

2007 No. 572

ROAD TRAFFIC

**The A83 Trunk Road (Inveraray) (Temporary Clearway) Order
2007**

Made 11th December 2007
Coming into force 6th January 2008

The Scottish Ministers make the following Order in exercise of the powers conferred by section 14(1)(a) and (4) of the Road Traffic Regulation Act 1984(a), and of all other powers enabling them to do so.

In accordance with section 14(1) of that Act, the Scottish Ministers are satisfied that traffic on the road should be restricted or prohibited because works are being or are proposed to be executed on or near the road.

In accordance with section 14(3) of that Act, in considering the making of the Order the Scottish Ministers have had regard to the existence of alternative routes suitable for the traffic which will be affected by it.

Citation, commencement and cessation

1. This Order may be cited as the A83 Trunk Road (Inveraray) (Temporary Clearway) Order 2007 and shall come into force on 6th January 2008 until midnight on 1st August 2008.

Prohibition of use of vehicles

Subject to Article 3 of this Order, the waiting of vehicles or the loading and unloading of vehicles on the lengths of road specified in the Schedule to this Order is prohibited when such prohibition is identified as applying to any part or parts of the said lengths of road by means of traffic signs prescribed in Diagram 642 of the Traffic Signs Regulations and General Directions 2002(c).

(a) 1984 c.27. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (inserted by the New Roads and Street Works Act 1991 (c.22), s.168(1) and paragraph 70 of Schedule 8, and amended by the Scotland Act 1998 (Consequential Modifications) Order 2001 (S.I. 2001/1400)) as read with s.151(1) of the Roads (Scotland) Act 1984 (c.54). The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c.46)..

(b) S.I 1992/1215 as amended by S.S.I 2005/299.

(c) S.I 2002/3113.

Exemption for certain purposes

3. Nothing in Article 2 hereof shall apply:

a. so as to prevent a vehicle stopping on a carriageway for so long as may be necessary to enable the vehicle, if it cannot conveniently be used for any of the purposes hereinafter described without stopping on a carriageway, to be used in connection with any building operation or demolition being carried out adjacent thereto, the removal of any obstruction or potential obstruction to traffic, the maintenance, improvement or reconstruction of the said length of road of which that carriageway forms part, or the laying, erection, placing, maintenance, testing, alteration, repair or removal of any structure, works or apparatus, in, on, under, over or adjacent to the said length of road; or

b. to a vehicle being used for fire brigade, ambulance, coastguard or police purposes; or

c. to vehicles servicing adjoining properties; or

d. to a vehicle being used for the purpose of collecting postal packets or delivering postal packets as defined in section 87 of the Post Office Act 1953(a); or

e. to a vehicle stopping in any case where the person in control of the vehicle:-

i. is required by law to stop; or

ii. is obliged to stop in order to avoid an accident; or

iii. is prevented from proceeding by circumstances outwith his control and it is not reasonably practicable for him to drive or move the vehicle to a place not on a carriageway; or

f. so as to prevent a vehicle being used by or on behalf of a local authority from stopping on a carriageway for so long as may be necessary to enable the vehicle, if it cannot be used for the purpose hereinafter described without stopping on the carriageway, to be used for the purpose of the collection of household refuse from premises situated on or adjacent to the said length of road of which that carriageway forms part; or

(a)1985 c.67.

g. so as to prevent a public service vehicle providing a local service as defined in section 2 of the Transport Act 1985(a), from stopping on a carriageway for the purpose of taking up and setting down passengers.

D M C MACNEILL

A member of Staff of the Scottish Ministers

Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF
11th December 2007

(a)1985 c.67.

SCHEDULE

That length of the A83 Tarbet – Lochgilphead – Kennacraig Trunk Road from the centre of the bridge over the River Aray to a point 70 metres or thereby south of the extended southwest gable of Loch Fyne Hotel, a distance of 1582 metres or thereby.