

2016 No. 143

ROADS AND BRIDGES

**The M77/A77 Trunk Road (Maybole Bypass) (Trunking and
Detrunking) Order 2016**

Made - - - - *2nd March 2016*

Coming into force - - *16th March 2016*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 5(2) and (6) of the Roads (Scotland) Act 1984(a) and all other powers enabling them to do so.

In accordance with section 5(2) of that Act, they have taken into consideration the requirements of local and national planning, including the requirements of agriculture and industry and are satisfied as to expediency.

They determined that the project falls within Annex II to Directive 2011/92/EU of the European Parliament and of the Council(b), on the assessment of the effects of certain public and private projects on the environment and have published notice of that determination on 4th December 2013.

They prepared an environmental statement and published notice of it on 4th December 2013. This Order is made in compliance with the provisions of Parts I and III of Schedule 1(c) to the Roads (Scotland) Act 1984.

Citation, commencement and interpretation

1. This order may be cited as the M77/A77 Trunk Road (Maybole Bypass) (Trunking and Detrunking) Order 2016 and comes into force on 16th March 2016.

2. The definitions in the Schedule to the Order have effect.

(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) O.J. L 26, 28.1.2012, p.1. Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC, O.J. L 175, 5.7.1985, p.40, as amended by Council Directive 97/11/EC, O.J. L 73, 14.3.1997, p.5, Directive 2003/35/EC of the European Parliament and of the Council, O.J. L 156, 25.6.2003, p.17, and Directive 2009/31/EC of the European Parliament and of the Council, O.J. L 140, 5.6.2009, p.114. Directive 2011/92/EU was amended by Directive 2014/52/EU of the European Parliament and of the Council, O.J. L 124, 25.4.2014, p.1.

(c) Part 1 of Schedule 1 was amended by the Local Government etc. (Scotland) Act 1994 (c.39) Schedule 13, paragraph 135, the Water Industry (Scotland) Act 2002 (asp 3), schedule 7, paragraph 14, the Transport and Works (Scotland) Act 2007 (asp 8), section 24(4)(a), schedule 2, paragraphs 2 and 3 and schedule 3, paragraph 1 and S.S.I. 1999/1, S.S.I. 2006/614 and S.S.I. 2011/396. Part III of Schedule 1 was amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 96(2) and the Transport and Works (Scotland) Act 2007 (asp 8), schedule 3, paragraph 1.

Trunk Road

3. The Scottish Ministers direct that the length of road (hereinafter referred to as “the new trunk road”) which they propose to construct along the route described in Part 1 of the Schedule to this Order shall become a trunk road on the date this Order comes into force.

Road ceasing to be a trunk road

4. On 1st April next after the date on which the new trunk road is open for the purpose of through traffic, the length of road described in Part 2 of the Schedule shall cease to be a trunk road and South Ayrshire Council^(a) shall become the roads authority for that length of road and shall enter the road in their list of public roads^(b).

M F RENNIE

A member of the staff of the Scottish Ministers

Buchanan House,
Glasgow
2nd March 2016

(a) A council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c.39).

(b) The list of public roads prepared and kept by the local roads authority under section 1(1) of the Roads (Scotland) Act 1984.

SCHEDULE

Articles 2, 3 and 4

INTERPRETATION

In this Schedule—

“the trunk road” means the existing M77/A77 Glasgow - Stranraer Trunk Road in the vicinity of Maybole, South Ayrshire;

point “1” means the intersection of the existing centrelines of the trunk road and the access track to Broomknowes Farm, Maybole, KA19 8HF as shown on the plan;

point “2” means the intersection of the existing centrelines of the B7023 Culzean Road, Maybole and the access track to East Enoch Farm, Maybole, KA19 8DU as shown on the plan;

point “3” means the intersection of the existing centrelines of the trunk road and the access track to Knoweholm, Maybole, KA19 8DJ as shown on the plan; and

“the plan” mean the plan numbered DO/1 and entitled “The M77/A77 Trunk Road (Maybole Bypass) (Trunking and Detrunking) Order 2016”, signed with reference to this Order and deposited at the offices of Transport Scotland, Major Transport Infrastructure Projects, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF.

PART 1

ROUTE OF THE NEW TRUNK ROAD

1. From a point on the trunk road 283 metres or thereby south west of point 1, generally in a north easterly direction for a distance of 226 metres or thereby to a point 50 metres or thereby west of point 1, as shown by a heavy black line between points marked A1 and A2 on the plan.

2. From a point 44 metres or thereby north west of point 1 in a clockwise direction for a distance of 133 metres or thereby returning to the same point and forming the circulatory carriageway of a roundabout as shown by a heavy black line and marked point A3 on the plan.

3. From a point 71 metres or thereby north west of point 1, generally in a northerly and north easterly direction for a distance of 615 metres or thereby to a point 275 metres or thereby south east of point 2, as shown by a heavy black line between points marked A4 and A5 on the plan.

4. From a point 295 metres or thereby south east of point 2 in a clockwise direction for a distance of 149 metres or thereby returning to the same point and forming the circulatory carriageway of a roundabout as shown by a heavy black line and marked point A6 on the plan.

5. From a point 277 metres or thereby south east of point 2, generally in a north easterly direction for a distance of 4395 metres or thereby to a point 339 metres or thereby south west of point 3, as shown by a heavy black line between points marked A7 and A8 on the plan.

6. From a point 335 metres or thereby south west of point 3 in a clockwise direction for a distance of 180 metres or thereby returning to the same point and forming the circulatory carriageway of a roundabout as shown by a heavy black line and marked point A9 on the plan.

7. From a point 281 metres or thereby south west of point 3, generally in a north easterly direction for a distance of 241 metres or thereby to a point 42 metres or thereby south west of point 3, as shown by a heavy black line between points marked A10 and A11 on the plan.

PART 2

LENGTH OF ROAD CEASING TO BE A TRUNK ROAD

That length of the trunk road 132 metres or thereby east of the point 1, generally in a north easterly then northerly direction for a distance of 5002 metres or thereby to a point 543 metres or thereby south west of the point 3 as shown by the zebra hatching between points B1 and B2 on the plan.