

201[] No.

ROADS AND BRIDGES

The M90/A90/A9000 Trunk Road (A90/A937 Laurencekirk Junction Improvement) (Side Roads) Order 201[]

Made - - - - 201[]

Coming into force - - 201[]

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 12(1) and (5) and 70(1) of the Roads (Scotland) Act 1984(a) and all other powers enabling them to do so.

In accordance with section 12(3) of that Act, they are satisfied that another reasonably convenient route will be provided before the roads are stopped up.

In accordance with sections 71(3) of that Act, they are satisfied that another reasonably convenient means of access is available or will be provided in pursuance of this Order before the accesses are stopped up pursuant to this Order.

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 and have published notice of that determination on 19 December 2019.

They prepared an environmental impact assessment report and published notice of it on 19 December 2019. This Order is made in compliance with the provisions of Parts I and III of Schedule 1(c) to the Roads (Scotland) Act 1984.

Citation and commencement

1. This Order may be cited as the M90/A90/A9000 Trunk Road (A90/A937 Laurencekirk Junction Improvement) (Side Roads) Order 201[] and comes into force on [] 201[].

(a) 1984 c.54. 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 Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC, O.J. L 175, 5.7.1985, p40, as amended by Council Directive 97/11/EC, O.J. L 73, 14.3.1997, p5, 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, p114. 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 1 of schedule 1 was 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 (4)(a), schedule 2, paragraphs 2 and 3 and schedule 3, paragraph 1 and S.S.I. 1999/1, S.S.I. 2006/614 and S.S.I. 2011/396. 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.

Side roads, stopping up and new means of access

2. The Scottish Ministers as roads authority are authorised—
- (a) to construct those lengths of road (hereinafter referred to as “the new side roads”) along the routes described in Part 2 of the schedule,
 - (b) to improve those lengths of road described in Part 3 of the schedule,
 - (c) to stop up those lengths of road described in Part 4 of the schedule when the new side roads are open for the purposes of through traffic,
 - (d) to stop up the private means of access described in Part 5 of the schedule when the new means of access described in Part 6 have been provided, and
 - (e) to provide those new means of access described in Part 6 of the schedule.

Statutory Undertakers

3. Where immediately before the date this Order comes into force there is under, in, on, over, along or across any of the lengths of road described in Parts 3 and 4 of the schedule any apparatus belonging to a statutory undertaker, any rights of the statutory undertaker in respect of such apparatus shall be preserved.

Transfer of Roads

4. On 1st April next after the date on which the new side roads are all open for the purposes of through traffic, the new side roads will be transferred to Aberdeenshire Council^(a) as the roads authority for those roads and they must enter those roads in their list of public roads^(b).

M F RENNIE

A member of the staff of the Scottish Ministers

Transport Scotland
Major Transport Infrastructure Projects
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF
[] 201[]

(a) A council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c.39).

(b) The list of public roads prepared and kept by the local roads authority under section 1(1) of the Roads (Scotland) Act 1984.

SCHEDULE

Articles 2 and 3

PART 1

INTERPRETATION

1. In this schedule—

“the trunk road” means the existing M90/A90/A9000 Edinburgh - Fraserburgh Trunk Road in the vicinity of Laurencekirk, Aberdeenshire,

“plan SRO/1” means the plan numbered SRO/1 and entitled “The M90/A90/A9000 Trunk Road (A90/A937 Laurencekirk Junction Improvement) (Side Roads) Order 201[]”, signed with reference to this Order and deposited at the offices of Transport Scotland, Major Projects, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF,

point “1” means the intersection of the existing centrelines of the old trunk road and access track to Denlethen Wood, Laurencekirk as shown on plan, SRO/1,

point “2” means the intersection of the existing centrelines of the A937 road and the old trunk road, Laurencekirk as shown on plan, SRO/1,

point “3” means the intersection of the existing centrelines of the trunk road and the A937 (northbound) road junction to the trunk road as shown on plan, SRO/1,

point “4” means the intersection of the existing centrelines of the trunk road and the access road to Johnston Lodge as shown on plan, SRO/1, and

point “5” means the intersection of the existing centrelines of the A937 road and the unnamed farm access as shown on plan SRO/1.

PART 2

THE ROUTES OF THE NEW SIDE ROADS

- 1) From a point 80 metres or thereby south west of point 1, in an easterly direction for a distance of 62 metres or thereby, as shown by stipple and numbered “A1” on plan SRO/1.
- 2) From a point 73 metres or thereby north east of point 2, in a south westerly direction for a distance of 484 metres or thereby, as shown by stipple and numbered “A2” on plan SRO/1.
- 3) From a point 123 metres or thereby north west of point 3, in a clockwise direction for a distance of 126 metres or thereby, as shown by stipple and numbered “A3” on plan SRO/1.
- 4) From a point 88 metres or thereby north west of point 3, in a south easterly direction for a distance of 96 metres or thereby, as shown by stipple and numbered “A4” on plan SRO/1.
- 5) From a point 99 metres or thereby south west of point 3, in a clockwise direction for a distance of 126 metres or thereby, as shown by stipple and numbered “A5” on plan SRO/1.
- 6) From a point 124 metres or thereby south west of point 3, in a south westerly direction for a distance of 271 metres or thereby, as shown by stipple and numbered “A6” on plan SRO/1.

PART 3
ROADS TO BE IMPROVED

- 1) From a point 50 metres or thereby south west of point 1, in a south westerly direction for a distance of 149 metres or thereby, as shown by cross hatching and numbered “B1” on plan SRO/1.
- 2) From a point 19 metres or thereby north west of point 2, in a south easterly direction for a distance of 78 metres or thereby, as shown by cross hatching and numbered “B2” on plan SRO/1.
- 3) From a point 36 metres or thereby north east of point 2, in a north easterly direction for a distance of 60 metres or thereby, as shown by cross hatching and numbered “B3” on plan SRO/1.
- 4) From a point 18 metres or thereby south west of point 5, in a south westerly direction for a distance of 161 metres or thereby, as shown by cross hatching and numbered “B4” on plan SRO/1.

PART 4
LENGTHS OF ROAD TO BE STOPPED UP

- 1) From a point 76 metres or thereby south west of point 1, in a north easterly direction for a distance of 201 metres or thereby, as shown by zebra hatching and numbered “C1” on plan SRO/1.
- 2) From a point 72 metres or thereby north east of point 2, in a south westerly direction for a distance of 88 metres or thereby, as shown by zebra hatching and numbered “C2” on plan SRO/1.
- 3) From a point 67 metres or thereby north east of point 3, in a northern direction for a distance of 100 metres or thereby, as shown by zebra hatching and numbered “C3” on plan SRO/1.
- 4) From a point 13 metres or thereby south east of point 3, in a south westerly direction for a distance of 370 metres or thereby, as shown by zebra hatching and numbered “C4” on plan SRO/1.
- 5) From a point 857 metres or thereby south west of point 3, in a north westerly direction for a distance of 25 meters or thereby, as shown by zebra hatching and numbered “C5” on plan SRO/1.

PART 5
PRIVATE MEANS OF ACCESS TO BE STOPPED UP

- 1) The private means of access to Denlethen Wood, Laurencekirk from a point 40 metres or thereby north west of point 1, as shown by a solid black bar and numbered “D1” on plan SRO/1.

- 2) The private means of access to Denlethen Wood, Laurencekirk from a point 7 metres or thereby north west of point 1, as shown by a solid black bar and numbered “D2” on plan SRO/1.
- 3) The private means of access to a field laying on the west side of the A937 road from a point 7 metres or thereby south east of point 1, as shown by a solid black bar and numbered “D3” on plan SRO/1.
- 4) The private means of access to a field laying on the west side of the A937 road from a point 12 metres or thereby west of point 1, as shown by a solid black bar and numbered “D4” on plan SRO/1.
- 5) The private means of access to a field laying on the west side of the A937 road from a point 9 metres or thereby north west of point 1, as shown by a solid black bar and numbered “D5” on plan SRO/1.
- 6) The private means of access to a field laying on the west side of the A937 road from a point 25 metres or thereby west of point 2, as shown by a solid black bar and numbered “D6” on plan SRO/1.
- 7) The private means of access to a field laying on the west side of the A937 road from a point 32 metres or thereby north west of point 2, as shown by a solid black bar and numbered “D7” on plan SRO/1.
- 8) The private means of access to a field laying on south side of the trunk road from a point 704 metres or thereby west of point 5, as shown by a solid black bar and numbered “D8” on plan SRO/1.
- 9) The private means of access to a field laying on the west side of the A937 road from a point 5 metres or thereby west of point 5, as shown by a solid black bar and numbered “D9” on plan SRO/1.
- 10) The private means of access to an unnamed farm access from a point 6 metres or thereby east of point 5, as shown by a solid black bar and numbered “D10” on plan SRO/1.
- 11) The private means of access to a field laying on the east side of the A937 from a point 10 metres or thereby east of point 5, as shown by a solid black bar and numbered “D11” on plan SRO/1.
- 12) The private means of access to a field laying on the east side of the A937 from a point 11 metres or thereby south east of point 5, as shown by a solid black bar and numbered “D12” on plan SRO/1.
- 13) The private means of access to West Lodge, Laurencekirk, AB30 1UL on the trunk road from a point 12 metres or thereby north of point 4, as shown by a solid black bar and numbered “D13” on plan SRO/1.
- 14) The private means of access to Johnston Lodge, Laurencekirk, AB30 1HL on the trunk road from a point 14 metres or thereby south east of point 4, as shown by a solid black bar and numbered “D14” on plan SRO/1.
- 15) The private means of access to a field laying on the south side of the trunk road from a point 516 metres or thereby north east of point 4, as shown by a solid black bar and numbered “D15” on plan SRO/1.
- 16) The private means of access to a field laying on the south side of the trunk road from a point 528 metres or thereby north east of point 4, as shown by a solid black bar and numbered “D16” on plan SRO/1.

PART 6

NEW MEANS OF ACCESS TO BE PROVIDED

- 1) From a point 51 metres or thereby south west of point 1, in a north westerly direction for a distance of 118 metres or thereby as shown by diagonal line hatching and numbered "E1" on plan SRO/1.
- 2) From a point 83 metres or thereby north west of point 1, in a south westerly direction for a distance of 25 metres or thereby then from a point 83 metres or thereby north west of point 1, in a south easterly direction for a distance for 17 metres as shown by diagonal line hatching and numbered "E2" on plan SRO/1.
- 3) From a point 65 metres or thereby north east of point 2, in a north westerly direction for a distance of 22 metres or thereby then from a point 69 metres or thereby north east of point 2, in a south westerly direction for a distance of 11 metres or thereby as shown by diagonal line hatching and numbered "E3" on plan SRO/1.
- 4) From a point 80 metres or thereby south west of point 2, in a westerly direction for a distance of 3 metres or thereby as shown by diagonal line hatching and numbered "E4" on plan SRO/1.
- 5) From a point 216 metres or thereby south west of point 1, in a south easterly direction for a distance of 3 metres or thereby as shown by diagonal line hatching and numbered "E5" on plan SRO/1.
- 6) From a point 40 metres or thereby south east of point 5, in a north easterly direction for a distance of 807 metres or thereby as shown by diagonal line hatching and numbered "E6" on plan SRO/1.
- 7) From a point 52 metres or thereby north east of point 5, in a north westerly direction for a distance of 20 metres or thereby then from a point 44 metres or thereby north east of point 5, in a southerly direction for a distance of 11 metres or thereby as shown by diagonal line hatching and numbered "E7" on plan SRO/1.
- 8) From a point 7 metres or thereby south west of point 5, in a south easterly direction for a distance of 88 metres or thereby as shown by diagonal line hatching and numbered "E8" on plan SRO/1.
- 9) From a point 103 metres or thereby south west of point 5, in a northern then westerly direction for a distance of 883 metres or thereby as shown by diagonal line hatching and numbered "E9" on plan SRO/1.