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. 366

ROADS AND BRIDGES

The A9 Trunk Road
(Kincraig to Dalraddy) (Side Roads) Order 2009

Made	*27th October 2009*
Coming into force	*3rd 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 3 April 2007 and having complied with the provisions of the said sections 20A and 55A of, and Part I of Schedule 1[(e)] to the said Act, hereby make the following Order:

1. This Order may be cited as the A9 Trunk Road (Kincraig to Dalraddy) (Side Roads) Order 2009 and shall come into force on 3rd 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. DN: 1997, p.5), and Council Directive 2003/35/EC (O.J. L 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, H. S.S.I. 1999/1 and the Water Industry (Scotland) Act 2002 (asp 3), schedule 7, Paragraph 14, and S.S.I. 2006/614.

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

(a) to stop-up those private means of access described in Part 1 of the Schedule when the new means of access described in Part 2 of the Schedule have been provided; and

(b) to provide those new means of access described in Part 2 of the Schedule.

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 the Schedule any apparatus belonging to a statutory undertaker, any rights of the statutory undertaker in respect of such apparatus shall be preserved.

J. Barton

Chief Road Engineer
A member of the staff of the Scottish Ministers

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

27th October 2009

SCHEDULE

In this Schedule the following expressions have the following meanings:

"the Plan Folio" means the Plan Folio numbered OTG/1490/3 and entitled "The A9 Trunk Road (Kincraig to Dalraddy) (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 A9 Perth – Inverness – Thurso Trunk Road;

"point A" refers to the point at the existing junction of the existing Trunk Road and the existing access to Kincraig House as shown marked "A" on plan SR 1 in the Plan Folio;

"point B" refers to the point where the existing Lower Milehead underpass crosses the centreline of the existing Trunk Road as shown marked "B" on plan SR 2 in the Plan Folio;

"point C" refers to the point at the existing junction of the existing Trunk Road and the existing access to Alvie House as shown marked "C" on plan SR 3 in the Plan Folio; and

"point D" refers to the point at the existing junction of the existing Trunk Road and the existing access to Dalraddy as shown marked "D" on plan SR 4 in the Plan Folio.

PART 1

PRIVATE MEANS OF ACCESS TO BE STOPPED UP

1. The private means of access to Kincraig House, from a point 15 metres or thereby west of point A on the northbound existing Trunk Road, as shown by a solid black bar and numbered "6" on plan SR 1 in the Plan Folio.

2. The private means of access to the existing B9152, from a point 15 metres or thereby east of point A on the southbound existing Trunk Road, as shown by a solid black bar and numbered "7" on plan SR 1 in the Plan Folio.

3. The unnamed private means of access, from a point 280 metres or thereby north east of point A on the northbound existing Trunk Road, as shown by a solid black bar and numbered "8" on plan SR 2 in the Plan Folio.

4. The private means of access to the existing B9152, from a point 280 metres or thereby north east of point A on the southbound existing Trunk Road, as shown by a solid black bar and numbered "9" on plan SR 2 in the Plan Folio.

5. The private means of access to Alvie House, at point C on the northbound existing Trunk Road, as shown by a solid black bar and numbered "10" on plan SR 3 in the Plan Folio.

6. The private means of access to Alvie House, from a point 210 metres or thereby north of point C on the northbound existing Trunk Road, as shown by a solid black bar numbered “11” on plan SR 3 in the Plan Folio.

7. The private means of access to the existing B9152, from a point 210 metres or thereby north of point C on the southbound existing Trunk Road, as shown by a solid black bar and numbered “12” on plan SR 3 in the Plan Folio.

8. The private means of access, at point D on the northbound existing Trunk Road, as shown by a solid black bar and numbered “13” on plan SR 4 in the Plan Folio.

9. The private means of access, at point D on the southbound existing Trunk Road, as shown by a solid black bar and numbered “14” on plan SR 4 in the Plan Folio.

PART 2

NEW MEANS OF ACCESS TO BE PROVIDED

1. From a point 150 metres or thereby east of point A to a point 70 metres or thereby north of point A, generally in a north westerly direction for a distance of 200 metres or thereby, as shown by hatching and numbered “15” on plan SR 1 in the Plan Folio.

2. Not used.

3. From a point 70 metres or thereby east of point A to a point 100 metres or thereby north west of point A, generally in a south westerly direction for a distance of 80 metres or thereby, as shown by hatching and numbered “17” on plan SR 1 in the Plan Folio.

4. From a point 120 metres or thereby south east of point B to a point 130 metres or thereby north of point B, generally in a north easterly then northerly direction for a distance of 270 metres or thereby, as shown by hatching and numbered “18” on plan SR 2 in the Plan Folio.

5. From point C to a point 240 metres or thereby north of point C, generally in a north westerly then northerly direction for a distance of 240 metres or thereby, as shown by hatching and numbered “19” on plan SR 3 in the Plan Folio.

6. From a point 35 metres or thereby north west of point B to a point 51 metres or thereby west of point B, generally in a south westerly direction for a distance of 30 metres or thereby as shown by hatching and numbered “20” on plan SR 2 in the plan folio.

7. From a point 19 metres or thereby north west of point C to a point 50 metres or thereby north west of point 31, generally in a north westerly direction for a distance of 27 metres or thereby as shown by hatching numbered “21” on plan SR 3 in the plan folio.