

2013 No. 295

ROADS AND BRIDGES

**The A96 Trunk Road (Inveramsay Bridge Improvement)
(Trunking and Detrunking) Order 2013**

Made - - - - *17th October 2013*

Coming into force - - *31st October 2013*

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 11th April 2013. They prepared an environmental statement and published notice of it on 11th April 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.—(1) This Order may be cited as the A96 Trunk Road (Inveramsay Bridge Improvement) (Trunking and Detrunking) Order 2013 and comes into force on 31st October 2013.

(2) The definitions in Part 1 of the Schedule to this Order have effect.

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- (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- (b) O.J. L 26, 28.1.2012, p.1., Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC, O.J. L 175, 5.7.1985, p.40, as amended by Council Directive 97/11/EC, O.J. L 73,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.
- (c) Part I 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, schedule 2, paragraphs 2 and 3 and schedule 3, paragraph 1 and S.S.I. 1999/1, 2006/614 and 2011/396. Part III of Schedule 1 was amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 96 and the Transport and Works (Scotland) Act 2007 (asp 8), schedule 3, paragraph 1.

Trunk road

2. 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

3. 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 Aberdeenshire Council^(a) shall become the roads authority for that length of road and shall enter the road in their list of public roads^(b).

R BRANNEN

A member of the staff of the Scottish Ministers

Transport Scotland,
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF
17th October 2013

(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

TRUNK ROAD

Articles 1, 2 and 3

PART 1

INTERPRETATION

1. In this Schedule—

“the trunk road” means the existing A96 Aberdeen - Inverness Trunk Road;

“the plan” means the plan numbered TR01 and entitled “The A96 Trunk Road (Inveramsay Bridge Improvement) (Trunking and Detrunking) Order 2013”, 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;

“point A” refers to the point of intersection of the centreline of the trunk road and the centre line of the existing Aberdeen to Inverness Railway at the existing Inveramsay Rail Bridge, as shown on the plan;

“point B” means the most north westerly corner of the building known as Uryview, Milton of Inveramsay, Pitcaple, Inverurie, AB51 5DQ, as shown on the plan;

“existing Inveramsay Rail Bridge” means the bridge carrying the Aberdeen to Inverness Rail Line over the A96 Aberdeen to Inverness Trunk Road.

PART 2

ROUTE OF THE NEW TRUNK ROAD

2. From a point 324 metres or thereby north west of point A generally in a south easterly direction for a distance of 935 metres or thereby, then generally in a southerly direction for a distance of 500 metres or thereby, to a point 93 metres or thereby south south west of point B as shown by solid black line between points marked “1” and “2” on the plan.

PART 3

LENGTH OF ROAD CEASING TO BE A TRUNK ROAD

3. That length of the trunk road 17 metres or thereby north north east of the point A, generally in a south south westerly direction for a distance of 48 metres or thereby, then in a south easterly direction for a distance of 787 metres or thereby to a point 158 metres or thereby, north north west of point B as shown by the zebra hatching between points “3” and “4” on the plan.