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

2010 No. 19

ROADS AND BRIDGES

The A95 Trunk Road (Lackghie Improvement) (Side Roads) Order 2010

Made	*22nd January 2010*
Coming into force	*29th January 2010*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 12(1) and (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 that another reasonably convenient route 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 another reasonably convenient means of access to the land is available or will be provided.

In accordance with sections 20A(**b**) and 55A(**c**) of that Act, they have determined 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 but having regard to the selection criteria contained in Annex III it should not be made subject to an environmental impact assessment in accordance with the Directive.

They have complied with the requirements of Part 1 of Schedule 1(**e**) to that Act.

(**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, 14.3.1997, p.5) and Council Directive 2003/35/EC (O.J. L 156, 26.6.2003, p.17).
(**e**) Part 1 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, paragraph 2 and schedule 3, and S.S.I. 1999/1 and 2006/614.

Citation, commencement and interpretation

1. (1) This Order may be cited as the A95 Trunk Road (Lackghie Improvement) (Side Roads) Order 2010 and comes into force on 29th January 2010.

(2) In this Order:-

"plan SR1" means the plan entitled "The A95 Trunk Road (Lackghie Improvement) (Side Roads) Order 2010 Plan SR1", signed with reference to this Order and deposited at the offices of Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF.

Side roads and means of access

2. The Scottish Ministers as roads authority are authorised –

(a) to stop-up each private means of access described in column 1 of Schedule 1 when the new means of access described in the corresponding entry in column 2 of that Schedule has been provided;

(b) to provide those new means of access described in column 2 of Schedule 1;

(c) to provide those new means of access described in Schedule 2;

(d) to improve those lengths of private means of access as described in Schedule 3;

(e) to stop-up that length of private means of access as described in Schedule 4; and

(f) to stop-up those lengths of Trunk Road as described in Schedule 5 with effect from the date when the length of road described in the Schedule to the A95 Trunk Road (Lackghie Improvement) Order 2010 is open for the purpose of through traffic.

Statutory Undertakers

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 Schedule 5 to this Order any apparatus of a statutory undertaker, any rights of the statutory undertaker in respect of such apparatus shall be preserved.

J G BARTON
A member of staff of the Scottish Ministers

Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF
22nd January 2010

SCHEDULE 1 Article 2(a) and (b)

PRIVATE MEANS OF ACCESS TO BE STOPPED UP AND THE CORRESPONDING NEW MEANS OF ACCESS TO BE PROVIDED

Column 1 Access to be stopped up	Column 2 New means of access to be provided
1. The private means of access on the north-west side of the existing A95 Granish – Keith Trunk Road from a point 1096 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by a solid black bar and numbered "1" on plan SR1	1. From a point 1076 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally north, north-westerly direction for a distance of 52 metres or thereby to a point 1073 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by single line hatching and numbered "2" on plan SR1.
2. The private means of access on the south-east side of the A95 Granish – Keith Trunk Road from a point 694 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by a solid black bar and numbered "5" on plan SR1.	2. From a point 782 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally south, south-easterly then north-easterly then south-easterly direction for a distance of 141 metres or thereby to a point 687 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by single line hatching and numbered "4" on plan SR1.
3. The private means of access on the north-west side of the A95 Granish – Keith Trunk Road from a point 438 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by a solid black bar and numbered "8" on plan SR1.	3. From a point 543 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally northerly then north-easterly then north-westerly direction for a distance of 170 metres or thereby to a point 475 metres or thereby south-west of the north-eastern most corner of the building known as Lower

The private means of access on the south-east side of the A95 Granish – Keith Trunk Road from a point 437 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by a solid black bar and numbered “13” on plan SR1.	Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by single line hatching and numbered “7”on plan SR1.
4. The private means of access on the north-west side of the A95 Granish – Keith Trunk Road from a point 275 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by a solid black bar and numbered “27” on plan SR1.	4. From a point 385 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally north-westerly direction for a distance of 6 metres or thereby to a point 386 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by single line hatching and numbered “14” on plan SR1.

SCHEDULE 2 Article 2(c)

NEW MEANS OF ACCESS TO BE PROVIDED

1. From a point 449 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally south-easterly direction for a distance of 11 metres or thereby to a point 449 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by single line hatching and numbered "9" on plan SR1.

2. From a point 85 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally south-easterly then south-westerly then westerly then south-westerly direction for a distance of 80 metres or thereby to a point 28 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by single line hatching and numbered "10" on plan SR1.

3. From a point 57 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally southerly direction for a distance of 44 metres or thereby to a point 54 metres or thereby east, south-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by single line hatching and numbered "11" on plan SR1.

4. From a point 87 metres or thereby, north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally south-easterly direction for a distance of 5 metres or thereby to a point 86 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by single line hatching and numbered "21" on plan SR1.

SCHEDULE 3 Article 2(d)

PRIVATE MEANS OF ACCESS TO BE IMPROVED

1. From a point 1095 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally south, south-easterly direction for a distance of 6 metres or thereby to a point 1098 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by cross hatching and numbered "3" on plan SR1.

2. From a point 695 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally north, north-westerly direction for a distance of 6 metres or thereby to a point 694 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by cross hatching and numbered "6" on plan SR1.

3. From a point 136 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally north westerly direction for a distance of 24 metres or thereby to a point 139 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX. as shown by cross hatching and numbered "12" on plan SR1.

4. From a point 771 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally south-easterly direction for a distance of 61 metres or thereby to a point 789 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by cross hatching and numbered "15" on plan SR1.

5. From a point 450 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally south-easterly direction for a distance of 6 metres or thereby to a point 449 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by cross hatching and numbered "16" on plan SR1.

6. From a point 769 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally north-westerly direction for a distance of 6 metres or thereby to a point 768 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by cross hatching and numbered "17" on plan SR1.

7. From a point 870 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally north-easterly then north-westerly direction for a distance of 66 metres or thereby to a point 875 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by cross hatching and numbered "18" on plan SR1.

8. From a point 900 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally south-easterly direction for a distance of 6 metres or thereby to a point 901 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by cross hatching and numbered "19" on plan SR1.

9. From a point 86 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally south-easterly direction for a distance of 6 metres or thereby to a point 85 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by cross hatching and numbered "22" on plan SR1.

10. From a point 26 metres or thereby west, south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally north-easterly direction for a distance of 60 metres or thereby to a point 39 metres or thereby north, north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by cross hatching and numbered "23" on plan SR1.

SCHEDULE 4 Article 2(e)

PRIVATE MEANS OF ACCESS TO BE STOPPED UP

1. From a point 137 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by a solid black bar and numbered “20” on plan SR1.

SCHEDULE 5 Article 2(f)

LENGTHS OF TRUNK ROAD TO BE STOPPED UP

1. From a point 667 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally north-easterly direction for a distance of 217 metres or thereby to a point 453 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by bold single line hatching and numbered "24" on plan SR1.

2. From a point 447 metres or thereby south-west of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally north-easterly direction for a distance of 526 metres or thereby to a point 81 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by bold single line hatching and numbered "25" on plan SR1.

3. From a point 88 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX in a generally north-easterly direction for a distance of 102 metres or thereby to a point 190 metres or thereby north-east of the north-eastern most corner of the building known as Lower Lackghie, Boat of Garten, Inverness-shire, PH24 3BX as shown by bold single line hatching and numbered "26" on plan SR1.