

Aberdeen Western Peripheral Route / Balmedie to Tipperty (AWPR/B-T)

Consultation on The A90 Trunk Road (Aberdeen Western Peripheral Route)
(Stonehaven to Blackdog) (Prohibitions and Restrictions) Regulations 2019;

The A956 Trunk Road (Aberdeen Western Peripheral Route) (Cleanhill to
Charleston) (Prohibitions and Restrictions) Regulations 2019; and

The Motorways Traffic (Scotland) Amendment Regulations 2019

Consultation Report

AWPR/B-T
CONSULTATION ON THE AWPR REGULATIONS
CONSULTATION REPORT

Revision Status

Revision	Date	Description	Author	Approved for Use
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AWPR/B-T
CONSULTATION ON THE AWPR REGULATIONS
CONSULTATION REPORT

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1. INTRODUCTION

1.1 BACKGROUND

- 1.1.1 Consultation on the Aberdeen Western Peripheral Route (AWPR) project was previously undertaken in the early development stages of the scheme through non-statutory methods (such as public exhibitions, public meetings, presentations etc.). Then the publication of Draft Road Orders and Environmental Statement in December 2006, September 2007 and May 2008 marked the start of the formal, statutory consultation process which is required under the terms of the Roads (Scotland) Act 1984. Individuals formally objected to the scheme and each objection was responded to. A Public Local Inquiry (PLI) took place between September 2008 and February 2009 to examine evidence in relation to objections lodged and to make recommendations to Scottish Ministers who subsequently decided in December 2009 that the scheme would proceed. Made Orders were published in March 2010.
- 1.1.2 Scottish Ministers approved the development of the Balmedie to Tipperty (B-T) project in June 2005. In November 2007, Draft Road Orders and the Environmental Statement were published. A PLI was held in August 2009. Scottish Ministers subsequently made the decision in November 2010 to combine the Balmedie to Tipperty project with the AWPR project. Hence, the AWPR/B-T project was approved for construction in January 2011.
- 1.1.3 The AWPR/B-T project has been opened in various phases since the first section opened to traffic, which included Craibstone and Dyce Junctions, in August 2016. Temporary Traffic Regulation Orders (TTROs) were required to temporarily regulate the new sections of roads being opened with each phase. These TTROs were made in lieu of these permanent Regulations coming into force. The latest TTRO was made on 17th December 2018 with latest amendments made on 28th January.
- 1.1.4 The proposed A90 and A956 Trunk Road Regulations will regulate the use of the special roads which have been constructed as part of the AWPR/B-T project.
- 1.1.5 The AWPR was built as a special road under three separate schemes which were made on 14th January 2010 and came into force on 31st March 2010. These were:
- The A90 (Aberdeen Western Peripheral Route) Special Road Scheme 2010 (S.S.I. 2010/79);
 - The A90 (Aberdeen Western Peripheral Route) (Craibstone Junction) Special Road Scheme 2010 (S.S.I. 2010/81); and
 - The A956 (Aberdeen Western Peripheral Route) Special Road Scheme 2010 (S.S.I. 2010/83).
- 1.1.6 The special road schemes prescribe classes I and II of the classes of traffic set out in Schedule 3 to the Roads (Scotland) Act 1984 to use the special roads.

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- 1.1.7 The proposed Motorways Traffic (Scotland) Amendment Regulations 2019 will amend the Motorways Traffic (Scotland) Regulations 1995 (“the 1995 Regulations”) which regulate the use of motorways in Scotland.
 - 1.1.8 These Regulations amend the Schedule of the 1995 Regulations to add the special roads comprising the Aberdeen Western Peripheral Route to the special roads excepted from the application of the 1995 Regulations, which otherwise would be classed as motorways and covered by the 1995 Regulations.

1.2 CONSULTATION ON THE REGULATIONS

- 1.2.1 It was necessary to carry out consultation in accordance with section 134(2) of the Road Traffic Regulation Act 1984.
- 1.2.2 A formal written consultation was undertaken with 17 relevant individuals and organisations, as well as Aberdeen City and Aberdeenshire local councillors and community councils. The consultation period was 4 weeks, commencing on 11 February 2019 and ending on 11 March 2019. The consultation information is included in Appendix A and a list of consultees is included in Appendix B of this report.
- 1.2.3 The consultation information included a summary of the proposed Regulations for the AWPR and a copy of the plans showing the proposals, upon which comments were invited.
- 1.2.4 Following internal discussions, it was agreed that a regulation to impose a 70mph speed limit on the AWPR mainline was to be added to the Regulations. Consultees were advised of this update to the Regulations on 18 April 2019.

2. CONSULTATION FEEDBACK

2.1 SUMMARY OF RESPONSES

- 2.1.1 Only two responses were received to the consultation.
- 2.1.2 The respondents consisted of a local community council and Police Scotland.

2.2 DESCRIPTION OF INFORMATION AND VIEWS OBTAINED

- 2.2.1 Comment was received from the secretary of a local community council concerning the location of some speed limit signs on slip roads being too close to their junction with the mainline. They were concerned from a safety standpoint as it was felt traffic on the mainline will have to slow down before turning off and entering the slip road, in order to achieve the specified speed limit displayed on the signs.
- 2.2.2 It should be noted that the local community council were generally supportive of the scheme and they complimented the AWPR/B-T as a new asset to the North East.
- 2.2.3 Police Scotland also commented on the location of speed limit signs on a number of slip roads. They requested amendments at five different locations to help aid drivers and to assist the safe operation of the AWPR.

2.3 COMMENT ON THE INFORMATION AND VIEWS OBTAINED AND DECISIONS TAKEN

- 2.3.1 The feedback received from consultation process was considered by Transport Scotland and responded to.
- 2.3.2 A letter was issued to acknowledge comments received from the local community council. It was recognised that the positioning of the signage may cause some concern to drivers however it was made clear that the positioning of the speed limit signs have been consulted upon and agreed with consultees, which included local authorities and Police Scotland. In addition, the sign locations meet the relevant design standards and no issues were raised during the Road Safety Audit. Finally, the letter indicated the positioning of the speed limit signage is also not dissimilar to other locations on the trunk road network. It was noted that a further road safety audit would be implemented and any recommended changes would be considered.
- 2.3.3 Due consideration was given to Police Scotland's suggested amendments to the locations of speed limit signs on five of the slip roads. The amended locations were discussed and agreed with Aberdeen Roads Limited (ARL). Scottish Ministers agreed to incorporate these changes into the Regulations.

3. NEXT STEPS

- 3.1.1 Having considered the comments received in response to the consultation, the Scottish Ministers made the Regulations and laid them before the Scottish Parliament on 17 May 2019 with the Regulations coming into force on 30 June 2019.

APPENDIX A – CONSULTATION INFORMATION

Major Transport Infrastructure Projects

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

[REDACTED]
[REDACTED]



Sent by email

Our ref: AWPR/Regs

Date:
11 February 2019

Dear Sir/Madam

Aberdeen Western Peripheral Route / Balmedie to Tipperty (AWPR/B-T) Project

The Scottish Ministers intend to make regulations on the A90 Trunk Road and the A956 Trunk Road, which have been constructed as part of the AWPR/B-T project.

The effects of the proposed regulations are detailed in the summary document enclosed.

A copy of the plans showing the proposals are also enclosed for your information.

Any comments should be sent in writing to The Director, Major Transport Infrastructure Projects, [REDACTED] Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF to arrive no later than 11 March 2019.

Yours sincerely

[REDACTED]
[REDACTED]
[REDACTED]

SUMMARY OF THE PROVISIONS TO BE INCLUDED IN The A90 Trunk Road (Aberdeen Western Peripheral Route) (Stonehaven to Blackdog) (Prohibitions and Restrictions) Regulations 2019; The A956 Trunk Road (Aberdeen Western Peripheral Route) (Cleanhill to Charleston) (Prohibitions and Restrictions) Regulations 2019; and The Motorways Traffic (Scotland) Amendment Regulations 2019.

Background to the Regulations

The A90 and A956 Trunk Road Regulations 2019

The proposed A90 (Aberdeen Western Peripheral Route) (Stonehaven to Blackdog) (Prohibitions and Restrictions) Regulations 2019 and The A956 Trunk Road (Aberdeen Western Peripheral Route) (Cleanhill to Charleston) (Prohibitions and Restrictions) Regulations 2019 (“the 2019 Regulations”) will regulate the use of the special roads which have been constructed as part of the Aberdeen Western Peripheral Route / Balmedie to Tipperty (AWPR/B-T) project.

The Aberdeen Western Peripheral Route (AWPR) was built as a special road under three separate schemes which were made on 14th January 2010 and came into force on 31st March 2010. These were:

- The A90 (Aberdeen Western Peripheral Route) Special Road Scheme 2010 (S.S.I. 2010/79);
- The A90 (Aberdeen Western Peripheral Route) (Craibstone Junction) Special Road Scheme 2010 (S.S.I. 2010/81); and
- The A956 (Aberdeen Western Peripheral Route) Special Road Scheme 2010 (S.S.I. 2010/83).

The special road schemes prescribe classes I and II of the classes of traffic set out in Schedule 3 to the Roads (Scotland) Act 1984 to use the special roads.

The special road schemes are available on the Transport Scotland website at:

<https://www.transport.gov.scot/publication/aberdeen-western-peripheral-route-road-orders/>

Consultation on the AWPR project was previously undertaken in the early development stages of the scheme through non-statutory methods (such as public exhibitions, public meetings, presentations etc.). Then the publication of Draft Road Orders and Environmental Statement in December 2006, September 2007 and May 2008 marked the start of the formal, statutory consultation process which is required under the terms of the Roads (Scotland) Act 1984. Individuals formally objected to the scheme and each objection was responded to. A Public Local Inquiry (PLI) took place between September 2008 and February 2009 to examine evidence in relation to objections lodged and to make recommendations to Scottish Ministers who subsequently decided in December 2009 that the scheme would proceed. Made Orders were published in March 2010.

Scottish Ministers approved the development of the Balmedie to Tipperty (B-T) project in June 2005. In November 2007, Draft Road Orders and the Environmental Statement were published. A PLI was held in August 2009. Scottish Ministers subsequently made the decision in November 2010 to combine the Balmedie to Tipperty project with the AWPR project. Hence, the AWPR/B-T project was approved for construction in January 2011.

The AWPR/B-T project has been opened in various phases since the first section opened to traffic, which included Craibstone and Dyce Junctions, in August 2016. Temporary Traffic Regulation Orders (TTROs) were required to temporarily regulate the new sections of roads being opened with each phase. These TTROs were made in lieu of these permanent 2019 Regulations coming into force. The latest TTRO was made on 17th December 2018 with latest amendments made on 28th January.

The Motorways Traffic (Scotland) Amendment Regulations 2019

The proposed Motorways Traffic (Scotland) Amendment Regulations 2019 will amend the Motorways Traffic (Scotland) Regulations 1995 ("the 1995 Regulations") which regulate the use of motorways in Scotland.

These Regulations amend the Schedule of the 1995 Regulations to add the special roads comprising the Aberdeen Western Peripheral Route to the special roads excepted from the application of the 1995 Regulations, which otherwise would be classed as motorways and covered by the 1995 Regulations.

Provisions to be included in the Regulations

The A90 and A956 Trunk Road Regulations 2019

The 2019 Regulations make provision for the regulation of traffic using that part of the M90/A90/A9000 Edinburgh – Fraserburgh Trunk Road and that part of the A956 Aberdeen Western Peripheral Route Trunk Road being the special road sections known as the Aberdeen Western Peripheral Route ("AWPR").

The 2019 Regulations provide that the AWPR may only be used by traffic of classes I and II of Schedule 3 to the Roads (Scotland) Act 1984.

In addition, the 2019 Regulations provide that except in certain circumstances (as outlined in the section below) –

- a) no entry signs must be complied with;
- b) vehicles using the carriageways must observe one-way driving;
- c) vehicles are prohibited from being on the central reservations or verges;
- d) vehicles are not to stop on the carriageways;
- e) reversing is prohibited;
- f) emergency laybys are not to be used by vehicles; and
- g) animals carried in a vehicle are as far as practicable to be kept in the vehicle or, if they are not in the vehicle, are not to go or remain on the AWPR other than in an emergency layby or on a verge and are to be kept under proper control.

Certain general exceptions from the prohibitions and restrictions other than speed limit imposed in the 2019 Regulations are also included. These relate to persons using the AWPR as follows –

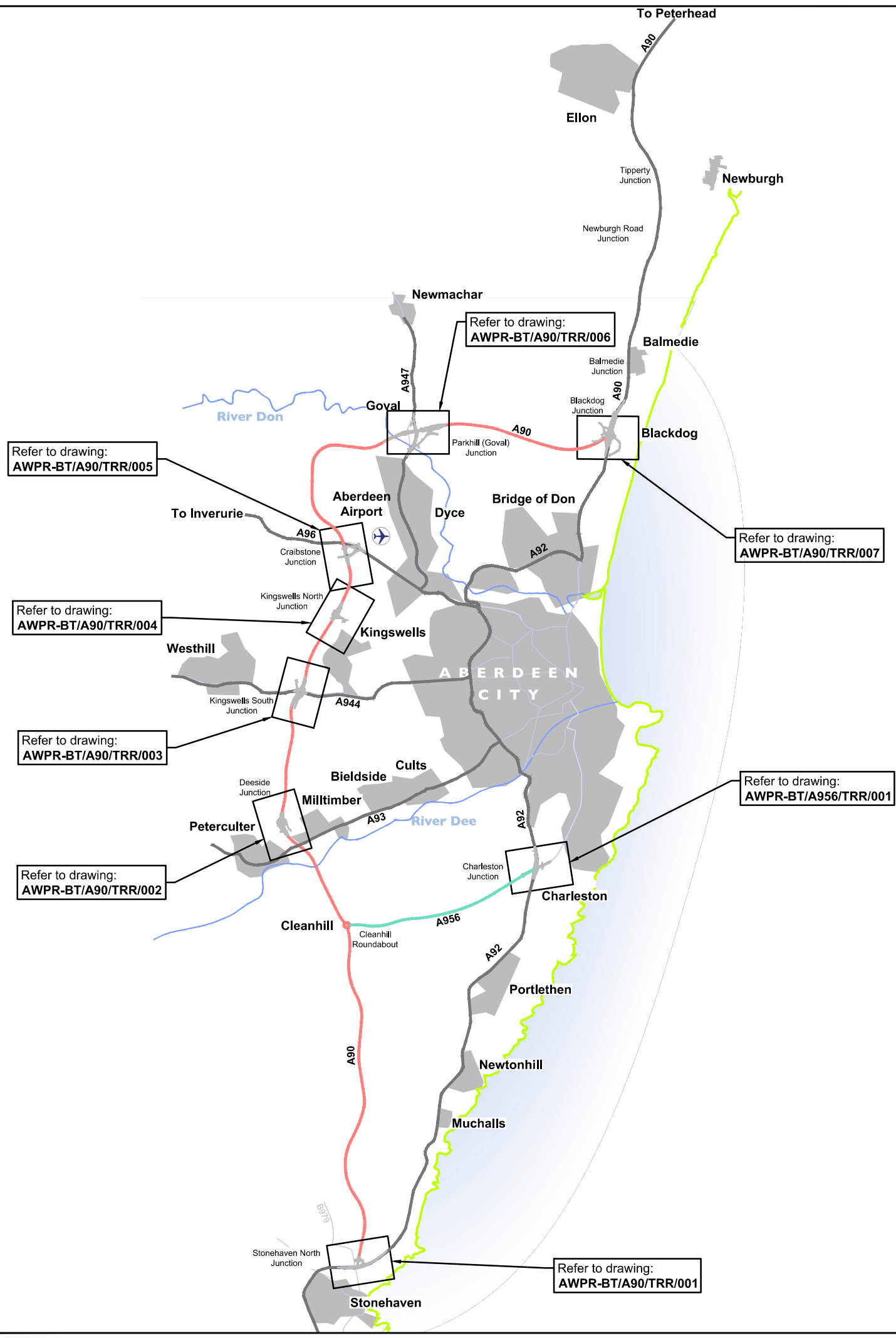
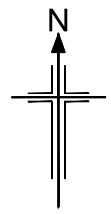
- a) police officers, ambulance, fire, coastguard, and National Crime Agency;
- b) if directed by a police officer in uniform, or as directed by a traffic sign;
- c) with the permission of a police officer, or the Scottish Ministers, in order to investigate any accident or incident on or near the AWPR;
- d) where it is necessary in order to –
 - (i) avoid or prevent an accident;
 - (ii) obtain or give help as a result of an accident or emergency; or
 - (iii) where a vehicle is stationary due to circumstances such as a breakdown, accident, illness or other emergency, to allow an object which has fallen onto the road to be recovered, or to allow any person to provide assistance in any of these circumstances;
- e) where it is necessary in order to –
 - (i) carry out maintenance, inspection, repair, cleaning, clearance, alteration and improvement works on the road;
 - (ii) recover or remove any vehicle; or
 - (iii) erect, lay, place, maintain, test, alter, repair or remove any structure, works or apparatus on the road;
- f) where it is necessary in relation to any inspection, survey, investigation or census carried out on the authority of the Scottish Ministers;
- g) in order to use crossings for pedestrians, or pedestrians and cyclists.

Employees of Police Scotland are exempt from the restriction against using emergency laybys while using the AWPR for police purposes.

The Scottish Ministers and the Chief Constable are given the power to authorise traffic which is otherwise excluded from the use of the AWPR to use it in certain circumstances. In addition, the Scottish Ministers may relax any prohibition or restriction imposed by the 2019 Regulations.

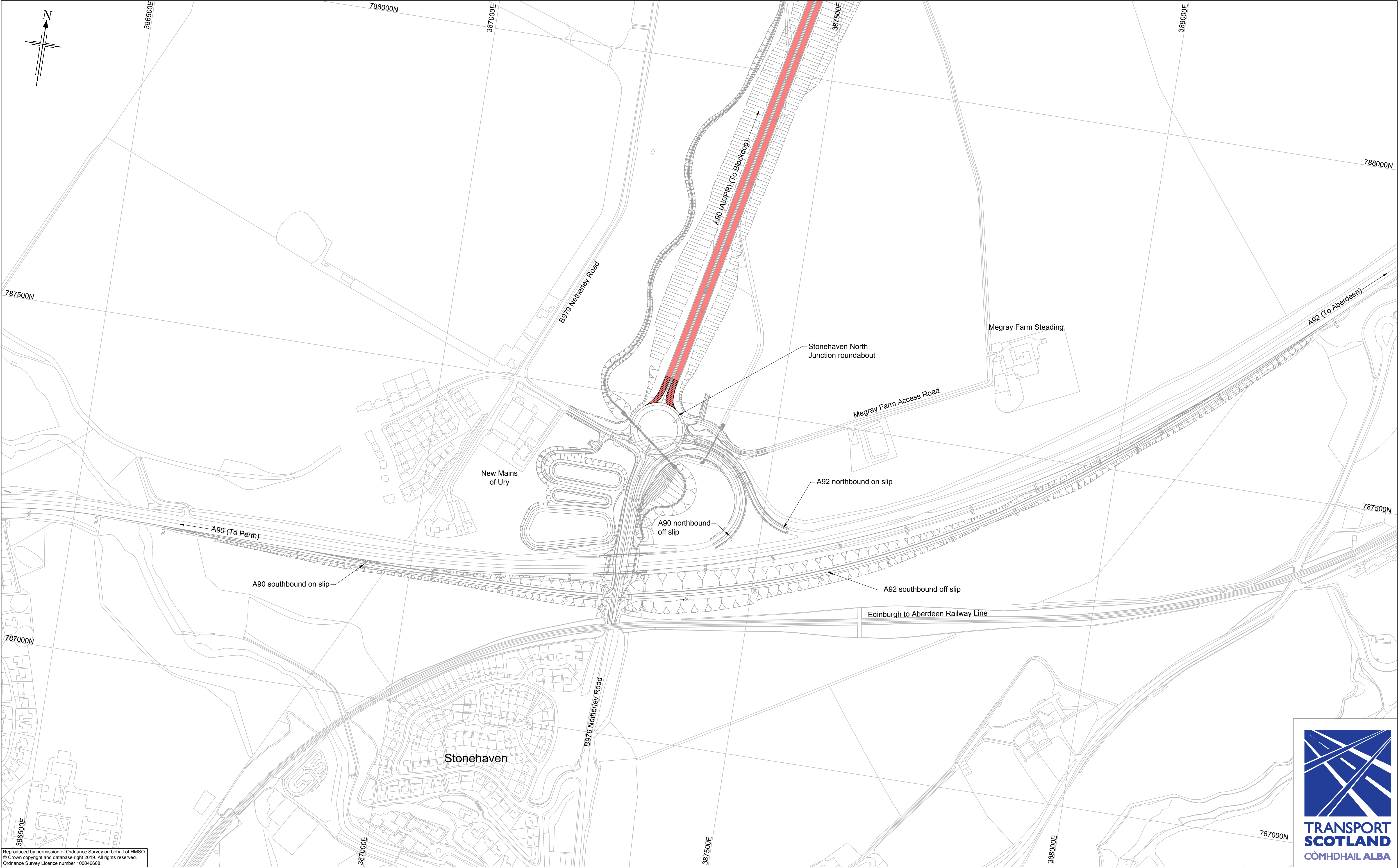
The 2019 Regulations also make provision for 40mph speed limits on sections of the AWPR.

The Scottish Ministers welcome, as part of this consultation, comment on the proposal to make the aforementioned Regulations. The Scottish Ministers would be grateful if respondents could consider if there is any specific reference to safety considerations by consultees in support of their comments providing relevant additional information where appropriate.



- Legend
- Extent of all prohibitions and restrictions (except 40mph speed limit and No Entry prohibition) covered in The A90 Trunk Road (Aberdeen Western Peripheral Route) (Stonehaven to Blackdog) (Prohibitions and Restrictions) Regulations 2019
 - Extent of all prohibitions and restrictions (except 40mph speed limit) covered in The A956 Trunk Road (Aberdeen Western Peripheral Route) (Cleanhill to Charleston) (Prohibitions and Restrictions) Regulations 2019

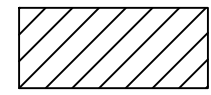
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Rev	Rev. Date	Purpose of revision	Drawn	Checked	Rev'd	Appr'd
Client						
						
Drawing title						
AWPR/B-T THE A90/A956 TRUNK ROAD REGULATIONS 2019 KEY PLAN						
Drawing status						
FOR CONSULTATION						
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Drawing number						Rev
AWPR-BT/TRR/KP						0



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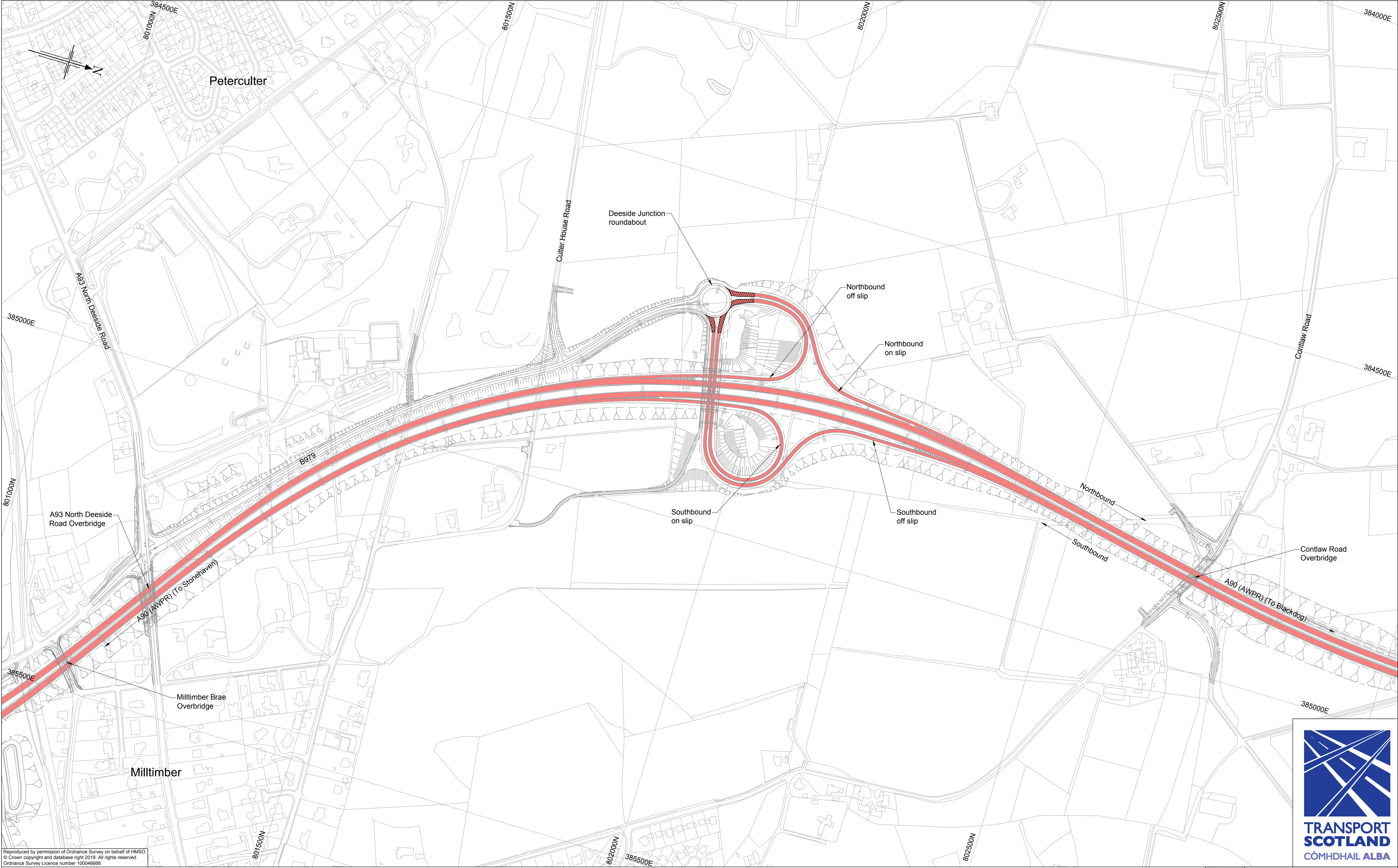


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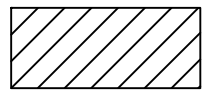
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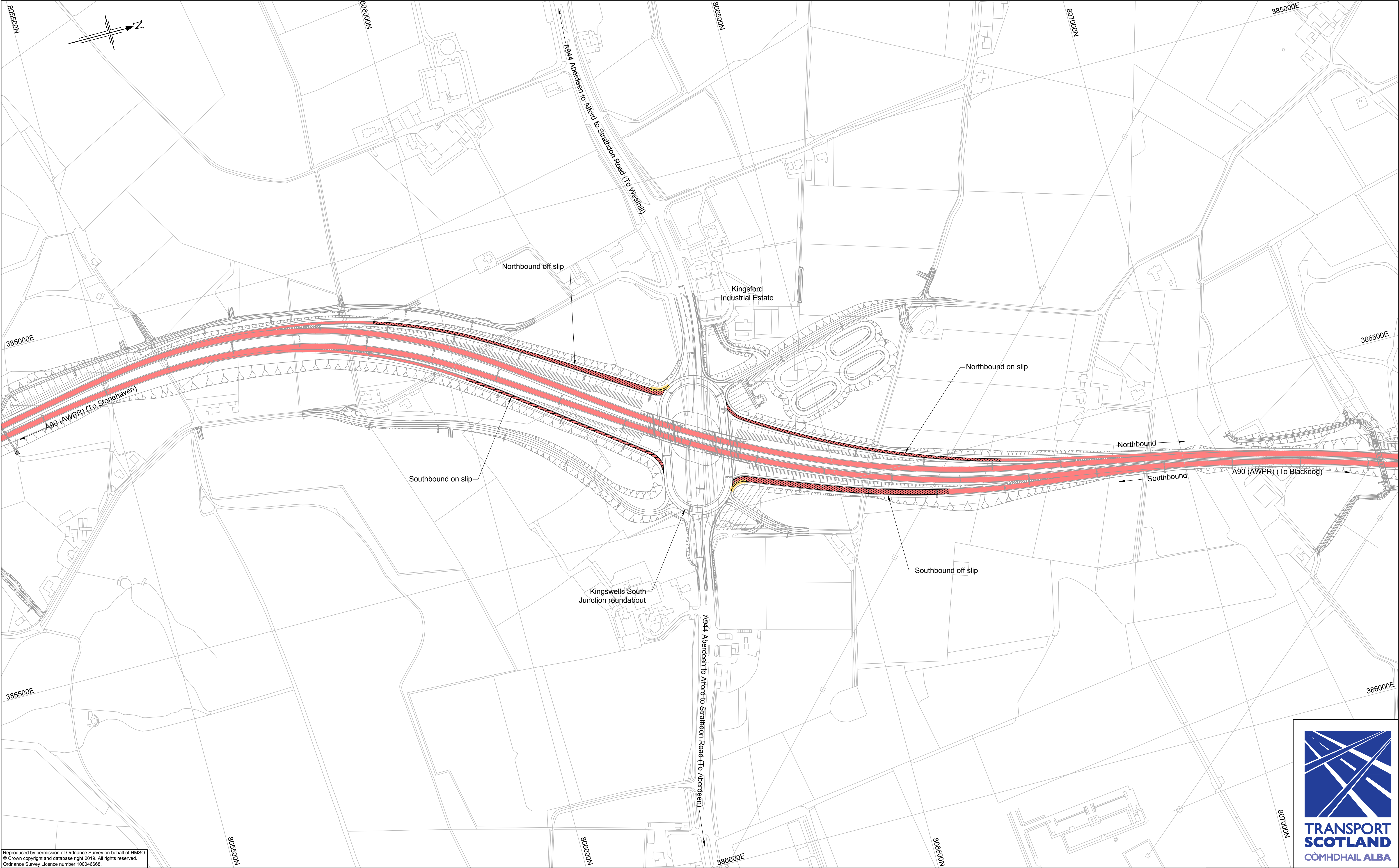
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Extent of all prohibitions and restrictions (except 40mph speed limit and No Entry prohibition) covered in The A90 Trunk Road (Aberdeen Western Peripheral Route) (Stonehaven to Blackdog) (Prohibitions and Restrictions) Regulations 2019



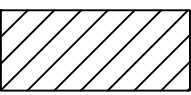
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Extent of the 40mph speed limit covered in The A90 Trunk Road (Aberdeen Western Peripheral Route) (Stonehaven to Blackdog) (Prohibitions and Restrictions) Regulations 2019



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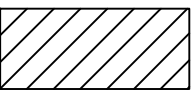
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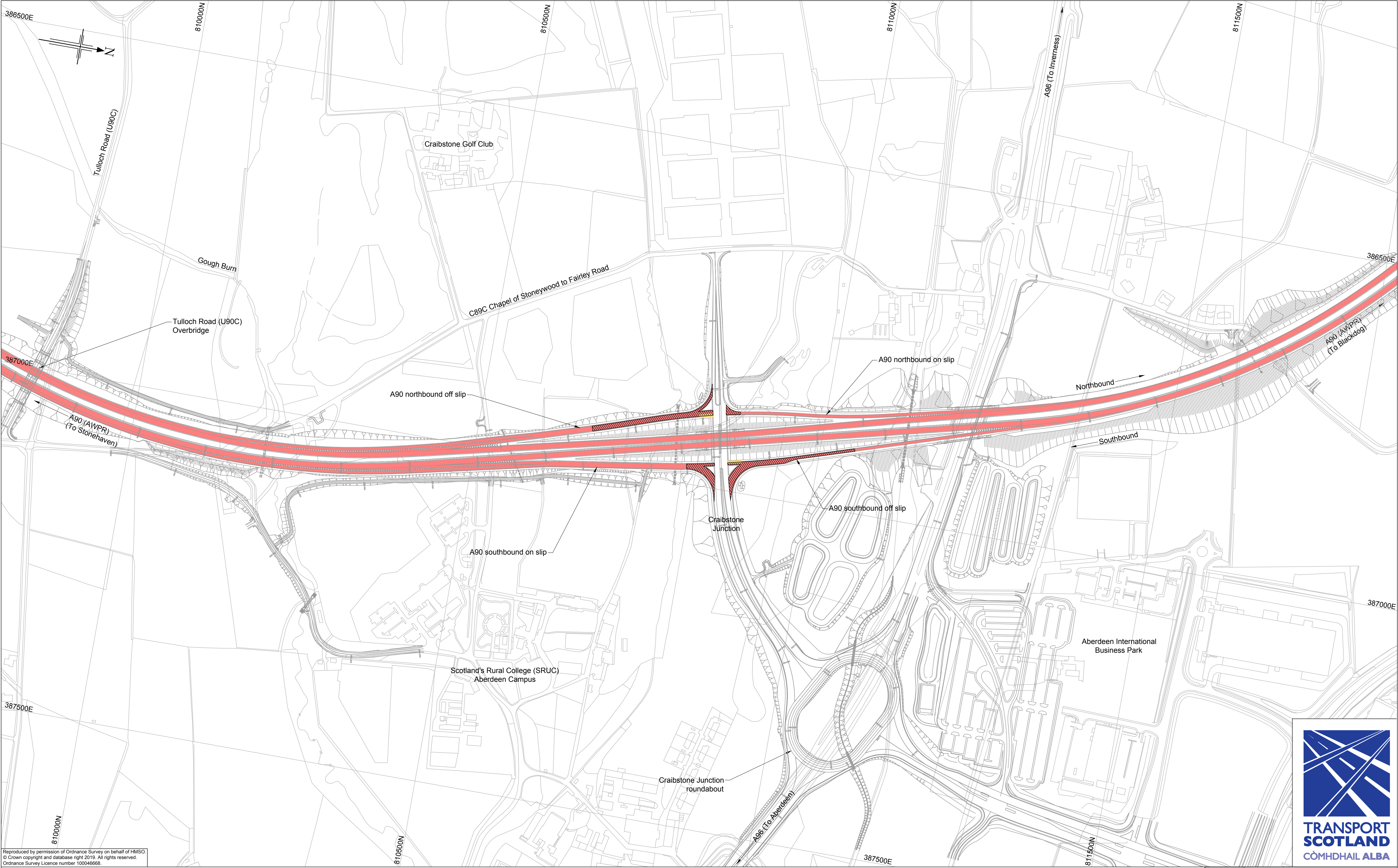
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Location of No Entry prohibition covered in The A90 Trunk Road (Aberdeen Western Peripheral Route) (Stonehaven to Blackdog) (Prohibitions and Restrictions) Regulations 2019

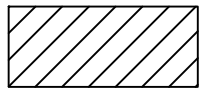


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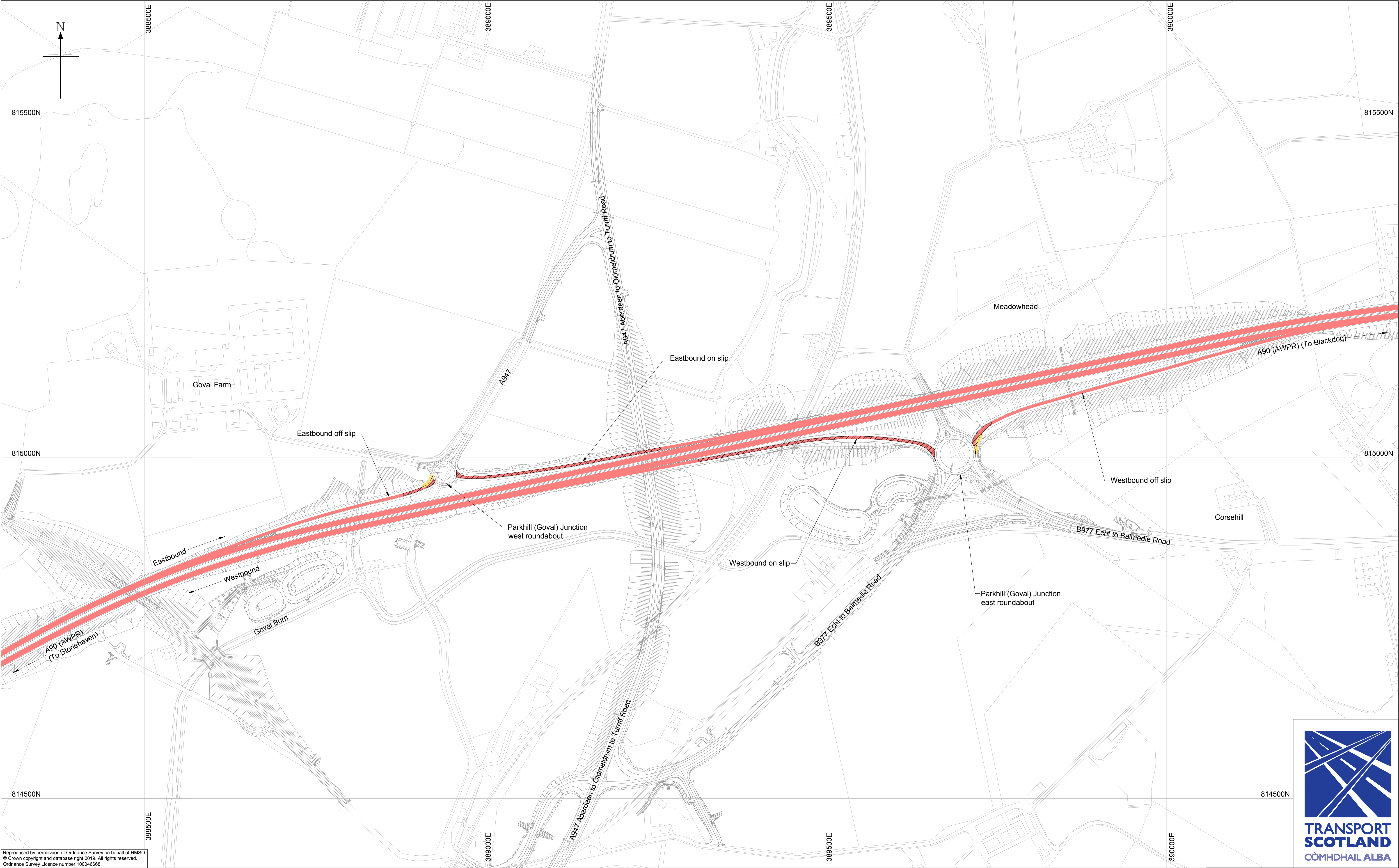


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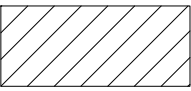
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Extent of all prohibitions and restrictions (except 40mph speed limit and No Entry prohibition) covered in The A90 Trunk Road (Aberdeen Western Peripheral Route) (Stonehaven to Blackdog) (Prohibitions and Restrictions) Regulations 2019



Location of No Entry prohibition covered in The A90 Trunk Road (Aberdeen Western Peripheral Route) (Stonehaven to Blackdog) (Prohibitions and Regulations) Regulations 2019

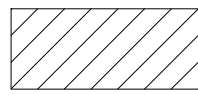


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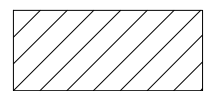


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Extent of the 40mph speed limit covered in The A956 Trunk Road (Aberdeen Western Peripheral Route) (Cleanhill to Charleston) (Prohibitions and Restrictions) Regulations 2019



Extent of all prohibitions and restrictions (except 40mph speed limit) covered in The A956 Trunk Road (Aberdeen Western Peripheral Route) (Cleanhill to Charleston) (Prohibitions and Restrictions) Regulations 2019



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Title	The A956 Trunk Road Regulations 2019 Consultation Plan Sheet 1 of 1		
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Drawing No.	AWPR-BT/A956/TRR/001		

APPENDIX B – LIST OF CONSULTEES

Aberdeen City and Aberdeenshire Community Councils
Aberdeen City and Aberdeenshire Local Councillors
Balfour Beatty Regional Civil Engineering (BBRCE)
Chief Constable – Police Scotland
Chief Executive – Aberdeen City Council
Chief Executive – Aberdeenshire Council
Cycling UK Scotland
Director of Roads – Aberdeen City Council
Director of Roads – Aberdeenshire Council
First Group
Freight Transport Association
Highland Cycle Campaign
Motorcycle Action Group
Road Haulage Association Ltd
Royal Mail
Scottish Fire and Rescue Service
Stagecoach North Scotland
Trafficmaster Travel
Trunk Road Traffic Management – Police Scotland