SCOTTISH STATUTORY INSTRUMENTS

2021 No. 61

ROADS AND BRIDGES

The A9 Trunk Road (Tomatin to Moy) (Side Roads) Order 2021

Made - - - -	*27th January 2021*
Coming into force - -	*26th February 2021*

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, as the case requires, that another reasonably convenient route is available or 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, as the case requires, that no access to the land is reasonably required or another reasonably convenient means of access to the land is available or will be provided in pursuance of this Order before the accesses are stopped up pursuant to this Order.

They determined that the project falls within Annex II to Directive 2011/92/EU of the European Parliament and of the Council(**b**), on the assessment of the effects of certain public and private projects on the environment and have published notice of that determination on 18 May 2018.

They prepared an environmental statement and published notice of it on 18 May 2018.

This Order is made in compliance with the provisions of Parts I and III of schedule 1(**c**) of the Roads (Scotland) Act 1984.

(**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**) O.J. L 26, 28.1.2012, p.1. Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC, O.J. L 175, 5.7.1985, p.40, as amended by Council Directive 97/11/EC, O.J. L 73,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 Directive 2003/35/EC of the European Parliament and of the Council, O.J. L 156, 25.6.2003, p.17, and Directive 2009/31/EC of the European Parliament and of the Council, O.J. L 140, 5.6.2009, p.114.

(**c**) Part I 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, paragraphs 2 and 3 and schedule 3, paragraph 1 and S.S.I. 1999/1, S.S.I. 2006/614 and S.S.I. 2011/396. Amendments made by S.S.I. 2017/137 do not apply. Part III of schedule 1 was amended by the New Roads and Street Works Act 1991 (c.22), schedule 8, paragraph 96 and the Transport and Works (Scotland) Act 2007 (asp 8), schedule 3, paragraph 1

Citation and commencement

1. This Order may be cited as the A9 Trunk Road (Tomatin to Moy) (Side Roads) Order 2021 and comes into force on 26th February 2021.

Side Roads and New Means of Access

2. The meanings in schedule 1 of this Order have effect.

3. The Scottish Ministers as roads authority are authorised—

(a) to construct those lengths of road (hereinafter referred to as "the new side roads" along the routes described in schedule 2 of this Order,

(b) to improve those lengths of road described in schedule 3 of this Order,

(c) to stop up those lengths of road described in schedule 4 of this Order where another reasonable convenient route is available or has been provided pursuant to this Order,

(d) to stop up those private means of access described in Part 1 of schedule 5 of this Order where another reasonably convenient means of access to the affected land is available or has been provided pursuant to this Order,

(e) to stop up those private means of access described in Part 2 of schedule 5 of this Order, and

(f) to provide those new means of access described in schedule 6 of this Order.

Statutory Undertakers

4. 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 schedules 3 and 4 any apparatus belonging to a statutory undertaker, any rights of the statutory undertaker in respect of such apparatus shall be preserved.

Transfer of Roads

5. On 1 April next after the date on which the new side roads are all open for the purposes of through traffic, the new side roads will be transferred to The Highland Council(**a**) as roads authority for those roads and they must enter those roads in their list of public roads(**b**).

M RENNIE
An officer of the Scottish Ministers

Buchanan House
Glasgow
27th January 2021

(**a**) A council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c.39).
(**b**) The list of public roads prepared and kept by the local roads authority under section 1(1) of the Roads (Scotland) Act 1984.

SCHEDULE 1

Article 2

INTERPRETATION

1. In these schedules—

In accordance with the Coronavirus (Scotland) Act 2020, Schedule 6, Part 3, para 9, the proposed Orders and Plans will not be available for inspection at public display locations.

A copy of the Orders and Plans and this Notice can be viewed on the Transport Scotland website at : https://www.transport.gov.scot/projects/a9-dualling-perth-to-inverness/a9-tomatin-to-moy/

"the Trunk Road" means the existing M9/A9 Edinburgh-Stirling-Thurso Trunk Road,

"Point A" means the northern corner of the south-eastern parapet of the bridge carrying the U2856 Slochd to Findhorn Bridge road over the Highland Railway Line (Perth to Inverness via Carrbridge), shown marked "Point A" on plan SR1 in the plan folio,

"Point B" means the north-eastern corner of the building known as Drumbain Cottage, Tomatin, Inverness, IV13 7XZ, shown marked "Point B" on plan SR2 in the plan folio,

"Point C" means the north-eastern corner of the building known as Smithfield, Tomatin, Inverness, IV13 7YN, shown marked "Point C" on plan SR3 in the plan folio,

"Point D" means the southern corner of the building known as Pinewood, Tomatin, Inverness, IV13 7YP, shown marked "Point D" on plan SR3 in the plan folio,

"Point E" means the south-western corner of the building known as Tigh An Allt Cottage, Tomatin, Inverness, IV13 7YP, shown marked "Point E" on plans SR4 and SR5 in the plan folio,

"Point F" means the southern corner of the building known as Invereen Farm, Tomatin, Inverness, IV13 7YP, shown marked "Point F" on plan SR5 in the plan folio,

"Point G" means the eastern corner of the building known as The Sheiling, Dalmagarry, Moy, Tomatin, Inverness, IV13 7YD, shown marked "Point G" on plans SR6 and SR7 in the plan folio,

"Point H" means the south-eastern corner of the building known as The Old Moy Schoolhouse, Moy, Tomatin, Inverness, IV13 7YE, shown marked "Point H" on plans SR8 and SR9 in the plan folio,

"Point I" means the southernmost corner of the building known as Moybeg Cottage, Moy, Tomatin, Inverness, IV13 7YE, shown marked "Point I" on plan SR9 in the plan folio,

"Point J" means the southern corner of the building known as Invermoy House, Moy, Tomatin, Inverness, IV13 7YE, shown marked "Point J" on plan SR10 in the plan folio,

"Point K" means the western corner of the northern wall of the underpass carrying the B9154 Daviot-Dalmagarry via Moy under the Highland Railway Line (Perth to Inverness via Carrbridge), shown marked "Point K" on plan SR11 in the plan folio, and

"Point L" means the centre of the 'Rout of Moy' memorial cairn, shown marked "Point L" on plan SR12 in the plan folio.

SCHEDULE 2

Article 3(a)

THE ROUTES OF THE NEW SIDE ROADS

1. From a point 260 metres or thereby east, south-east of Point A in a generally north-westerly direction for a distance of 135 metres or thereby to a point 125 metres or thereby east of Point A, as shown by stipple and numbered "1" on plan SR1 in the plan folio.

2. From a point 220 metres or thereby east, south-east of Point A in a generally north-easterly, then north-westerly direction for a distance of 25 metres or thereby to a point 220 metres or thereby east, south-east of Point A, as shown by stipple and numbered "2" on plan SR1 in the plan folio.

3. From a point 115 metres or thereby north, north-east of Point B in a generally south-westerly then north, north-westerly direction for a distance of 70 metres or thereby to a point 145 metres or thereby north, north-east of Point B, as shown by stipple and numbered "3" on plan SR2 in the plan folio.

4. From a point 70 metres or thereby south-east of Point D in a generally east, south-easterly direction for a distance of 250 metres or thereby to a point 310 metres or thereby east, south-east of Point D, as shown by stipple and numbered "4" on plan SR3 in the plan folio.

5. From a point 360 metres or thereby north-west of Point D in a generally north, north-westerly direction for a distance of 10 metres or thereby to a point 370 metres or thereby north, north-west of Point D, as shown by stipple and numbered "5" on plan SR3 in the plan folio.

6. From a point 80 metres or thereby south, south-east of Point D in a generally west, north-westerly then north, north-westerly, then north, then south westerly direction for a distance of 215 metres or thereby to a point 110 metres or thereby west, north-west of Point D, as shown by stipple and numbered "6" on plan SR3 in the plan folio.

7. From a point 820 metres or thereby south, south-east of Point E in a generally north-westerly then northerly then north-easterly then northerly then north-westerly then northerly direction for a distance of 2285 metres or thereby to a point 1330 metres or thereby north, north-west of Point E, as shown by stipple and numbered "8" on plan SR5 in the plan folio.

8. From a point 565 metres or thereby east south-east of Point G in a generally west, north-westerly then north-westerly then north, north-westerly direction for a distance of 960 metres or thereby to a point 365 metres or thereby north-west of Point G, as shown by stipple and numbered "9" on plan SR7 in the plan folio.

9. From a point 390 metres or thereby north-west of Point G in a generally north-easterly then northerly, then west, north-westerly then north, north-westerly direction for a distance of 400 metres or thereby to a point 630 metres or thereby north-west of Point G, as shown by stipple and numbered "10" on plan SR7 in the plan folio.

10. From a point 105 metres or thereby east, south-east of Point I in a generally south-westerly then westerly then north-westerly direction for a distance of 350 metres or thereby to a point 250 metres or thereby south-west of Point I, as shown by stipple and numbered "11" on plan SR9 in the plan folio.

11. From a point 230 metres or thereby south, south-west of Point I in a generally east, north-easterly direction for a distance of 50 metres or thereby to a point 200 metres or thereby south, south-west of Point I, as shown by stipple and numbered "12" on plan SR9 in the plan folio.

12. From a point 245 metres or thereby south-west of Point I in a generally northerly then north, north-easterly direction for a distance of 125 metres or thereby to a point 175 metres or thereby west, south-west of Point I, as shown by stipple and numbered "13" on plan SR9 in the plan folio.

13. From a point 245 metres or thereby south-west of Point I in a generally south-westerly direction for a distance of 65 metres or thereby to a point 305 metres or thereby south-west of Point I, as shown by stipple and numbered “14” on plan SR9 in the plan folio.

14. From a point 95 metres or thereby east, south-east of Point I in a generally north-easterly, then north-westerly direction for a distance of 150 metres or thereby to a point 65 metres or thereby north, north-east of Point I, as shown by stipple and numbered “15” on plan SR9 in the plan folio.

15. From a point 105 metres or thereby south-east of Point I in a generally south, south-easterly then south-westerly then north-westerly then north-easterly then north-westerly then south-westerly then south-easterly then west, south-westerly then north-westerly direction for a distance of 315 metres or thereby to a point 220 metres or thereby south, south-west of Point I, as shown by stipple and numbered “16” on plan SR9 in the plan folio.

16. From a point 260 metres or thereby south-west of Point I in a generally west, south-westerly direction for a distance of 45 metres or thereby to a point 300 metres or thereby south-west of Point I, as shown by stipple and numbered “17” on plan SR9 in the plan folio.

17. From a point 120 metres or thereby east of Point I in a generally south-westerly direction for a distance of 30 metres or thereby to a point 105 metres or thereby east, south-east of Point I, as shown by stipple and numbered “18” on plan SR9 in the plan folio.

SCHEDULE 3

Article 3(b)

LENGTHS OF ROAD TO BE IMPROVED

1. That length of the existing U2856 Slochd to Findhorn Bridge Road from a point 240 metres or thereby east, south-east of Point A in a generally west, south-westerly then north-westerly direction for a distance of 125 metres or thereby to a point 125 metres or thereby east of Point A, as shown by cross hatching and numbered "19" on plan SR1 in the plan folio.

2. That length of the existing U2856 Slochd to Findhorn Bridge Road from a point 135 metres or thereby north, north-east of Point B in a generally north, north-westerly direction for a distance of 70 metres or thereby to a point 195 metres or thereby north of Point B, as shown by cross hatching and numbered "20" on plan SR2 in the plan folio.

3. That length of the existing C1121 Tomatin-Kylachy-Garbole Road from a point 115 metres or thereby north, north-west of Point D in a generally southerly, then south, south-easterly then east, south-easterly direction for a distance of 510 metres or thereby to a point 360 metres or thereby east, south-east of Point D, as shown by cross hatching and numbered "21" on plan SR3 in the plan folio.

4. That length of the existing C1121 Tomatin-Kylachy-Garbole Road from a point 300 metres or thereby north of Point D in a generally north, north-westerly then north-easterly direction for a distance of 100 metres or thereby to a point 400 metres or thereby north of Point D, as shown by cross hatching and numbered "22" on plan SR3 in the plan folio.

5. That length of the existing U2786 Shennachie Road from a point 650 metres or thereby east, south-east of Point G in a generally westerly direction for a distance of 120 metres or thereby to a point 540 metres or thereby east, south-east of Point G, as shown by cross hatching and numbered "23" on plan SR7 in the plan folio.

6. That length of the existing B9154 Daviot-Dalmagarry via Moy from a point 545 metres or thereby north-west of Point G in a generally north, north-westerly direction for a distance of 85 metres or thereby to a point 630 metres or thereby north-west of Point G, as shown by cross hatching and numbered "24" on plan SR7 in the plan folio.

7. That length of the existing U2864 Lynebeg Road from a point 240 metres or thereby south-west of Point I in a generally west, south-westerly then west, north-westerly direction for a distance of 180 metres or thereby to a point 380 metres or thereby west, south-west of Point I, as shown by cross hatching and numbered "25" on plan SR9 in the plan folio.

8. That length of the existing B9154 Daviot-Dalmagarry via Moy from a point 100 metres or thereby east, south-east of Point I in a generally north-easterly then north-westerly direction for a distance of 180 metres or thereby to a point 70 metres or thereby north of Point I, as shown by cross hatching and numbered "26" on plan SR9 in the plan folio.

9. That length of the existing B9154 Daviot-Dalmagarry via Moy from a point 230 metres or thereby north-west of Point K in a generally north-westerly direction for a distance of 30 metres or thereby to a point 260 metres or thereby north-west of Point K, as shown by cross hatching and numbered "27" on plan SR11 in the plan folio.

SCHEDULE 4

Article 3(c)

LENGTHS OF ROAD TO BE STOPPED UP

1. That length of the existing C1121 Tomatin-Kylachy-Garbole Road from a point 395 metres or thereby north of Point D in a generally south-westerly direction for a distance of 30 metres or thereby to a point 380 metres or thereby north of Point D, as shown by zebra hatching and numbered "28" on plan SR3 in the plan folio.

2. That length of the existing U2852 Allt Dubhag Road from a point 175 metres or thereby west of Point E in a generally north, north-easterly direction for a distance of 50 metres or thereby to a point 170 metres or thereby west, north-west of Point E, as shown by zebra hatching and numbered "29" on plan SR4 in the plan folio.

3. That length of the existing Trunk Road lay-by from a point 225 metres or thereby south, south-west of Point E in a generally south-easterly, then southerly direction for a distance of 160 metres or thereby to a point 350 metres or thereby south, south-west of Point E, as shown by zebra hatching and numbered "30" on plan SR4 in the plan folio.

4. That length of the existing Trunk Road from a point 145 metres or thereby south, south-east of Point G in a generally north-westerly direction for a distance of 470 metres or thereby to a point 335 metres or thereby west, north-west of Point G, as shown by zebra hatching and numbered "31" on plan SR6 in the plan folio.

5. That length of the existing B9154 Daviot-Dalmagarry via Moy from a point 535 metres or thereby north-west of Point G in a generally north-easterly, then northerly, then north, north-westerly direction for a distance of 145 metres or thereby to a point 630 metres or thereby north, north-west of Point G, as shown by zebra hatching and numbered "32" on plan SR6 in the plan folio.

6. That length of the existing U2786 Shennachie Road from a point 345 metres or thereby south-east of Point G in a generally east, south-easterly then easterly direction for a distance of 270 metres or thereby to a point 600 metres or thereby east, south-east of Point G, as shown by zebra hatching and numbered "33" on plan SR7 in the plan folio.

7. That length of the existing Trunk Road lay-by from a point 260 metres or thereby south, south-east of Point G in a generally west, south-westerly then west, north-westerly then north, north-easterly direction for a distance of 185 metres or thereby to a point 115 metres or thereby south of Point G, as shown by zebra hatching and numbered "34" on plan SR7 in the plan folio.

8. That length of the existing Trunk Road from a point 885 metres or thereby south-east of Point H in a generally north, north-westerly then north-westerly then west, north-westerly then north-westerly direction for a distance of 825 metres or thereby to a point 165 metres or thereby south, south-west of Point H, as shown by zebra hatching and numbered "35" on plan SR8 in the plan folio.

9. That length of the existing U2864 Lynebeg Road from a point 95 metres or thereby east, south-east of Point I in a generally west, south-westerly then westerly then south-westerly direction for a distance of 155 metres or thereby to a point 95 metres or thereby south, south-west of Point I, as shown by zebra hatching and numbered "36" on plan SR9 in the plan folio.

10. That length of the existing U2864 Lynebeg Road from a point 130 metres or thereby south, south-west of Point I in a generally south, south-westerly then westerly direction for a distance of 140 metres or thereby to a point 240 metres or thereby south-west of Point I, as shown by zebra hatching and numbered "37" on plan SR9 in the plan folio.

11. That length of the existing U2864 Lynebeg Road from a point 305 metres or thereby south-west of Point I in a generally west, south-westerly then westerly direction for a distance of 50

metres or thereby to a point 350 metres or thereby south-west of Point I, as shown by zebra hatching and numbered “38” on plan SR9 in the plan folio.

SCHEDULE 5

Article 3(d) and (e)

PRIVATE MEANS OF ACCESS TO BE STOPPED UP

PART 1

1. The private means of access on the east side of the Trunk Road, at a point 200 metres or thereby north-east of Point C as shown by a solid black bar and numbered "39" on plan SR3 in the plan folio.

2. The private means of access on the west side of the Trunk Road, at a point 115 metres or thereby west, north-west of Point D as shown by a solid black bar and numbered "40" on plan SR3 in the plan folio.

3. The private means of access on the west side of the Trunk Road, at a point 95 metres or thereby north-west of Point D as shown by a solid black bar and numbered "41" on plan SR3 in the plan folio.

4. The private means of access on the east side of the Trunk Road, at a point 245 metres or thereby east, north-east of Point D as shown by a solid black bar and numbered "42" on plan SR3 in the plan folio.

5. The private means of access on the east side of the Trunk Road, at a point 255 metres or thereby north-east of Point D as shown by a solid black bar and numbered "43" on plan SR3 in the plan folio.

6. The private means of access on the east side of the Trunk Road, at a point 265 metres or thereby north-east of Point D as shown by a solid black bar and numbered "44" on plan SR3 in the plan folio.

7. The private means of access on the east side of the Trunk Road, at a point 270 metres or thereby north-east of Point D as shown by a solid black bar and numbered "45" on plan SR3 in the plan folio.

8. The private means of access on the east side of the Trunk Road, at a point 340 metres or thereby north-east of Point D as shown by a solid black bar and numbered "46" on plan SR3 in the plan folio.

9. The private means of access on the east side of the Trunk Road, at a point 140 metres or thereby west, south-west of Point E as shown by a solid black bar and numbered "47" on plan SR5 in the plan folio.

10. The private means of access on the east side of the Trunk Road, at a point 115 metres or thereby west, south-west of Point E as shown by a solid black bar and numbered "48" on plan SR5 in the plan folio.

11. The private means of access on the west side of the Trunk Road, at a point 425 metres or thereby west, south-west of Point F as shown by a solid black bar and numbered "49" on plan SR5 in the plan folio.

12. The private means of access on the east side of the Trunk Road, at a point 415 metres or thereby west, south-west of Point F as shown by a solid black bar and numbered "50" on plan SR5 in the plan folio.

13. The private means of access on the east side of the Trunk Road, at a point 390 metres or thereby west, south-west of Point F as shown by a solid black bar and numbered "51" on plan SR5 in the plan folio.

14. The private means of access on the east side of the Trunk Road, at a point 360 metres or thereby west, south-west of Point F as shown by a solid black bar and numbered “52” on plan SR5 in the plan folio.

15. The private means of access on the east side of the Trunk Road, at a point 320 metres or thereby west of Point F as shown by a solid black bar and numbered “53” on plan SR5 in the plan folio.

16. The private means of access on the east side of the Trunk Road, at a point 375 metres or thereby west, north-west of Point F as shown by a solid black bar and numbered “54” on plan SR5 in the plan folio.

17. The private means of access on the east side of the Trunk Road, at a point 425 metres or thereby west, north-west of Point F as shown by a solid black bar and numbered “55” on plan SR5 in the plan folio.

18. The private means of access on the west side of the Trunk Road, at a point 130 metres or thereby south of Point G as shown by a solid black bar and numbered “56” on plan SR7 in the plan folio.

19. The private means of access on the west side of the Trunk Road, at a point 330 metres or thereby west, south-west of Point G as shown by a solid black bar and numbered “57” on plan SR7 in the plan folio.

20. The private means of access on the west side of the Trunk Road, at a point 345 metres or thereby west, south-west of Point G as shown by a solid black bar and numbered “58” on plan SR7 in the plan folio.

21. The private means of access on the west side of the Trunk Road, at a point 310 metres or thereby west, south-west of Point G as shown by a solid black bar and numbered “59” on plan SR7 in the plan folio.

22. The private means of access on the west side of the Trunk Road, at a point 160 metres or thereby west south-west of Point G as shown by a solid black bar and numbered “60” on plan SR7 in the plan folio.

23. The private means of access on the east side of the Trunk Road, at a point 50 metres or thereby west, south-west of Point G as shown by a solid black bar and numbered “61” on plan SR7 in the plan folio.

24. The private means of access on the east side of the Trunk Road, at a point 40 metres or thereby south, south-west of Point G as shown by a solid black bar and numbered “62” on plan SR7 in the plan folio.

25. The private means of access on the east side of the Trunk Road, at a point 25 metres or thereby south, south-west of Point G as shown by a solid black bar and numbered “63” on plan SR7 in the plan folio.

26. The private means of access on the east side of the Trunk Road, at a point 275 metres or thereby north-west of Point G as shown by a solid black bar and numbered “64” on plan SR7 in the plan folio.

27. The private means of access on the east side of the Trunk Road, at a point 370 metres or thereby north-west of Point G as shown by a solid black bar and numbered “65” on plan SR7 in the plan folio.

28. The private means of access on the east side of the Trunk Road, at a point 395 metres or thereby north-west of Point G as shown by a solid black bar and numbered “66” on plan SR7 in the plan folio.

29. The private means of access on the east side of the Trunk Road, at a point 525 metres or thereby north-west of Point G as shown by a solid black bar and numbered “67” on plan SR7 in the plan folio.

30. The private means of access on the east side of the Trunk Road, at a point 225 metres or thereby north-west of Point G as shown by a solid black bar and numbered “167” on plan SR7 in the plan folio.

31. The private means of access on the east side of the Trunk Road, at a point 350 metres or thereby south, south-east of Point H as shown by a solid black bar and numbered “68” on plan SR9 in the plan folio.

32. The private means of access on the east side of the Trunk Road, at a point 125 metres or thereby south-east of Point I as shown by a solid black bar and numbered “69” on plan SR9 in the plan folio.

33. The private means of access on the east side of the Trunk Road, at a point 235 metres or thereby south-east of Point I as shown by a solid black bar and numbered “70” on plan SR9 in the plan folio.

34. The private means of access on the west side of the Trunk Road, at a point 210 metres or thereby south, south-west of Point I as shown by a solid black bar and numbered “71” on plan SR9 in the plan folio.

35. The private means of access on the west side of the Trunk Road, at a point 230 metres or thereby south of Point I as shown by a solid black bar and numbered “72” on plan SR9 in the plan folio.

36. The private means of access on the east side of the Trunk Road, at a point 95 metres or thereby south-east of Point I as shown by a solid black bar and numbered “73” on plan SR9 in the plan folio.

37. The private means of access on the west side of the Trunk Road, at a point 220 metres or thereby south of Point I as shown by a solid black bar and numbered “74” on plan SR9 in the plan folio.

38. The private means of access on the west side of the Trunk Road, at a point 215 metres or thereby south, south-west of Point I as shown by a solid black bar and numbered “75” on plan SR9 in the plan folio.

39. The private means of access on the west side of the Trunk Road, at a point 210 metres or thereby south, south-west of Point I as shown by a solid black bar and numbered “76” on plan SR9 in the plan folio.

40. The private means of access on the west side of the Trunk Road, at a point 210 metres or thereby south of Point I as shown by a solid black bar and numbered “77” on plan SR9 in the plan folio.

41. The private means of access on the east side of the Trunk Road, at a point 430 metres or thereby south-east of Point I as shown by a solid black bar and numbered “78” on plan SR9 in the plan folio.

42. The private means of access on the east side of the Trunk Road, at a point 420 metres or thereby south-east of Point I as shown by a solid black bar and numbered “79” on plan SR9 in the plan folio.

43. The private means of access on the east side of the Trunk Road, at a point 95 metres or thereby east, south-east of Point I as shown by a solid black bar and numbered “80” on plan SR9 in the plan folio.

44. The private means of access on the east side of the Trunk Road, at a point 195 metres or thereby south, south-west of Point J as shown by a solid black bar and numbered “81” on plan SR10 in the plan folio.

45. The private means of access on the west side of the Trunk Road, at a point 1505 metres or thereby west, north-west of Point J as shown by a solid black bar and numbered “82” on plan SR10 in the plan folio.

46. The private means of access on the west side of the Trunk Road, at a point 620 metres or thereby north-west of Point L as shown by a solid black bar and numbered “83” on plan SR12 in the plan folio.

47. The private means of access on the west side of the Trunk Road, at a point 590 metres or thereby north-west of Point L as shown by a solid black bar and numbered “84” on plan SR12 in the plan folio.

48. The private means of access on the west side of the Trunk Road, at a point 705 metres or thereby north-west of Point L as shown by a solid black bar and numbered “85” on plan SR12 in the plan folio.

49. The private means of access on the west side of the Trunk Road, at a point 400 metres or thereby north-west of Point L as shown by a solid black bar and numbered “86” on plan SR12 in the plan folio.

50. The private means of access on the west side of the Trunk Road, at a point 305 metres or thereby north-west of Point L as shown by a solid black bar and numbered “87” on plan SR12 in the plan folio.

51. The private means of access on the west side of the Trunk Road, at a point 175 metres or thereby west, north-west of Point L as shown by a solid black bar and numbered “88” on plan SR12 in the plan folio.

52. The private means of access on the west side of the Trunk Road, at a point 150 metres or thereby west, north-west of Point L as shown by a solid black bar and numbered “89” on plan SR12 in the plan folio.

53. The private means of access on the west side of the Trunk Road, at a point 60 metres or thereby south, south-east of Point L as shown by a solid black bar and numbered “90” on plan SR12 in the plan folio.

PART 2

54. The private means of access on the east side of the Trunk Road, at a point 335 metres or thereby north-east of Point D as shown by a solid black bar and numbered “91” on plan SR3 in the plan folio.

55. The private means of access on the east side of the Trunk Road, at a point 280 metres or thereby north, north-east of Point D as shown by a solid black bar and numbered “92” on plan SR3 in the plan folio.

56. The private means of access on the east side of the Trunk Road, at a point 275 metres or thereby north, north-east of Point D as shown by a solid black bar and numbered “93” on plan SR3 in the plan folio.

SCHEDULE 6

Article 3(f)

NEW MEANS OF ACCESS TO BE PROVIDED

1. From a point 110 metres or thereby north-west of Point D in a generally south-westerly, westerly then south-westerly direction for a distance of 65 metres or thereby to a point 165 metres or thereby west, north-west of Point D, as shown by single hatching and numbered "94" on plan SR3 in the plan folio.

2. From a point 280 metres or thereby east, north-east of Point D in a generally north, north-easterly then northerly then north-westerly then west, north-westerly direction for a distance of 170 metres or thereby to a point 330 metres or thereby north, north-east of Point D, as shown by single hatching and numbered "95" on plan SR3 in the plan folio.

3. From a point 300 metres or thereby east, north-east of Point D in a generally east, south-easterly direction for a distance of 10 metres or thereby to a point 305 metres or thereby east, north-east of Point D, as shown by single hatching and numbered "96" on plan SR3 in the plan folio.

4. Number 97 not in use.

5. Number 98 not in use.

6. Number 99 not in use.

7. Number 100 not in use.

8. From a point 350 metres or thereby north, north-east of Point D in a generally south-easterly direction for a distance of 5 metres or thereby to a point 345 metres or thereby north, north-east of Point D, as shown by single hatching and numbered "101" on plan SR3 in the plan folio.

9. From a point 305 metres or thereby east, south-east of Point D in a generally north, north-easterly direction for a distance of 10 metres or thereby to a point 305 metres or thereby east, south-east of Point D, as shown by single hatching and numbered "102" on plan SR3 in the plan folio.

10. From a point 335 metres or thereby north of Point D in a generally north-easterly direction for a distance of 35 metres or thereby to a point 360 metres or thereby north of Point D, as shown by single hatching and numbered "103" on plan SR3 in the plan folio.

11. From a point 580 metres or thereby east of Point D in a generally westerly direction for a distance of 70 metres or thereby to a point 515 metres or thereby east of Point D, as shown by single hatching and numbered "104" on plan SR3 in the plan folio.

12. From a point 330 metres or thereby south, south-west of Point E in a generally north-easterly direction for a distance of 10 metres or thereby to a point 320 metres or thereby south-west of Point E, as shown by single hatching and numbered "105" on plan SR5 in the plan folio.

13. Number 106 not in use.

14. Number 107 not in use.

15. From a point 235 metres or thereby south, south-west of Point E in a generally east, north-easterly direction for a distance of 30 metres or thereby to a point 220 metres or thereby south, south-west of Point E, as shown by single hatching and numbered "108" on plan SR5 in the plan folio.

16. From a point 105 metres or thereby west of Point E in a generally easterly direction for a distance of 55 metres or thereby to a point 50 metres or thereby west of Point E, as shown by single hatching and numbered "109" on plan SR5 in the plan folio.

17. From a point 375 metres or thereby south-west of Point F in a generally east, north-easterly then north-easterly direction for a distance of 85 metres or thereby to a point 290 metres or thereby south-west of Point F, as shown by single hatching and numbered "110" on plan SR5 in the plan folio.

18. From a point 410 metres or thereby west, north-west of Point F in a generally east, north-easterly then east, south-easterly direction for a distance of 135 metres or thereby to a point 320 metres or thereby north-west of Point F, as shown by single hatching and numbered "111" on plan SR5 in the plan folio.

19. From a point 600 metres or thereby north-west of Point F in a generally north-easterly direction for a distance of 10 metres or thereby to a point 595 metres or thereby west, north-west of Point F, as shown by single hatching and numbered "112" on plan SR5 in the plan folio.

20. Number 113 not in use.

21. Number 114 not in use.

22. From a point 180 metres or thereby west of Point E in a generally northerly then north, north-easterly then westerly then southerly direction for a distance of 690 metres or thereby to a point 540 metres or thereby north of Point E, as shown by single hatching and numbered "115" on plan SR5 in the plan folio.

23. From a point 405 metres or thereby south-east of Point G in a generally north, north-easterly direction for a distance of 10 metres or thereby to a point 400 metres or thereby south-east of Point G, as shown by single hatching and numbered "116" on plan SR7 in the plan folio.

24. From a point 330 metres or thereby south-east of Point G in a generally north, north-easterly direction for a distance of 10 metres or thereby to a point 330 metres or thereby south-east of Point G, as shown by single hatching and numbered "117" on plan SR7 in the plan folio.

25. From a point 45 metres or thereby south-west of Point G in a generally west, south-westerly then south, south-easterly then easterly then north-easterly then east, south-easterly then north, north-easterly direction for a distance of 740 metres or thereby to a point 135 metres or thereby south of Point G, as shown by single hatching and numbered "118" on plan SR7 in the plan folio.

26. From a point 330 metres or thereby west, south-west of Point G in a generally west, south-westerly then north-westerly then west, south-westerly direction for a distance of 65 metres or thereby to a point 385 metres or thereby west, south-west of Point G, as shown by single hatching and numbered "119" on plan SR7 in the plan folio.

27. From a point 305 metres or thereby west, south-west of Point G in a generally west, north-westerly then west, south-westerly direction for a distance of 70 metres or thereby to a point 365 metres or thereby west, south-west of Point G, as shown by single hatching and numbered "120" on plan SR7 in the plan folio.

28. From a point 110 metres or thereby south-west of Point G in a generally north-westerly direction for a distance of 25 metres or thereby to a point 115 metres or thereby south-west of Point G, as shown by single hatching and numbered "121" on plan SR7 in the plan folio.

29. From a point 45 metres or thereby south-west of Point G in a generally east, north-easterly direction for a distance of 65 metres or thereby to a point 20 metres or thereby east of Point G, as shown by single hatching and numbered "122" on plan SR7 in the plan folio.

30. From a point 20 metres or thereby south-east of Point G in a generally south-easterly, then east, north-easterly direction for a distance of 50 metres or thereby to a point 55 metres or thereby east, south-east of Point G, as shown by single hatching and numbered "123" on plan SR7 in the plan folio.

31. From a point 535 metres or thereby north-west of Point G in a generally south-westerly direction for a distance of 10 metres or thereby to a point 535 metres or thereby north-west of Point G, as shown by single hatching and numbered "125" on plan SR7 in the plan folio.

32. Number 126 not in use.

33. Number 127 not in use.

34. Number 128 not in use.

35. From a point 240 metres or thereby north-west of Point G in a generally east, north-easterly then north-easterly direction for a distance of 50 metres or thereby to a point 230 metres or thereby north-west of Point G, as shown by single hatching and numbered "129" on plan SR7 in the plan folio.

36. From a point 135 metres or thereby south of Point G in a generally north-westerly direction for a distance of 85 metres or thereby to a point 105 metres or thereby south-west of Point G, as shown by single hatching and numbered "130" on plan SR7 in the plan folio.

37. From a point 160 metres or thereby south-west of Point G in a generally north-westerly direction for a distance of 20 metres or thereby to a point 160 metres or thereby south-west of Point G, as shown by single hatching and numbered "131" on plan SR7 in the plan folio.

38. From a point 105 metres or thereby south-west of Point G in a generally north-westerly direction for a distance of 10 metres or thereby to a point 115 metres or thereby south-west of Point G, as shown by single hatching and numbered "132" on plan SR7 in the plan folio.

39. From a point 185 metres or thereby west, south-west of Point G in a generally northerly then north, north-westerly direction for a distance of 30 metres or thereby to a point 185 metres or thereby west, south-west of Point G, as shown by single hatching and numbered "133" on plan SR7 in the plan folio.

40. From a point 340 metres or thereby south, south-east of Point H in a generally south-westerly then south, south-easterly then south, south-westerly then southerly direction for a distance of 135 metres or thereby to a point 435 metres or thereby south, south-east of Point H, as shown by single hatching and numbered "134" on plan SR9 in the plan folio.

41. From a point 425 metres or thereby south, south-east of Point H in a generally east, north-easterly direction for a distance of 15 metres or thereby to a point 425 metres or thereby south, south-east of Point H, as shown by single hatching and numbered "135" on plan SR9 in the plan folio.

42. From a point 110 metres or thereby south-east of Point I in a generally east, south-easterly then south-easterly then south, south-easterly then south-easterly direction for a distance of 990 metres or thereby to a point 105 metres or thereby south, south-westerly of Point H, as shown by single hatching and numbered "136" on plan SR9 in the plan folio.

43. From a point 135 metres or thereby south-east of Point I in a generally northerly direction for a distance of 15 metres or thereby to a point 130 metres or thereby south-east of Point I, as shown by single hatching and numbered "137" on plan SR9 in the plan folio.

44. Number 138 not in use.

45. From a point 95 metres or thereby south, south-east of Point I in a generally north-westerly direction for a distance of 50 metres or thereby to a point 55 metres or thereby east of Point I, as shown by single hatching and numbered "139" on plan SR9 in the plan folio.

46. From a point 230 metres or thereby south of Point I in a generally south-easterly then easterly direction for a distance of 190 metres or thereby to a point 285 metres or thereby south, south-east of Point I, as shown by single hatching and numbered "140" on plan SR9 in the plan folio.

47. From a point 245 metres or thereby south, south-east of Point I in a generally north, north-easterly direction for a distance of 10 metres or thereby to a point 235 metres or thereby south, south-east of Point I, as shown by single hatching and numbered "141" on plan SR9 in the plan folio.

48. From a point 275 metres or thereby south, south-east of Point I in a generally north, north-easterly direction for a distance of 10 metres or thereby to a point 265 metres or thereby south, south-east of Point I, as shown by single hatching and numbered “142” on plan SR9 in the plan folio.

49. From a point 200 metres or thereby south, south-west of Point I in a generally north-easterly direction for a distance of 25 metres or thereby to a point 180 metres or thereby south, south-west of Point I, as shown by single hatching and numbered “143” on plan SR9 in the plan folio.

50. From a point 190 metres or thereby south, south-west of Point I in a generally north-westerly direction for a distance of 10 metres or thereby to a point 180 metres or thereby south, south-west of Point I, as shown by single hatching and numbered “144” on plan SR9 in the plan folio.

51. From a point 470 metres or thereby west, south-west of Point I in a generally west, north-westerly direction for a distance of 45 metres or thereby to a point 495 metres or thereby south, south-west of Point I, as shown by single hatching and numbered “145” on plan SR9 in the plan folio.

52. From a point 480 metres or thereby west, south-west of Point I in a generally northerly then west, north-westerly then westerly then north-westerly direction for a distance of 250 metres or thereby to a point 590 metres or thereby west of Point I, as shown by single hatching and numbered “146” on plan SR9 in the plan folio.

53. Number 147 not in use.

54. From a point 255 metres or thereby south, south-east of Point I in a generally southerly direction for a distance of 30 metres or thereby to a point 285 metres or thereby south, south-east of Point I, as shown by single hatching and numbered “148” on plan SR9 in the plan folio.

55. From a point 380 metres or thereby west, south-west of Point I in a generally west, north-westerly then westerly direction for a distance of 160 metres or thereby to a point 515 metres or thereby west, south-west of Point I, as shown by single hatching and numbered “149” on plan SR9 in the plan folio.

56. From a point 285 metres or thereby south-west of Point I in a generally north, north-westerly direction for a distance of 10 metres or thereby to a point 285 metres or thereby south-west of Point I, as shown by single hatching and numbered “150” on plan SR9 in the plan folio.

57. From a point 1560 metres or thereby west, north-west of Point J in a generally south, south-easterly then east, south-easterly then north-easterly direction for a distance of 640 metres or thereby to a point 945 metres or thereby west, north-west of Point J, as shown by single hatching and numbered “151” on plan SR10 in the plan folio.

58. From a point 1010 metres or thereby west, north-west of Point J in a generally north, north-easterly direction for a distance of 20 metres or thereby to a point 1010 metres or thereby west, north-west of Point J, as shown by single hatching and numbered “152” on plan SR10 in the plan folio.

59. From a point 950 metres or thereby west, north-west of Point J in a generally southerly then south-easterly then easterly then east, south-easterly direction for a distance of 970 metres or thereby to a point 175 metres or thereby south, south-west of Point J, as shown by single hatching and numbered “153” on plan SR10 in the plan folio.

60. From a point 190 metres or thereby south, south-west of Point J in a generally north-easterly direction for a distance of 30 metres or thereby to a point 160 metres or thereby south, south-west of Point J, as shown by single hatching and numbered “154” on plan SR10 in the plan folio.

61. From a point 250 metres or thereby north-west of Point K in a generally south-westerly then west, south-westerly then south, south-westerly then west, south-westerly then south, south-westerly then west, south-westerly direction for a distance of 1020 metres or thereby to a point 1065 metres or thereby west, south-west of Point K, as shown by single hatching and numbered “155” on plan SR11 in the plan folio.

62. Number 156 not in use.

63. From a point 805 metres or thereby west, south-west of Point K in a generally south-easterly direction for a distance of 45 metres or thereby to a point 795 metres or thereby west, south-west of Point K, as shown by single hatching and numbered “168” on plan SR11 in the plan folio.

64. From a point 800 metres or thereby west, south-west of Point K in a generally south-westerly direction for a distance of 15 metres or thereby to a point 815 metres or thereby west, south-west of Point K, as shown by single hatching and numbered “169” on plan SR11 in the plan folio.

65. From a point 900 metres or thereby east, south-east of Point L in a generally northerly then north-easterly then north, north-westerly direction for a distance of 315 metres or thereby to a point 940 metres or thereby east of Point L, as shown by single hatching and numbered “157” on plan SR12 in the plan folio.

66. Number 158 not in use.

67. Number 159 not in use.

68. From a point 610 metres or thereby north-west of Point L in a generally south-westerly then southerly then south-easterly then south, south-easterly direction for a distance of 830 metres or thereby to a point 130 metres or thereby south, south-east of Point L, as shown by single hatching and numbered “160” on plan SR12 in the plan folio.

69. From a point 620 metres or thereby north-west of Point L in a generally north-westerly then northerly then north-westerly direction for a distance of 135 metres or thereby to a point 740 metres or thereby north-west of Point L, as shown by single hatching and numbered “161” on plan SR12 in the plan folio.

70. From a point 530 metres or thereby north-west of Point L in a generally north-easterly direction for a distance of 10 metres or thereby to a point 530 metres or thereby north-west of Point L, as shown by single hatching and numbered “162” on plan SR12 in the plan folio.

71. Number 163 not in use.

72. From a point 485 metres or thereby north-west of Point L in a generally north-easterly direction for a distance of 10 metres or thereby to a point 485 metres or thereby north-west of Point L, as shown by single hatching and numbered “164” on plan SR12 in the plan folio.

73. From a point 255 metres or thereby west, north-west of Point L in a generally south-westerly direction for a distance of 50 metres or thereby to a point 275 metres or thereby west, north-west of Point L, as shown by single hatching and numbered “165” on plan SR12 in the plan folio.

74. From a point 160 metres or thereby south-west of Point L in a generally easterly then east, south-easterly then south-easterly then easterly then south-easterly then easterly direction for a distance of 1070 metres or thereby to a point 940 metres east south-east of Point L, as shown by single hatching and numbered “166” on plan SR12 in the plan folio.