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SCOTTISH STATUTORY INSTRUMENTS

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**2010 No. 176**

**ROAD TRAFFIC**

The A82 Trunk Road (Fort William Relief Road) (Clearway) Order 2010

*Made*

*4<sup>th</sup> May 2010*

*Coming into force*

*17<sup>th</sup> May 2010*

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

In accordance with section 1(1) they consider it expedient to make the Order to avoid danger to persons or other traffic using the lengths of road specified in the Schedule to this Order or for preventing the likelihood of any such danger arising.

They have complied with Part II of the Secretary of State's Traffic Orders (Procedure) (Scotland) Regulations 1987(b).

**Citation and commencement**

**1.** This Order may be cited as the A82 Trunk Road (Fort William Relief Road) (Clearway) Order 2010 and comes into force on 17<sup>th</sup> May 2010.

**Prohibition of use of vehicles**

**2.** Subject to Article 3, no person shall, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to stop at any time on the length of road specified in the Schedule.

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(a) 1984 c.27; sections 1 and 2 were amended by the New Roads and Street Works Act 1991 (c.22), section 168(1) and Schedule 8, paragraphs 17 and 18 respectively. Section 1 was further amended by the Environment Act 1995 (c.25), section 120 and Schedule 22, paragraph 36(1) and by the Transport (Scotland) Act 2001 (asp 2), schedule 2, paragraph 3. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (c.27) (as inserted by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 70 which was 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).

(b) S.I. 1987/2244.

### Exemption for certain purposes

3. Article 2 shall not apply–

- (a) to prevent a vehicle stopping 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, to be used in connection with any building operation or demolition being carried out adjacent to the length of road in the Schedule, for the removal of any obstruction or potential obstruction to traffic, for the maintenance, improvement or reconstruction of the length of road in the Schedule or for the laying, erection, placing, maintenance, testing, alteration, repair or removal of any structure, works or apparatus, in, on, under, over or adjacent to the length of road in the Schedule;
- (b) to a vehicle being used for fire brigade, coastguard, ambulance or police purposes;
- (c) to a vehicle being used for the purpose of collecting postal packets or delivering postal packets as defined in section 125 of the Postal Services Act 2000(a).
- (d) to a vehicle stopping owing to the driver being required to do so–
  - (i) by law;
  - (ii) to avoid an accident; or
  - (iii) by circumstances outwith the driver's control and it not being reasonably practicable for the driver to move the vehicle to a place not on the length of road in the Schedule;
- (e) to prevent a vehicle being used by or on behalf of a local authority from stopping for so long as may be necessary to enable the vehicle, if it cannot be used for the purpose hereinafter described without stopping, to be used for the purpose of the collection of household refuse from premises situated on or adjacent to the length of road in the Schedule;

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(a)2000 c.26, to which no relevant amendments apply.

- (f) to prevent a public service vehicle as defined by section 1 of the Public Passenger Vehicles Act 1981(**a**) providing a local service as defined in section 2 of the Transport Act 1985(**b**), from stopping at an authorised stopping place or terminal point.

*G EDMOND*

A member of the staff of the Scottish Ministers

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4<sup>th</sup> May 2010

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(**a**)1981 c.14; sections 1(3) and 1(5) have been repealed in part by the Transport Act 1985 (c.67), Schedule 8.

(**b**)1985 c.67, to which no relevant amendments apply.

**Fort William Relief Road (Both Carriageways)**

That length of the A82 Dalnottar to Inverness Trunk Road in Fort William from a point opposite the extended southwest boundary wall of the Presbytery House of St Mary's Church, Belford Road westwards, then north-westwards, then south-westwards to a point 26 metres or thereby southwest of the extended southwest gable of the West End Hotel, High Street including Transport Centre and West End Roundabouts, a distance of 1.065 kilometres or thereby.