SCOTTISH STATUTORY INSTRUMENTS

2009 No 399

ROADS AND BRIDGES

The A75 Trunk Road (Dunragit Bypass) (Trunking and Detrunking) Order 2009

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

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 of all other powers enabling them to do so.

In accordance with section 5(2) of that Act they are satisfied as to expediency.

In accordance with sections 20A**(b)** and 55A**(c)** of that Act they have determined that the project falls 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 and that it should be made subject to an environmental impact assessment.

In accordance with sections 20A and 55A of, that Act they have prepared an environmental statement and published notice of it on 7th July 2006 and have complied with all other provisions of sections 20A and 55A of that Act.

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 A75 Trunk Road (Dunragit Bypass) (Trunking and Detrunking) Order 2009 and comes into force on the Twentieth day of 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 inserted by S.S.I.1999/1 and amended by S.S.I. 2006/614.
(c) Section 55A was inserted by by S.S.I.1999/1 and amended by S.S.I. 2006/614.
(d) O.J.No.L175, 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 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, schedule 2, paragraph 2 and schedule 3, and S.S.I.1999/1 and 2006/614..

Trunk road

2. The lengths of road (hereinafter referred to as "the new trunk road") which the Scottish Ministers propose to construct along the routes described in Part 1 of the Schedule shall become a trunk road on the date of coming into force of this Order.

Road ceasing to be 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 lengths of road described in Part 2 of the Schedule shall cease to be a trunk road and Dumfries & Galloway Council(**a**) shall become the roads authority for those lengths of road and shall enter those lengths of road in their list of public roads.

A C MCLAUGHLIN
A member of the staff of the Scottish Ministers

Transport Scotland
Major Transport Infrastructure Projects
Buchanan House
58 Port Dundas Road
GLASGOW
G4 0HF
13 November 2009

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

SCHEDULE

In this Schedule:

"the Trunk Road" means the existing A75 Gretna – Dumfries - Stranraer Trunk Road; and

"Plan" means the plan folio numbered RYC/DG12/1 entitled "The A75 Trunk Road (Dunragit Bypass) (Trunking and Detrunking) Order 2009", signed with reference to this Order and deposited at the offices of the Transport Scotland, Major Transport Infrastructure Services, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF.

PART 1 Article 2

ROUTES OF THE NEW TRUNK ROAD

1. From a point on the Trunk Road, 831 metres or thereby west of its junction with the C52 Station Road in a south easterly and then generally easterly direction for a distance of 2.70km or thereby, to a point on the Trunk Road 90 metres or thereby northwest of its junction with the B7084 Road as shown by a heavy black line between points marked "A" and "B" on the plan numbered sheet 1 in the Plan.

2. From a point on the Trunk Road, 65 metres or thereby northwest of its junction with the B7084 Road in an easterly direction for a distance of 1.87km or thereby, to a point on the Trunk Road 70 metres or thereby southwest of its junction with the access to Daisy Knowe as shown by a heavy black line between points marked "C" and "D" on the plan numbered sheet 2 in the Plan.

3. From a point on the Trunk Road, 58 metres or thereby southwest of its junction with the access to Daisy Knowe in an easterly direction for a distance of 0.48km or thereby, to a point on the Trunk Road 10 metres or thereby west of its junction with the access to No.5 Mains of Park as shown by a heavy black line between points marked "E" and "F" on the plan numbered sheet 2 in the Plan.

PART 2 Article 3

LENGTHS OF ROAD CEASING TO BE A TRUNK ROAD

1. That length of the Trunk Road from a point 831 metres or thereby west of its junction with the C52 Station Road in an easterly direction for a distance of 2.58km or thereby to a point 90 metres or thereby northwest of its junction with the B7084 Road as shown by a heavy black broken line between the points marked "G" and "H" on the plan numbered sheet 1 in the Plan.

2. That length of the Trunk Road from a point 65 metres or thereby northwest of its junction with the B7084 Road in a south easterly then easterly and then north easterly direction for a distance of 2.02km or thereby to a point 70 metres or thereby southwest of its junction with the access to Daisy Knowe as shown by a heavy black broken line between the points marked “J” and “K” on the plan numbered sheet 2 in the Plan.

3. That length of the Trunk Road from a point 58 metres or thereby southwest of its junction with the access to Daisy Knowe in an easterly direction for a distance of 0.49km or thereby to a point 10 metres or thereby west of its junction with the access No.5 Mains of Park as shown by a heavy black broken line between the points marked “L” and “M” on the plan numbered sheet 2 in the Plan.