SCOTTISH STATUTORY INSTRUMENTS

# 2021 No. 62

# ROADS AND BRIDGES

## The A9 Trunk Road (Tomatin to Moy) (Trunking) Order 2021

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

The Scottish Ministers make the following Order in exercise of the powers conferred by section 5(2) of the Roads (Scotland) Act 1984(**a**) and all other powers enabling them to do so.

In accordance with section 5(2) of that Act, they have taken into consideration the requirements of local and national planning, including the requirements of agriculture and industry, and are satisfied as to expediency.

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.

### Citation and commencement

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

### Trunk Road

**2.** The schedule of this Order has effect.

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(**a**) 1984 c.54. Section 5 was amended by the Transport and Works (Scotland) Act 2007 asp 8, schedule 3 paragraph 1. 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 Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC, O.J. L 175, 5.7.1985, p.40, as amended by Council Directive 97/11/EC, O.J. L 73,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, 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.

**3.** The Scottish Ministers direct that the lengths of roads which the Scottish Ministers propose to construct along the routes described in the schedule of this Order will become trunk roads on the date this Order comes into force.

*M RENNIE*
An officer of the Scottish Ministers

Buchanan House
Glasgow
27th January 2021

# SCHEDULE

Articles 2 and 3

## INTERPRETATION

In this schedule—

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/

"Point 1" means the north-west corner of the existing building known as Porters Lodge, Tomatin, Inverness, IV13 7YP shown marked "Point 1" on plan TR1 in the plan folio;

"Point 2" means the south-west corner of the existing barn associated with Dalmagarry Farm, Moy, Tomatin, Inverness, IV13 7YD shown marked "Point 2" on plan TR1 in the plan folio;

"Point 3" means the south-east corner of the existing building known as the Old Moy Schoolhouse, Moy, Tomatin, Inverness, IV13 7YE shown marked "Point 3" on plan TR1 in the plan folio.

*ROUTE OF THE NEW TRUNK ROAD*

**1.** From a point 135 metres or thereby north, north-east of Point 1 in a generally westerly then south-westerly direction for a distance of 180 metres or thereby to a point 120 metres or thereby west of Point 1 as shown by a heavy black line between points marked "A" and "B" on plan TR1 in the plan folio.

**2.** From a point 135 metres or thereby north, north-west of Point 1 in a generally north-easterly then north, north-westerly direction for a distance of 55 metres or thereby to a point 185 metres or thereby north of Point 1 as shown by a heavy black line between points marked "C" and "D" on plan TR1 in the plan folio.

**3.** From a point 195 metres or thereby north of Point 1 in a generally easterly then north-easterly then northerly then north-westerly then westerly then south-westerly then southerly then south-easterly direction for a distance of 495 metres or thereby to a point 120 metres or thereby north-west of Point 1 as shown by a heavy black line between points marked "E" and "F" on plan TR1 in the plan folio.

**4.** From a point 210 metres or thereby north of Point 1 in a generally south-westerly then south, south-easterly direction for a distance of 65 metres or thereby to a point 150 metres or thereby north, north-east of Point 1 as shown by a heavy black line between points marked "G" and "H" on plan TR1 in the plan folio.

**5.** From a point 200 metres or thereby south of Point 2 in a generally north-westerly direction for a distance of 510 metres or thereby to a point 360 metres or thereby west, north-west of Point 2 as shown by a heavy black line between points marked "I" and "J" on plan TR1 in the plan folio.

**6.** From a point 910 metres or thereby south, south-east of Point 3 in a generally north-westerly direction for a distance of 845 metres or thereby to a point 175 metres or thereby south, south-west of Point 3 as shown by a heavy black line between points marked "K" and "L" on plan TR1 in the plan folio.