

2023 No.

ROADS AND BRIDGES

The A887 Invermoriston – Moriston Bridge Trunk Road (Lagain Bhain Bridge Replacement) (Side Roads) Order 2023

Made - - - - 2023

Coming into force - - 2023

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

In Accordance with section 71(3) of that Act, they are satisfied, as the case requires, that no access to the land is reasonably required or another reasonably convenient means of access to the land is available or will be provided in pursuance of this Order before the accesses are stopped up pursuant to this Order.

In accordance with section 20C and 55A of the Roads (Scotland) Act 1984(b), they have determined that it is a relevant project falling within Annex II to Directive 2011/92/EU of the European Parliament and of the Council(c), on the assessment of the effects of certain public and private projects on the environment and have published notice of that determination on 17 August 2020.

They prepared an Environmental Impact Assessment Report and published notice of it on 16 May 2023. This Order is made in compliance with the provisions of Parts I and III of schedule 1(d) of the Roads (Scotland) Act 1984.

Citation and commencement

1. This Order may be cited as the A887 Invermoriston – Moriston bridge Trunk Road (Lagain Bhain Bridge Replacement) (Side Roads) Order 2023 [] and comes into force on [].

(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) SSI 2017/137

(c) 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 Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC, O.J. L 175, 5.7.1985 p.40, as amended by Council Directive 97/11/EC, O.J. L 73, 14.3.1997,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.

(d) 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, 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 and the Transport and Works (Scotland) Act 2007 (asp 8), schedule 3, paragraph 1.

Side Roads and New Means of Access

2. The meanings in schedule 1 of this Order have effect.
3. The Scottish Ministers as roads authority are authorised—
 - (a) to stop up those lengths of access described in schedule 2 of this Order where another reasonably convenient means of access to the affected land is available or has been proved pursuant to this Order; and
 - (b) to provide those new means of access described in schedule 3 of this Order.

George House,
Glasgow,
2023

A member of the staff of the Scottish Ministers

SCHEDULE 1

Article 2

INTERPRETATION

In these schedules—

“the plan folio” means the plan folio comprised of the key plan and the plan SR1 entitled “The A887 Invermoriston – Moriston Bridge Trunk Road (Lagain Bhain Bridge Replacement) (Side Roads) Order 202[]” signed with reference to this Order and deposited at the offices of Transport Scotland, George House 2nd Floor, 36 North Hanover Street Glasgow, G1 2AD;

“the existing A887 Trunk Road” means the existing A887 Invermoriston – Moriston Bridge Trunk Road, including all lay-bys and bus lay-bys;

“point A” means the centre point of the existing Allt an Lagain Bhain river crossing of the A887 Invermoriston – Moriston Bridge Trunk Road, shown marked “point A” on plan SR1 in the plan folio.

SCHEDULE 2

Article 3(a)

PRIVATE MEANS OF ACCESS TO BE STOPPED UP

1. The private means of access on the north side of the existing A887 Trunk Road, from a point 40 metres or thereby west, south-west of point A as shown by a solid black bar and numbered “1” on plan SR1 in the plan folio.

SCHEDULE 3

Article 3(b)

NEW MEANS OF ACCESS TO BE PROVIDED

1. From a point 50 metres or thereby south-west of point A in a generally north-westerly, then north, north-westerly direction for a distance of 30 metres or thereby to a point 50 metres or thereby west of point A as shown by single hatching and numbered “2” on plan SR1 in the plan folio.
2. From a point 85 metres or thereby north-east of point A in a generally south-easterly direction for a distance of 15 metres or thereby to a point 90 metres or thereby east, north-east of point A as shown by single hatching and numbered “3” on plan SR1 in the plan folio.