

**2009 No. 58**

**ROAD TRAFFIC**

**The South East Unit Trunk Roads Area (Temporary Prohibitions of Traffic, Temporary Prohibitions of Overtaking and Temporary Speed Restrictions) (No.2) Order 2009**

*Made* 18<sup>th</sup> February 2009

*Coming into force* 1<sup>st</sup> March 2009

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 14(1) and (4), 2(1) and (2) and 4(1) of the Road Traffic Regulation Act 1984(a) and all other powers enabling them to do so.

In accordance with section 14(1) of that Act, they are satisfied that the traffic on the lengths of road specified in the Schedule should be restricted or prohibited as hereinafter provided because works are being or are proposed to be executed on or near the said lengths of road.

In accordance with section 14(3) of that Act, they have had regard to the existence of alternative routes suitable for the traffic which will be affected by this Order.

**Citation, commencement and cessation**

1. This Order may be cited as the South East Unit Trunk Roads Area (Temporary Prohibitions of Traffic, Temporary Prohibitions of Overtaking and Temporary Speed Restrictions) (No. 2) Order 2009, comes into force on 1<sup>st</sup> March 2009 and ceases to have effect at midnight on 31<sup>st</sup> May 2009.

**Interpretation**

2. In this Order a reference to a numbered column is to the column in the Schedule to this Order bearing that number.

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(a) 1984 c.27; section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1. Section 2 was amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 18. 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), Schedule 8, paragraph 70 and amended by the Scotland Act 1998 (Consequential Modifications) Order 2001 (S.I. 2001/1400)) as read with section 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).

### **Temporary prohibition on use of a road**

3. Subject to Article 6, no person shall use, or permit the use of, any vehicle on each length of road specified in column 1 when a prohibition is identified as applying to a part or parts of that length of road by means of one or more of the traffic signs prescribed in Diagrams 7010.1 and 7105 of the Traffic Signs Regulations 2002(a).

### **Temporary prohibition on overtaking**

4.—(1) Subject to paragraph (2) of this Article, no person shall use, or permit the use of, any vehicle in such a way that it overtakes any other moving vehicle on each length of road specified in column 1 when a prohibition is identified as applying to a part or parts of that length of road by means of a traffic sign prescribed in Diagram 632 of the Traffic Signs Regulations 2002.

(2) Nothing in paragraph (1) of this Article shall prohibit any person from using, or permitting the use of, any vehicle in such a way that it overtakes a cycle, motor cycle, tricycle or any other vehicle not being a motor vehicle in accordance with section 140 of the Road Traffic Regulation Act 1984(b).

### **Temporary speed restriction**

5.—(1) Subject to paragraph (2) of this Article, no person shall drive any vehicle on the lengths of road specified in column 1 of Parts 2 and 3 of the Schedule at a speed exceeding that specified in column 2 when a restriction is identified as applying to a part or parts of that length of road by means of a traffic sign prescribed in Diagram 670 of the Traffic Signs Regulations 2002.

(2) When convoy working is in operation and indicated by one or more of the traffic signs prescribed in Diagrams 7011, 7025, 7026, 7027, 7028 and 7029 of the Traffic Signs Regulations 2002, no person shall drive any vehicle on the lengths of road specified in column 1 of Part 3 of the Schedule at a speed exceeding 10 mph when a restriction is identified as applying to a part or parts of that length of road by means of a traffic sign prescribed in Diagram 670 of the Traffic Signs Regulations 2002.

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(a) Part 1 of S.I. 2002/3113.

(b) 1984 c.27; section 140 was amended by the Road Traffic (Consequential Provisions) Act 1988 (c.54), Schedule 3, paragraph 25 (9).

## **Exemption for emergency and works vehicles**

**6.** Nothing in Article 3 of this Order shall apply to a vehicle being used in an emergency for fire brigade, ambulance, police or coastguard purposes or a vehicle while being used for carrying out the works.

*S R LEES*

A member of the staff of the Scottish Ministers

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18<sup>th</sup> February 2009

# SCHEDULE

## PART 1

Articles 3 and 4

<b>1</b>
<b>Description of particular lengths of road</b>
1. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the eastbound off slip road at Junction 6 (Newhouse), a distance of 600 metres or thereby.
2. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the eastbound on slip road at Junction 6 (Newhouse), a distance of 900 metres or thereby.
3. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the eastbound on slip road at Junction 5 (Shotts), a distance of 730 metres or thereby.
4. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the westbound on slip road at Junction 5 (Shotts), a distance of 730 metres or thereby.
5. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the westbound off slip road at Junction 5 (Shotts), a distance of 710 metres or thereby.
6. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the eastbound off slip road at Junction 5 (Shotts), a distance of 710 metres or thereby.
7. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the eastbound off slip road at Junction 3a (Starlaw), a distance of 350 metres or thereby.
8. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the eastbound on slip road at Junction 3a (Starlaw), a distance of 630 metres or thereby.
9. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the northbound off slip road at Junction 10 (Craigforth), a distance of 550 metres or thereby.
10. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the northbound on slip road at Junction 10 (Craigforth), a distance of 720 metres or thereby.
11. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the southbound off slip road at Junction 10 (Craigforth), a distance of 410 metres or thereby.
12. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the southbound on slip road at Junction 10 (Craigforth), a distance of 690 metres or thereby.
13. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the southbound on slip road at Junction 3 (Burghmuir), a distance of 730 metres or thereby.
14. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the southbound carriageway from Junction 11 (Keir) to the southbound on slip road at Junction 10 (Craigforth), a distance of 4.4 kilometres or thereby.
15. That length of the M876/A876/A977 Dennyloanhead – Gartarry Roundabout Trunk Road being the northbound carriageway from the Junction 2 (North Broomage) northbound off slip road to its merge with the M9 at Junction 8 (Hill of Kinnaird), a distance of 3.4 kilometres or thereby.
16. That length of the A720 Edinburgh City Bypass Trunk Road being the westbound off slip road at Calder Junction, a distance of 323 metres or thereby.

## PART 2

Articles 3, 4 and 5 (1)

1	2
Description of particular lengths of road	Speed restriction
17. That length of the M876/A876/A977 Dennyloanhead – Gartarry Roundabout Trunk Road being the northbound and southbound carriageways from diverge from the M9 Edinburgh – Stirling – Thurso Trunk Road at Junction 8 (Hill of Kinnaird) to merge with M80/A80 Glasgow – Stirling Trunk Road at Junction 5 (Bankhead), a distance of 8.4 kilometres or thereby.	40 mph
18. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the northbound and southbound carriageways from the northbound off slip road at Junction 3 (Burghmuir) and the northbound off slip road at Junction 5 (Cadgers Brae), a distance of 9.9 kilometres or thereby.	40 mph
19. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the northbound and southbound carriageways from Junction 9 (Stirling Services) to Junction 10 Overbridge, a distance of 7.3 kilometres or thereby	40 mph
20. That length of the M9/A9 Edinburgh – Stirling- Thurso Trunk Road being the southbound on slip road at Junction 1A to the southbound on slip road at Junction 1, a distance of 2.5 kilometres or thereby.	40 mph

## PART 3

Articles 3, 4 and 5

1	2
Description of particular lengths of road	Speed restriction
21. That length of the M80/A80 Glasgow – Stirling Trunk Road being the northbound and southbound carriageways from Junction 4 (Haggs) southbound off slip road to the Crowwood Roundabout, a distance of 17 kilometres or thereby.	30 mph.
22. That length of the A6091/A7 Melrose – Galashiels – Carlisle Trunk Road being from the Linhope Farm access to the unclassified Sorbie Junction, a distance of 12.8 kilometres or thereby.	30 mph
23. That length of the A6091/A7 Melrose – Galashiels – Carlisle Trunk Road being from Langheugh Road to Guthrie Drive, Hawick a distance of 2.9 kilometres or thereby.	30 mph