c).

**Citation and commencement**

1. This Order may be cited as the A78 Trunk Road (West Kilbride incorporating Seamill) (30mph and 40mph Speed Limit) Order 20[ ] and comes into force on [ ].

**Direction in relation to a restricted road**

2. The length of road specified in Part 1 of the schedule of this Order shall cease to be a restricted road.

**Speed restrictions**

3. No person may drive any motor vehicle at a speed exceeding—
- (a) 30 miles per hour on the length of road specified in Part 2 of the schedule of this Order;
  - (b) 40 miles per hour on the length of road specified in Part 3 of the schedule of this Order.

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(a) 1984 c.27; section 82(2) was amended by the Scotland Act 2016 (c.11) ("the 2016 Act"), section 42(5)(a).. Section 83(1) was amended by the New Roads and Street Works Act 1991 (c22) ("the 1991 Act"), schedule 8(II), paragraph 60(2), the Infrastructure Act 2015 (c.7), schedule 1(2) paragraph 87 and the 2016 Act, section 42(7)(a).. Section 84(1) was substituted by the Road Traffic Act 1991 (c.40), section 45(2). Section 124 and paragraph 27 of schedule 9 contain amendments not relevant to this Order. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (c.27) (inserted by the New Roads and Street Works Act 1991 (c.22)("the 1991 Act"), schedule 8, paragraph 70 and amended by S.I. 2001/1400) as read with section 151(1) of the Roads (Scotland) Act 1984 (c.54) (relevantly amended by S.I. 2001/1400). The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c.46).

(b) Section 84(2) was substituted by the 1991 Act, schedule 8, paragraph 61.

(c) S.I. 1987/2244.

## **Revocation**

4. The A78 Trunk Road (West Kilbride Incorporating Seamill) (Restricted Road) Order 2005<sup>(a)</sup> is revoked.

## **Exemption**

5. No speed restriction imposed by this Order applies to—

- (a) vehicles falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011<sup>(b)</sup> when used in accordance with regulation 3(5) of those Regulations; or
- (b) vehicles being used in an emergency for coastguard purposes.

A member of the staff of the Scottish Ministers  
Buchanan House,  
Glasgow

2019

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(a) S.S.I. 2005/413.  
(b) S.I. 2011/935.

## SCHEDULE

Articles 2 and 3

### SPECIFIED LENGTH OF ROAD

#### PART 1

That length of the A78 Greenock – Prestwick Trunk Road at West Kilbride incorporating Seamill from a point 14 metres or thereby north of the extended north building line of No. 51 Snowdon Terrace in a southerly direction to a point 22 metres or thereby south of the extended south building line of No. 106 Ardrossan Road, a distance of 1.73 kilometres or thereby.

#### PART 2

That length of the A78 Greenock – Prestwick Trunk Road at West Kilbride incorporating Seamill, from a point 135 metres or thereby south of its junction with Portencross Road, West Kilbride, in a southerly direction to a point 60 metres or thereby north of the extended south building line of No. 10 Chapelton Mains, Seamill, a distance of 1.96 kilometres or thereby.

#### PART 3

That length of the A78 Greenock – Prestwick Trunk Road at West Kilbride incorporating Seamill, from a point 60 metres or thereby north of the extended south building line of No 10 Chapleton Mains, in a southerly direction to a point 100 metres or thereby south of the extended north building line of the Waterside Hotel, a distance of 494 metres or thereby.