

2015 No. 416

ROAD TRAFFIC

**The A96 Trunk Road (Inveramsay Bridge Improvement)
(Temporary Prohibitions on Traffic, Overtaking and Temporary
Speed Restriction) (No. 2) Order 2015**

Made - - - - *7th December 2015*

Coming into force - - *20th December 2015*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 2(1) and (2), 4(1), 14(1)(a) and (4) and 124(1)(d) of, and paragraph 27 of Schedule 9 to the Road Traffic Regulation Act 1984(a) and all other powers enabling them to do so.

In accordance with section 14(1)(a) of that Act, they are satisfied that traffic on the lengths of road specified in the Schedule should be restricted or prohibited because works are being or are proposed to be executed on or near those 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 and commencement

1. This Order may be cited as the A96 Trunk Road (Inveramsay Bridge Improvement) (Temporary Prohibitions on Traffic, Overtaking and Temporary Speed Restriction) (No. 2) Order 2015, comes into force on 20th December 2015 and ceases to have effect on 15th September 2016.

Prohibition on use of road

2. No person may use, or permit the use of, any vehicle on the lengths of road, or a part or parts of those lengths of road, specified in the Schedule to this Order when a prohibition is identified as applying to those lengths of road, or a part or parts of those lengths 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(b).

(a) 1984 c.27; section 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (“the 1991 Act”) (c.22), Schedule 8, paragraph 18 and section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), Schedule 1. Section 124 and paragraph 27 of Schedule 9 contain amendments not relevant to this Order. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (inserted by the 1991 Act, Schedule 8, paragraph 70 and amended by S.I. 2001/1400) as read with section 151(1) of the Roads (Scotland) Act 1984 (c.54) (relevantly amended by S.I. 2001/1400). The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c.46) and S.I. 1999/1750.

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

Prohibition on overtaking

3.—(1) No person may use, or permit the use of, any vehicle in such a way that it overtakes any other moving vehicle on the lengths of road, or a part or parts of those lengths of road, specified in the Schedule to this Order when a prohibition is identified as applying to the lengths of road, or a part or parts of those lengths of road, by means of a traffic sign prescribed in Diagram 632 of the Traffic Signs Regulations 2002.

(2) “Other moving vehicle” does not include 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(a).

Speed restriction

4. No person may drive any vehicle on the lengths of road, or a part or parts of those lengths of road, specified in the Schedule to this Order at a speed exceeding 30mph when such a restriction is identified as applying to those lengths of road, or a part or parts of those lengths of road, by means of a traffic sign prescribed in Diagram 670 of the Traffic Signs Regulations 2002.

Exemptions

5. No prohibition imposed by this Order applies to—

- (a) a vehicle being used for carrying out the works;
- (b) a vehicle being used in an emergency for fire brigade, ambulance, police or coastguard purposes; or
- (c) a vehicle falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011(b) when used in accordance with regulation 3(5) of those Regulations.

Revocation

6. The A96 Trunk Road (Inveramsay Bridge Improvement) (Temporary Prohibitions on Traffic, Overtaking and Temporary Speed Restriction) Order 2015 is revoked(c).

G EDMOND

A member of the staff of the Scottish Ministers

Buchanan House,
Glasgow
7th December 2015

(a) Section 140 was amended by the Road Traffic (Consequential Provisions) Act 1988 (c.54), Schedule 3, paragraph 25(9).
(b) S.I. 2011/935.
(c) S.I. 2015/111.

SCHEDULE

Articles 2, 3 and 4

1. That length of the A96 Aberdeen – Inverness Trunk Road being the northbound and southbound carriageways from a point 253 metres or thereby south of Milton of Inveramsay Cottages to a point 350 metres north of the Inveramsay Rail Bridge, a distance of 1700 metres or thereby.

2. That length of the A96 Aberdeen – Inverness Trunk Road being the northbound and southbound carriageways from the private access to the property known as Dockendale Cottage, Milton of Inveramsay, to its junction at the Inveramsay Bridge, a distance of 800 metres or thereby.