

2007 No. 402

ROADS AND BRIDGES

**The A75 Trunk Road (Cairntop to Barlae Dual Carriageway) (Side Roads)
Order 2007**

Made

31st August 2007

Coming into force

7th September 2007

The Scottish Ministers, in exercise of the powers conferred by section 12(1) as read with section 70(1) and 143(1) of the Roads (Scotland) Act 1984^(a), and of all other powers enabling them in that behalf, having been satisfied in accordance with sections 12(3) and 71(3) of the said Act, it having appeared to them in accordance with sections 20A^(b) and 55A^(c) of the said Act that the project falls within Annex II to Council Directive No.85/337/EEC^(d) on the assessment of the effects of certain public and private projects on the environment and has characteristics that it should be made subject to an environmental assessment, and having published an Environmental Statement on 3 November 2006 and having complied with the provisions of the said sections 20A and 55A of, and Part I of Schedule 1^(e) of the said Act, hereby make the following Order:

1. This Order may be cited as the A75 Trunk Road (Cairntop to Barlae Dual Carriageway) (Side Roads) Order 2007 and shall come into force on 7th September 2007.

^(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) Section 20A was inserted by regulation 49 of the Environmental Impact Assessment (Scotland) Regulations 1999 (S.S.I. 1999/1).

^(c) Section 55A was inserted by regulation 50 of the Environmental Impact Assessment (Scotland) Regulations 1999 (S.S.I. 1999/1).

^(d) O.J. No. L175, 5.7.1985, p.40 as amended by Council Directive 97/11/EC O.J. No. L73, 14.3.1997, p5.

^(e) Part I of Schedule 1 was relevantly amended by the Local Government etc. (Scotland) Act 1994 (c.39) Schedule 13, Paragraph 135; by regulation 52 of S.S.I.1999/1, and by the Water Industry (Scotland) Act 2002 (asp 3) Schedule 7, paragraph 14.

2. The Scottish Ministers are hereby authorised:
 - a. to construct those lengths of road along the routes described in Part 1 of the Schedule to this Order;
 - b. to improve those lengths of road described in Part 2 of the Schedule to this Order;
 - c. to provide new means of access described in Part 3 of the Schedule to this Order: and
 - d. to stop-up that length of road described in Part 4 of the Schedule to this Order when the new side roads described in Part 1 of the Schedule to this Order are open for through traffic;
 - e. to stop-up those private means of access described in paragraphs Part 5 of the Schedule to this Order when the new means of access described in Part 3 of the Schedule to this Order have been provided;
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 the Schedule to this Order any apparatus belonging to a statutory undertaker, any rights of the statutory undertaker in respect of such apparatus shall be preserved.
4. On the date the new side roads in Part 1 of the Schedule to this Order are open for the purpose of through traffic, the new side roads shall be transferred to Dumfries and Galloway Council.

J. G. BARTON
A member of the staff of the Scottish Ministers

Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF
31st August 2007

SCHEDULE

In this Schedule the following expressions shall have the following meanings:

“the Plan” means the Plan numbered “RYC/DG19/3” entitled “The A75 Trunk Road (Cairntop to Barlae Dual Carriageway) (Side Roads) Order 200 ”, and signed with reference to this Order and deposited at the offices of Transport Scotland, Trunk Roads Infrastructure and Professional Services, Buchanan House, Glasgow G4 0HF;

“the Trunk Road” means the A75 Gretna – Dumfries - Stranraer Trunk Road.

“Reference Point A” means the point of intersection of the A75 Trunk Road and the projected centreline of the access track to Derskelpin Farm as shown on the Plan;

“Reference Point B” means the point of intersection of the A75 Trunk Road and the projected centreline of the U99 Gass Road as shown on Plan;

PART 1

ROUTES OF THE NEW SIDE ROADS

1. From a point 85 metres or thereby south-east of Reference Point B, generally in a westerly direction for a distance of 440 metres or thereby, as shown by stipling and numbered “1” on the Plan.

PART 2

ROADS TO BE IMPROVED

1. That length of the existing A75 Trunk Road, from a point 90 metres or thereby west of Reference Point A, generally in a north easterly direction for a distance of 265 metres or thereby, as shown by cross hatching and numbered “2” on the Plan.
2. That length of the existing A75 Trunk Road, from a point 135 metres or thereby east of Reference Point B, generally in a north easterly direction for a distance of 380 metres or thereby, as shown by cross hatching and numbered “3” on the Plan.

PART 3

NEW MEANS OF ACCESS TO BE PROVIDED

1. From a point 215 metres or thereby west of Reference Point A, generally in a north easterly direction for a distance of 525 metres or thereby, as shown by hatching and numbered “4” on the Plan.
2. From a point 215 metres or thereby west of Reference Point A, generally in a north easterly direction for a distance of 1575 metres or thereby, as shown by hatching and numbered “5” on the Plan.

3. From a point 35 metres or thereby south of Reference Point B, generally in a southerly direction for a distance of 10 metres or thereby, as shown by hatching and numbered “6” on the Plan.
4. From a point 30 metres or thereby south of Reference Point B, generally in a north and then in a north easterly direction for a distance of 55 metres or thereby, as shown by hatching and numbered “7” on the Plan.
5. From a point 4000 metres or thereby south of Reference Point A, generally in a north westerly direction for a distance of 66 metres or thereby, as shown by hatching and numbered “21” on the Plan.
6. From a point 500 metres or thereby west of Reference Point B, generally in a north westerly direction for a distance of 96 metres or thereby, as shown by hatching and numbered “22” on the Plan.

PART 4
LENGTHS OF ROAD TO BE STOPPED UP

1. That length of the existing lay-by to the A75 Trunk Road, from a point 10 metres or thereby north east of Reference Point A, generally in a north easterly direction for a distance of 140 metres or thereby, as shown by zebra hatching and numbered “8” on the Plan.
2. That length of the existing U99 Gass Road, from a point 3 metres or thereby south of Reference Point B, generally in a southerly direction for a distance of 15 metres or thereby, as shown by zebra hatching and numbered “9” on the Plan.
3. That length of the existing U99 Gass Road, from a point 25 metres or thereby south of Reference Point B, generally in a south easterly direction for a distance of 20 metres or thereby, as shown by zebra hatching and numbered “10” on the Plan

PART 5
PRIVATE MEANS OF ACCESS TO BE STOPPED UP

1. That private means of access on the north side of the A75 Trunk Road to the field network east of Knockishee at a point 230 metres or thereby west of Reference Point A, as shown by solid black infill and numbered “11” on the Plan.
2. That private means of access on the north side of the A75 Trunk Road to the field network east of Knockishee at a point 80 metres or thereby west of Reference Point A, as shown by solid black infill and numbered “12” on the Plan.
3. That private means of access on the south side of the A75 Trunk Road to Derskelpin Farm at a point 4 metres or thereby south of Reference Point A, as shown by solid black infill and numbered “13” on the Plan.
4. That private means of access on the north side of the A75 Trunk Road to a field at a point 300 metres or thereby north east of Reference Point A, as shown by solid black infill and numbered “14” on the Plan.

5. That private means of access on the south side of the A75 Trunk Road to the field network north west of Barhapple Loch at a point 310 metres or thereby north east of Reference Point A, as shown by solid black infill and numbered “15” the Plan
6. That private means of access on the north side of the A75 Trunk Road to the length of existing track and fields at a point 875 metres or thereby north east of Reference Point A, as shown by solid black infill and numbered “16” on the Plan.
7. That private means of access on the north side of the A75 Trunk Road to the length of existing track to Blairderry Hill at a point 575 metres or thereby south west of Reference Point B, as shown by solid black infill and numbered “17” the Plan.
8. That private means of access on the south side of the A75 Trunk Road to a section of redundant alignment of the Trunk Road at a point 40 metres or thereby north east of Reference Point B, as shown by solid black infill and numbered “18” the Plan.
9. That private means of access on the south side of the A75 Trunk Road to a field network at a point 515 metres or thereby north east of Reference Point B, as shown by solid black infill and numbered “19” the Plan.
10. That private means of access on the north side of the A75 Trunk Road to a field at a point 520 metres or thereby north east of Reference Point B, as shown by solid black infill and numbered “20” the Plan.