S C O T T I S H S T A T U T O R Y I N S T R U M E N T S

2009 No. 407

ROADS AND BRIDGES

The A737 Trunk Road (Beith Bypass, Head Street Junction)
(Side Roads) Order 2009

Made	*13th November 2009*
Coming into force	*20th November 2009*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 12(1), (5) and 70(1) of the Roads (Scotland) Act 1984(**a**) and all other powers enabling them to do so.

In accordance with section 12(3) of that Act, they are satisfied that another reasonably convenient route will be provided before any road is stopped up pursuant to this Order.

In accordance with section 71(3) of that Act, they are satisfied that other reasonably convenient means of access will be provided before any private means of access is stopped up pursuant to this Order

In accordance with section 20A(**b**) and 55A(**c**) of that Act, they have determined that the project is a relevant project falling within Annex II to Council Directive No 85/337/EEC(**d**) on the assessment of the effects of certain public and private projects on the environment but having regard to the selection criteria contained in Annex III it should not be made subject to an environmental impact assessment in accordance with the Directive.

They have complied with the requirements of Part I of Schedule 1(**e**) to that Act.

Citation and commencement

1. This Order may be cited as the A737 Trunk Road (Beith Bypass, Head Street Junction) (Side Roads) Order 2009 and comes into force on 20th November 2009.

(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) Section 20A was substituted by S.S.I. 1999/1 and was amended by S.S.I. 2006/614.

(c) Section 55A was substituted by S.S.I. 1999/1 and was amended by S.S.I. 2006/614

(d) 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) and Council Directive 2003/35/EC (O.J. L 156, 25.6.2003, p. 17).

(e) Part I of Schedule 1 was relevantly 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, paragraph 2 and schedule 3, and by S.S.I. 1999/1 and S.S.I. 2006/614.

Side roads and means of access

2. The Scottish Ministers as roads authority are authorised-

(a) to stop up those lengths of road described in Part 1 of the Schedule to this Order;

(b) to improve those lengths of road described in Part 2 of the Schedule;

(c) to stop-up those private means of access described in Part 3 of the Schedule when the new means of access described in Part 4 of the Schedule have been provided; and

(d) to provide those new means of access described in Part 4 of the Schedule.

Statutory Undertakers

3. Where immediately before the date this Order comes into force there is under, in, on, over, along or across any of the lengths of road described in Parts 1 and 2 of the Schedule any apparatus of a statutory undertaker, any rights of the statutory undertaker in respect of such apparatus shall be preserved.

J G BARTON
A member of the staff of the Scottish Ministers

Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF
13th November 2009

SCHEDULE

Article 2

INTERPRETATION

In this Schedule the following expressions have the following meanings :-

"the Plan" means the Plan numbered UM/NSW/D/I/35/3 entitled "The A737 Trunk Road (Beith Bypass, Head Street Junction) (Side Roads) Order 2009", signed with reference to this Order and deposited at the offices of Transport Scotland, Buchanan House, Glasgow, G4 0HF.

"the existing A737 Trunk Road (Beith Bypass)" means the existing Trunk Road between Kilwinning and St James Interchange Junction (M8).

"Wardrop Street (B777)" means the existing B-class road between the existing A737 Trunk Road (Beith Bypass) at the Beith Bypass, Beith and the existing A736 at Lugton.

"Wardrop Terrace (B777)" means the existing B-class road between the existing A737 Trunk Road (Beith Bypass) at the Beith Bypass, Beith and the existing B7049 at Beith.

Article 2(a)

PART 1

LENGTHS OF ROAD TO BE STOPPED UP

1. That length of the existing A737 Trunk Road (Beith Bypass) from a point 160 metres or thereby, south of its junction with Wardrop Terrace (B777), then generally in a northerly direction for a distance of 160 metres or thereby, as shown by zebra hatching and numbered "3" on the Plan.

2. That length of the existing A737 Trunk Road (Beith Bypass) from its junction with Wardrop Terrace (B777), then generally in a northerly direction for a distance of 130 metres or thereby, as shown by zebra hatching and numbered "4" on the Plan.

3. That length of Wardrop Street (B777) from a point 35 metres or thereby, east of its junction with the existing A737 Trunk Road (Beith Bypass), then generally in an easterly direction for a distance of 40 metres or thereby, as shown by zebra hatching and numbered "5" on the Plan.

Article 2(b)

PART 2

LENGTHS OF ROAD TO BE IMPROVED

1. That length of the existing A737 Trunk Road (Beith Bypass) from a point 160 metres or thereby, south of its junction with Wardrop Street (B777), then generally in a north easterly direction for a distance of 75 metres or thereby, as shown by cross hatching and numbered "6" on the Plan.

2. That length of the existing A737 Trunk Road (Beith Bypass) from a point 280 metres or thereby, north of its junction with Wardrop Street (B777), then generally in a southerly direction for a distance of 250 metres or thereby, as shown by cross hatching and numbered "7" on the Plan.

3. That length of the existing B777 (Wardrop Terrace and Wardrop Street) from a point 80 metres or thereby, south east of its junction with the existing A737 Trunk Road (Beith Bypass), then generally in a north westerly direction for a distance of 105 metres or thereby, as shown by cross hatching and numbered "8" on the Plan.

Article 2(c)

PART 3

PRIVATE MEANS OF ACCESS TO BE STOPPED UP

1. The private means of access to the car parking area at its junction with Wardrop Street (B777), as shown by a solid black line and numbered "9" on the Plan.

Article 2(d)

PART 4

NEW MEANS OF ACCESS

1. From a point on the existing Wardrop Street (B777) 50 metres or thereby, east of its junction with the existing A737 Trunk Road (Beith Bypass), then generally in a northerly direction for a distance of 20 metres or thereby, as shown by hatching and numbered "10" on the Plan.