POLICY NOTE

THE A90 TRUNK ROAD (ABERDEEN WESTERN PERIPHERAL ROUTE) (STONEHAVEN TO BLACKDOG) (PROHIBITIONS AND RESTRICTIONS) REGULATIONS 2019

S.S.I. 2019/166

The above regulations are made in exercise of powers conferred by section 17(2), (3) and (3ZA) of the Road Traffic Regulation Act 1984. The regulations are subject to negative procedure.

Policy Objectives

The Regulations make provision for the regulation of traffic using the part of the M90/A90/A9000 Edinburgh – Fraserburgh Trunk Road which is part of the special roads known as the Aberdeen Western Peripheral Route (AWPR).

The Regulations implement specific restrictions regarding the use of the AWPR special road section of the A90 for the following purposes –

- compliance with no-entry signs
- one-way driving only
- prohibition on use of central reservation and verges
- prohibition on stopping on the carriageway
- prohibition on reversing
- prohibition on use of emergency laybys
- animals to be kept in vehicles or otherwise under control
- a speed limit of 70 miles per hour on the mainline of the AWPR
- a speed limit of 40 miles per hour on specified lengths of the AWPR

The Regulations also implement authorisations for otherwise excluded traffic in specific circumstances, as well as various exceptions and relaxations from the restrictions provided for in the Regulations.

Background

The regulations will regulate the use of the special road section of the A90 which has been constructed as part of the Aberdeen Western Peripheral Route / Balmedie to Tipperty (AWPR/B-T) project.

The AWPR was built as a special road under three separate schemes which were made on 14 January 2010 and came into force on 31 March 2010. These were:

- The A90 (Aberdeen Western Peripheral Route) Special Road Scheme 2010 (S.S.I. 2010/79);
- The A90 (Aberdeen Western Peripheral Route) (Craibstone Junction) Special Road Scheme 2010 (S.S.I. 2010/81); and
- The A956 (Aberdeen Western Peripheral Route) Special Road Scheme 2010 (S.S.I. 2010/83).

The special road schemes prescribe classes I and II of the classes of traffic set out in Schedule 3 to the Roads (Scotland) Act 1984 to use the special roads.

Consultation on the AWPR project was initially undertaken in the early development stages of the scheme through non-statutory methods (such as public exhibitions, public meetings, presentations etc.). Then the publication of Draft Road Orders and Environmental Statement in December 2006, September 2007 and May 2008 marked the start of the formal, statutory consultation process which is required under the terms of the Roads (Scotland) Act 1984. Individuals formally objected to the scheme and each objection was responded to. A Public Local Inquiry (PLI) took place between September 2008 and February 2009 to examine evidence in relation to objections lodged and to make recommendations to Scottish Ministers who subsequently decided in December 2009 that the scheme would proceed. Made Orders were published in March 2010.

Scottish Ministers approved the development of the Balmedie to Tipperty (B-T) project in June 2005. In November 2007, Draft Road Orders and the Environmental Statement were published. A PLI was held in August 2009. Scottish Ministers subsequently made the decision in November 2010 to combine the Balmedie to Tipperty project with the AWPR project. Hence, the AWPR/B-T project was approved for construction in January 2011.

The AWPR/B-T project has been opened in various phases since the first section opened to traffic, which included Craibstone and Dyce Junctions, in August 2016. Temporary Traffic Regulation Orders (TTROs) were required to temporarily regulate the new sections of roads being opened with each phase. These TTROs were made in lieu of these permanent regulations coming into force. The latest TTRO was made on 17 December 2018 with latest amendments made on 28 January 2019.

Consultation

In accordance with section 134(8) of the Road Traffic Regulation Act 1984 the Scottish Government have consulted the following bodies:-

Police Scotland
Aberdeen City Council
Aberdeenshire Council

Other consultees included:-

Community Councils
Local Councillors
Scottish Fire and Rescue Service
AWPR/B-T Operation and Maintenance
Freight Transport Association
Trafficmaster Travel
First Group
Stagecoach North Scotland
Cycling UK Scotland
Road Haulage Association Ltd
Highland Cycle Campaign
Motorcycle Action Group
Royal Mail

There were no adverse comments to the proposals.

A consultation report was prepared. The report is available on the Transport Scotland website at https://www.transport.gov.scot/projects/aberdeen-western-peripheral-route-balmedie-to-tipperty/document-library/

Financial Effects
The regulations have no financial effects on the Scottish Government, local government or business.

Impact

The regulations align with the overall operation of the AWPR/B-T and there will be no impact on businesses or road users. Therefore, no Business and Regulatory Impact Assessment (BRIA) was necessary. An Equality Impact Assessment (EqIA) was not considered necessary given the nature of the regulations.

Transport Scotland
17 May 2019