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. 408

ROADS AND BRIDGES

The A9 Trunk Road
(Crubenmore Dual Carriageway Northern Extension) (Side Roads) Order 2009

Made	*17th November 2009*
Coming into force	*27th November 2009*

The Scottish Ministers, in exercise of the powers conferred by sections 12(1) and (5) and 70(1) of the Roads (Scotland) Act 1984(**a**), and of all other powers enabling them in that behalf, having been satisfied in accordance with sections 12(3) and 71(3) of that Act, having determined in accordance with sections 20A(**b**) and 55A(**c**) of that Act that the project falls within Annex II to Council Directive 85/337/EEC(**d**)on the assessment of the effects of certain public and private projects on the environment, and an Environmental Statement having been published on 27 February 2007 and having complied with the provisions of the said sections 20A and 55A of, and Part I of Schedule 1(**e**) to that Act, hereby make the following Order:

1. This Order may be cited as the A9 Trunk Road (Crubenmore Dual Carriageway Northern Extension) (Side Roads) Order 2009 and shall come into force on 27th 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, 14.3.1 1997, p.5)., and Council Directive 2003/35/EC (O.J. LDN: 156, 26.6.2003, p.17)

(**e**) Part I of Schedule 1 was amended by the Local Government etc (Scotland) Act 1994 (c.39), Schedule 13, paragraph 135, S.S.I. 1999/1 by the Water Industry (Scotland) Act 2002 (asp 3), schedule 7, paragraph 14, and by S.S.I. 2006/614.

2. The Scottish Ministers as roads authority are hereby authorised -

(a) to stop-up that length of road described in Part 1 of the Schedule when the new means of access described in Part 3 of the Schedule have been provided;

(b) to stop-up that private means of access described in Part 2 of the Schedule when the new means of access described in Part 3 of the Schedule have been provided; and

(c) to provide those new means of access described in Part 3 of the Schedule .

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

J G BARTON
Chief Road Engineer
A member of the staff of the Scottish Ministers

Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF

17th November 2009

SCHEDULE

In this Schedule interpretation -

"the plan" means the plan folio numbered OTG/1489/3/Key Plan, SR1 and SR2 and entitled "The A9 Trunk Road (Crubenmore Dual Carriageway Northern Extension) (Side Roads) Order 2009" signed with reference to this Order and deposited at the offices of Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow G4 0HF;

"the existing Trunk Road" means the existing M9/A9 Edinburgh – Stirling – Thurso Trunk Road.

"the existing U282" means the existing U282 "Dalwhinnie to Crubenmore" Road;

"point A" refers to the point at the existing junction of the existing Trunk Road and the existing U282, shown marked "A" in the plan; and

"point B" means the point approximately 50 metres or thereby southeast of the existing junction of the existing Trunk Road and access to Etteridge Lodge, Newtonmore, PH20 1BE shown marked "B" in the plan.

PART 1

LENGTH OF ROAD TO BE STOPPED UP

From a point 20 metres or thereby northwest of point B, generally in a northwesterly direction for a distance of 10 metres or thereby, as shown by hatching and numbered "03" on plan SR1 in the plan.

PART 2

PRIVATE MEANS OF ACCESS TO BE STOPPED UP

The private means of access to the land to the west of the existing Trunk Road approximately 370 metres or thereby north of point B as shown by the solid black bar and numbered "04" on plan SR1 in the plan.

PART 3

NEW MEANS OF ACCESS TO BE PROVIDED

From a point 20 metres or thereby north west of point A, generally in a southeasterly direction for a distance of 25 metres or thereby, along the existing U282, as shown by hatching and numbered "01" on plan SR1 in the plan.

From a point 30 metres or thereby south east of point B, generally in a northwesterly direction for a distance of 80 metres or thereby, as shown by hatching and numbered "02" on plan SR1 in the plan.