SCOTTISH STATUTORY INSTRUMENTS

2025 No. 191

ROAD TRAFFIC

The A835 Trunk Road (Ben Wyvis) (Clearway) Order 2025

Made - - - -	*19th June 2025*
Coming into force - -	*30th June 2025*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 1(1)(a), 2(1) and 2(2) of the Road Traffic Regulation Act 1984(**a**) and all other powers enabling them to do so.

In accordance with section 1(1)(a) of that Act, they consider it expedient to make this Order for avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising.

The Scottish Ministers have complied with Parts II and III of the Secretary of State's Traffic Orders (Procedure) (Scotland) Regulations 1987(**b**).

Citation and commencement and interpretation

1. This Order may be cited as the A835 Trunk Road (Ben Wyvis) (Clearway) Order 2025 and comes into force on 30 June 2025.

2. In this Order—

"layby" means any area at the side of the main carriageway of the road laid out and intended for the use of waiting vehicles, bounded by road markings as described in item 10 (diagram 1010 – edge of the carriageway at a road junction or layby) of the sign table in Part 4 and indicated by a sign as described in item 56 (diagram 801 – parking place) of the sign table in Part 2, both of schedule 11 of the Traffic Signs Regulations and General Directions 2016(**c**).

"main carriageway" means the part of the road described in the schedule of this Order and used primarily by through traffic and includes acceleration and deceleration lanes provided for traffic entering and leaving the road and excludes verges and laybys.

"verge" means any part of the road which is not the main carriageway or a layby.

(**a**) 1984 c. 27; section 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (c. 22) ("the 1991 Act"), schedule 8, paragraph 18 and section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c. 26), schedule 1. 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).
(**b**) S.I. 1987/2244.
(**c**) S.I. 2016/362.

Prohibition on use of vehicles

3. No person may, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to stop at any time on the main carriageway on the length of road specified in the schedule.

4. No person may, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to stop at any time on the verge on the length of road specified in the schedule.

Exemptions

5. No prohibition imposed by this Order applies to a person causing or permitting a vehicle to stop—

(a) in any case where the person in control of the vehicle,—

(i) is required by law to stop,

(ii) is obliged to stop in order to avoid an accident, or

(iii) is prevented from proceeding by circumstances outwith their control and it is not reasonably practicable for them to drive or move the vehicle,

(b) when the vehicle is—

(i) being used in an emergency for fire brigade, ambulance, police or coastguard purposes,

(ii) being used for the purpose of delivering letters, parcels, packets or other articles to premises situated on or adjacent to the length of road specified in the schedule,

(iii) being used by or on behalf of a local authority for the purpose of the collection of household refuse from premises situated on or adjacent to the length of road specified in the schedule,

(iv) a public service vehicle as defined by section 1 of the Public Passenger Vehicles Act 1981(**a**) providing a local service as defined in section 2 of the Transport Act 1985(**b**),

(v) a taxi or private hire car as defined by section 23(1) of the Civic Government (Scotland) Act 1982(**c**) stopping for the purpose of taking up or setting down passengers,

(c) for so long as may be necessary to enable the vehicle to be used in connection with—

(i) any building operation or demolition being carried out adjacent to the length of road specified in the schedule,

(ii) the removal of any obstruction or potential obstruction to traffic on the length of road specified in the schedule,

(iii) the maintenance, improvement or reconstruction of the length of road specified in the schedule,

(**a**) 1981 c. 14; sections 1(3) and 1(5) were amended by the Transport Act 1985 (c. 67), Schedule 8.
(**b**) 1985 c. 67.
(**c**) 1982 c. 45.

(iv) the laying, erection, placing, maintenance, testing, alteration, repair or removal of any structure, works or apparatus in, on, under, over or adjacent to the length of road specified in the schedule.

H MCDONALD
A member of the staff of the Scottish Ministers

177 Bothwell Street
Glasgow
19th June 2025

SCHEDULE

Articles 3 and 4

SPECIFIED LENGTH OF ROAD

That length of the A835/A893 Tore - Ullapool Trunk Road (Ben Wyvis) from a point 4.15 kilometres or thereby north of its junction with the A830/A832 Gorstan to a point 7.35 kilometres or thereby north of its junction with the A830/A832 Gorstan, a total distance of 3.2 kilometres or thereby.