

201[] No.

ROADS AND BRIDGES

The A96 Trunk Road (Inverness to Nairn (including Nairn Bypass)) (Trunking & Detrunking) 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) and (6) 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 I 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 29th November 2016.

They prepared an Environmental Statement and published notice of it on 29th November 2016.

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 A96 Trunk Road (Inverness to Nairn (including Nairn Bypass)) (Trunking & Detrunking) Order 201[] and comes into force on 201[]

2. The definitions in the schedule of the Order have effect.

(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, 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 Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC, O.J. L 175, 5.7.1985, p.40, as amended by Council Directive 97/11/EC, O.J. L 73,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, 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. 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 roads (hereafter referred to as “the new trunk road”) which they propose to construct along the route described in Part 1 of the schedule of this Order shall become trunk road on the date this Order comes into force.

Road ceasing to be a trunk road

4. On 1st April next after the date on which the new trunk road is open for the purposes of through traffic, those lengths of road along the route described in Part 2 of the schedule shall cease to be trunk road and The Highland Council(a) shall become the roads authority for those lengths of road and shall enter those lengths of road in their list of public roads(b).

M.F. RENNIE

A member of the staff of the Scottish Ministers

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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 1

INTERPRETATION

Articles 2, 3 & 4

In this Schedule—

“the plan folio” means the plan folio entitled “The A96 Trunk Road (Inverness to Nairn (including Nairn Bypass)) (Trunking & Detrunking) Order 201[]” signed with reference to this Order and deposited at the offices of Transport Scotland, Major Transport Infrastructure Projects, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF;

“the existing A96 Trunk Road” means the existing A96 Aberdeen – Inverness Trunk Road between Raigmore Junction, Inverness and Haudagain Roundabout, Aberdeen including all lay-bys and bus lay-bys;

“the existing R1 roundabout” means the existing Smithton Roundabout at the junction of the existing Barn Church Road (C1032), Inverness and the existing A96 Trunk Road, shown marked ‘R1’ on plan TR1 in the plan folio;

“the existing R2 roundabout” means the roundabout at the junction of Kerrowgair - Croy Road (C1017), Mid Coul and the existing A96 Trunk Road, shown marked ‘R2’ on plan TR2 in the plan folio;

“the existing R3 roundabout” means the roundabout at the junction of King Street (U3362), Nairn, St Ninian Road (C1180), Nairn and the existing A96 Trunk Road shown marked “R3” on plan TR4 in the plan folio;

“the existing R4 roundabout” means the roundabout at the junction of Tom Semple Road (U3599), Nairn and the existing A96 Trunk Road shown marked “R4” on the plan TR4 in the plan folio;

“point 1” means the centre of the existing Seafield Roundabout, Inverness, at the junction of Eastfield Way (U2820), Inverness, and the existing A96 Trunk Road, shown marked “point 1” on plan TR1 in the plan folio;

“point 2” means the junction between the B9039 Newton – Castle Stuart – Ardersier Road, Newton of Petty and the existing A96 Trunk Road, shown marked “point 2” on plan TR1 in the plan folio;

“point 3” means the centre of the existing R2 roundabout, shown marked “point 3” on plan TR2 in the plan folio;

“point 4” means the centre of the Gollanfield Road (C1013) railway bridge over the Aberdeen to Inverness Railway Line, shown marked “point 4” on plan TR2 and plan TR3 in the plan folio;

“point 5” means the existing junction between the existing Delnies – Kildrummie – Howford Road (C1163), Nairn, and the existing A96 Trunk Road shown marked “point 5” on plan TR3 and plan TR4 in the plan folio;

“point 6” means the junction between the existing Househill – Raitloan – Howford Road (C1175), Nairn and the existing A939 Tomintoul – Grantown on Spey – Nairn Road, Nairn, shown marked “point 6” on plan TR4 in the plan folio;

“point 7” means the junction of the existing B9111 Auchnacloch – Auldearn Road, Nairn, and the existing A96 Trunk Road shown marked “point 7” on plan TR5 in the plan folio; and

“point 8” means the junction of the Bogs of Dalvey – Earlsmill – Feddan Road (C10E), Nairn and the existing A96 Trunk Road shown marked “point 8” on plan TR5 in the plan folio.

PART 1

ROUTE OF THE NEW TRUNK ROAD

1. From a point 35 metres or thereby north-east of point 1 in a generally east north-easterly, then north-easterly, then east north-easterly, then easterly, then east north-easterly, then north-easterly, then east north-easterly, then easterly, then east north-easterly, then north-easterly direction for a distance of 6.90 kilometres or thereby to a point 1.23 kilometres or thereby east of point 2 as shown by a heavy black line between points “point A” and “point B” on plan TR1 in the plan folio.

2. From a point 300 metres or thereby east north-east of point 1 in a generally east north-easterly, then north-easterly direction for a distance of 620 metres or thereby to a point 910 metres or thereby east north-east of point 1 as shown by a heavy black line between points “point C” and “point D” on plan TR1 in the plan folio.

3. From a point 985 metres or thereby to the east north-east of point 1 in a generally north-easterly direction for a distance of 670 metres or thereby to a point 1.63 kilometres or thereby east north-east of point 1 as shown by a heavy black line between points marked “point E” and “point F” on plan TR1 in the plan folio.

4. From a point 1.71 kilometres or thereby to the east north-east of point 1 in a generally south-westerly direction for a distance of 760 metres or thereby to a point 1.04 kilometres or thereby east north-east of point 1 as shown by a heavy black line between points marked “point G” and “point H” on plan TR1 in the plan folio.

5. From a point 980 metres or thereby to the east north-east of point 1 in a generally west south-westerly direction for a distance of 455 metres or thereby to a point 525 metres or thereby east north-east of point 1 as shown by a heavy black line between points marked “point I” and “point J” on plan TR1 in the plan folio.

6. From a point 2.09 kilometres or thereby to the south-west of point 2 in a generally east north-easterly, then north-easterly direction for a distance of 610 metres or thereby to a point 1.49 kilometres or thereby south-west of point 2 as shown by a heavy black line between points marked “point K” and “point L” on plan TR1 in the plan folio.

7. From a point 1.43 kilometres or thereby to the south-west of point 2 in a generally east north-easterly, then north-easterly direction for a distance of 600 metres or thereby to a point 840 metres or thereby south-west of point 2 as shown by a heavy black line between points marked “point M” and “point N” on plan TR1 in the plan folio.

8. From a point 750 metres or thereby to the south-west of point 2 in a generally south-westerly direction for a distance of 700 metres or thereby to a point 1.44 kilometres or thereby south-west of point 2 as shown by a heavy black line between points marked “point O” and “point P” on plan TR1 in the plan folio.

9. From a point 1.51 kilometres or thereby to the south-west of point 2 in a generally west south-westerly direction for a distance of 605 metres or thereby to a point 2.08 kilometres or thereby south-west of point 2 as shown by a heavy black line between points marked “point Q” and “point R” on plan TR1 in the plan folio.

10. From a point 2.77 kilometres or thereby to the south-west of point 3 in a generally north-easterly, then north north-easterly, then north-easterly, then east north-easterly, then easterly, then east north-easterly direction for a distance of 7.71 kilometres or thereby to a point 300 metres or thereby south-east of point 4 as shown by a heavy black line between points marked “point B” and “point S” on plan TR2 in the plan folio.

11. From a point 770 metres or thereby to the west south-west of point 3 in a generally north north-easterly direction for a distance of 595 metres or thereby to a point 450 metres or thereby west north-west of point 3 as shown by a heavy black line between points marked “point T” and “point U” on plan TR2 in the plan folio.

12. From a point 445 metres or thereby to the north-west of point 3 in a generally east north-easterly, then north-easterly, direction for a distance of 625 metres or thereby to a point 690 metres or thereby north of point 3 as shown by a heavy black line between points marked “point V” and “point W” on plan TR2 in the plan folio.

13. From a point 725 metres or thereby to the north north-east of point 3 in a generally south-westerly, then southerly direction for a distance of 505 metres or thereby to a point 310 metres or thereby north north-west of point 3 as shown by a heavy black line between points marked “point X” and “point Y” on plan TR2 in the plan folio.

14. From a point 310 metres or thereby to the north north-west of point 3 in a generally south-west-westerly direction for a distance of 145 metres or thereby to a point 235 metres or thereby north-west of point 3 as shown by a heavy black line between points marked “point Y” and “point Z” on plan TR2 in the plan folio.

15. From a point 310 metres or thereby to the north north-west of point 3 in a generally west north-westerly, then westerly, then south-westerly direction for a distance of 610 metres or thereby to a point 580 metres or thereby west of point 3 as shown by a heavy black line between points marked “point Y” and “point AA” on plan TR2 in the plan folio.

16. From a point 1.57 kilometres or thereby to the south-west of point 4 in a generally east north-easterly, then northerly direction for a distance of 240 metres or thereby to a point 1.34 kilometres or thereby south-west of point 4 as shown by a heavy black line between points marked “point AB” and “point AC” on plan TR2 in the plan folio.

17. From a point 1.34 kilometres or thereby to the south-west of point 4 in a generally northerly, then east north-easterly direction for a distance of 130 metres or thereby to a point 1.23 kilometres or thereby south-west of point 4 as shown by a heavy black line between points marked “point AC” and “point AD” on plan TR2 in the plan folio.

18. From a point 1.34 kilometres or thereby to the south-west of point 4 in a generally east south-easterly, then east north-easterly direction for a distance of 345 metres or thereby to a point 1.04 kilometres or thereby south-west of point 4 as shown by a heavy black line between points marked “point AC” and “point AE” on plan TR2 in the plan folio.

19. From a point 700 metres or thereby to the south south-west of point 4 in a generally west south-westerly, then southerly direction for a distance of 475 metres or thereby to a point 1.15 kilometres or thereby south south-west of point 4 as shown by a heavy black line between points marked “point AF” and “point AG” on plan TR2 in the plan folio.

20. From a point 1.15 kilometres or thereby to the south south-west of point 4 in a generally south south-westerly, then west south-westerly direction for a distance of 145 metres or thereby to a point 1.27 kilometres or thereby south-west of point 4 as shown by a heavy black line between points marked “point AG” and “point AH” on plan TR2 in the plan folio.

21. From a point 1.15 kilometres or thereby to the south south-west of point 4 in a generally north-westerly, then westerly, then west south-westerly direction for a distance of 530 metres or thereby to a point 1.60 kilometres or thereby south-west of point 4 as shown by a heavy black line between points marked “point AG” and “point AI” on plan TR2 in the plan folio.

22. From a point 300 metres or thereby to the east south-east of point 4 in a generally east north-easterly, then easterly direction for a distance of 3.89 kilometres or thereby to a point 890 metres or thereby south south-east of point 5 as shown by a heavy black line between points marked “point S” and “point AJ” on plan TR3 in the plan folio.

23. From a point 1.86 kilometres or thereby to the south-west of point 5 in a generally east north-easterly, then north north-easterly direction for a distance of 430 metres or thereby to a point 1.44 kilometres or thereby south-west of point 5 as shown by a heavy black line between points marked “point AK” and “point AL” on plan TR3 in the plan folio.

24. From a point 1.44 kilometres or thereby to the south-west of point 5 in a generally northerly, then east north-easterly direction for a distance of 150 metres or thereby to a point 1.31 kilometres or thereby south-west of point 5 as shown by a heavy black line between points marked “point AL” and “point AM” on plan TR3 in the plan folio.

25. From a point 1.44 kilometres or thereby to the south-west of point 5 in a generally south-easterly, then east south-easterly, then easterly, then east north-easterly direction for a distance of 465 metres or thereby to a point 1.07 kilometres or thereby south south-west of point 5 as shown by a heavy black line between points marked “point AL” and “point AN” on plan TR3 in the plan folio.

26. From a point 890 metres or thereby to the south south-west of point 5 in a generally west south-westerly direction for a distance of 535 metres or thereby to a point 1.34 kilometres or thereby south-west of point 5 as shown by a heavy black line between points marked “point AO” and “point AP” on plan TR3 in the plan folio.

27. From a point 1.39 kilometres or thereby to the south-west of point 5 in a generally westerly then west south-westerly direction for a distance of 740 metres or thereby to a point 2.08 kilometres or thereby south-west of point 5 as shown by a heavy black line between points marked “point AQ” and “point AR” on plan TR3 in the plan folio.

28. From a point 890 metres or thereby to the south south-east of point 5 in a generally easterly, then east north-easterly, then easterly, then east north-easterly direction for a distance of 4.74 kilometres or thereby to a point 1.26 kilometres or thereby south-east of point 6 as shown by a heavy black line between points marked “point AJ” and “point AS” on plan TR4 in the plan folio.

29. From a point 1.68 kilometres or thereby to the south south-west of point 7 in a generally east north-easterly, then north-easterly, then north north-easterly, then north-easterly, then east north-easterly, then easterly, then east south-easterly, then easterly, then east north-easterly direction for a distance of 7.06 kilometres or thereby to a point 1.04 kilometres or thereby west of point 8 as shown by a heavy black line between points marked “point AS” and “point AT” on plan TR5 in the plan folio.

30. From a point 780 metres or thereby to the south south-west of point 7 in a generally north north-easterly, then north-easterly, then north north-easterly direction for a distance of 790 metres or thereby to a point 300 metres or thereby east south-east of point 7 as shown by a heavy black line between points marked “point AU” and “point AV” on plan TR5 in the plan folio.

31. From a point 325 metres or thereby to the east south-east of point 7 in a generally easterly, then east north-easterly direction for a distance of 590 metres or thereby to a point 875 metres or thereby east of point 7 as shown by a heavy black line between points marked “point AW” and “point AX” on plan TR5 in the plan folio.

32. From a point 1.03 kilometres or thereby to the east of point 7 in a generally west south-westerly, then south-westerly direction for a distance of 555 metres or thereby to a point 580 metres or thereby east south-east of point 7 as shown by a heavy black line between points marked “point AY” and “point AZ” on plan TR5 in the plan folio.

33. From a point 560 metres or thereby to the east south-east of point 7 in a generally west south-westerly, then south-westerly direction for a distance of 750 metres or thereby to a point 605 metres or thereby south of point 7 as shown by a heavy black line between points marked “point BA” and “point BB” on plan TR5 in the plan folio.

PART 2

LENGTHS OF ROAD CEASING TO BE A TRUNK ROAD

34. That length of the existing A96 Trunk Road from a point 400 metres or thereby east north-east of point 1 in a generally east north-easterly, then north-easterly, then east north-easterly direction for a distance of 515 metres or thereby including the existing R1 roundabout to a point

980 metres or thereby east north-east of point 1 as shown by black and white hatching between points marked “point CA” and “point CB” on plan TR1 in the plan folio.

35. That length of the existing A96 Trunk Road from a point 980 metres or thereby east north-east of point 1 in a generally north-easterly, then east north-easterly, then easterly, then east north-easterly, then north-easterly, then east north-easterly direction for a distance of 5.82 kilometres of thereby to a point 1.09 kilometres or thereby east north-east of point 2 as shown by black and white hatching between points marked “point CB” and “point CC” on plan TR1 in the plan folio.

36. That length of the existing A96 Trunk Road from a point 2.72 kilometres or thereby west south-west of point 3 in a generally east north-easterly, then north-easterly, the east north-easterly direction for a distance of 2.79 kilometres or thereby including the existing R2 roundabout to a point 30 metres or thereby east north-east of point 3 as shown by black and white hatching like between points marked “point CC” and “point CD” on plan TR2 in the plan folio.

37. That length of the existing A96 Trunk Road from a point 30 metres or thereby east north-east of point 3 in a generally north-easterly, then east north-easterly, then north-easterly direction for a distance of 4.55 kilometres of thereby to a point 260 metres or thereby east south-east of point 4 as shown by black and white hatching between points marked “point CD” and “point CE” on plan TR2 in the plan folio.

38. That length of the existing A96 Trunk Road from a point 260 metres or thereby east south-east of point 4 in a generally east north-easterly direction for a distance of 4.45 kilometres or thereby to a point 650 metres or thereby east north-east of point 5 as shown by black and white hatching between points marked “point CE” and “point CF” on plan TR3 in the plan folio.

39. That length of the existing A96 Trunk Road from a point 650 metres or thereby north-east of point 5 in a generally east north-easterly, then easterly, then east north-easterly, then north-easterly direction for a distance of 3.64 kilometres or thereby including the existing R3 roundabout to a point 1.23 kilometres or thereby north north-west of point 6 as shown by black and white hatching between points marked “point CF” and “point CG” on plan TR4 in the plan folio.

40. That length of the existing A96 Trunk Road from a point 1.23 kilometres or thereby north north-west of point 6 in a generally east south-easterly, then easterly direction for a distance of 1.22 kilometres or thereby including the existing R4 roundabout to a point 990 metres or thereby north-east of point 6 as shown by black and white hatching between points marked “point CG” and “point CH” on plan TR4 in the plan folio.

41. That length of the existing A96 Trunk Road from a point 990 metres or thereby north-east of point 6 in a generally easterly direction for a distance of 70 metres or thereby to a point 1.05 kilometres or thereby north-east of point 6 as shown by black and white hatching between points marked “point CH” and “point CI” on plan TR4 in the plan folio.

42. That length of the existing A96 Trunk Road from a point 960 metres or thereby west of point 7 in a generally easterly, then east south-easterly, then easterly, then east north-easterly direction for a distance of 6.04 kilometres or thereby to a point 1.54 kilometres or thereby west south-west of point 8 as shown by black and white hatching between points marked “point CI” and “point CJ” on plan TR5 in the plan folio.