SCOTTISH STATUTORY INSTRUMENTS

2010 No. 108

ROADS AND BRIDGES

The A96 (Aberdeen Western Peripheral Route) Trunk Road (Side Roads) Order 2010

Made - - - -	*11th March 2010*
Coming into force - -	*31st March 2010*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 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 that no access to the land is reasonably required.

In accordance with sections 20A(**b**) and 55A(**c**) of that Act they have determined that the project falls within Annex I to Council Directive 85/337/EEC(**d**), as relevantly amended by Council Directive 97/11/EC(**e**) and Council Directive 2003/35/EC(**f**), on the assessment of the effects of certain public and private projects on the environment.

In accordance with sections 20A(2) and 55A(2) of that Act, they have prepared an environmental statement and published notice of it on 11th September 2007 and have complied with all other provisions of sections 20A and 55A of that Act.

This Order is made in accordance with the provisions of Parts I and III of Schedule 1(**g**) 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.
(**e**) O.J. L 73, 14.3.1997, p.5.
(**f**) O.J. L 156, 25.6.2003, p.17.
(**g**) Part I of Schedule 1 was relevantly 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 3 and schedule 3, and also by S.S.I. 1999/1 and 2006/614.

Citation, commencement and interpretation

1.—(1) This Order may be cited as the A96 (Aberdeen Western Peripheral Route) Trunk Road (Side Roads) Order 2010 and comes into force on the 28th day after the day on which the A90 (Aberdeen Western Peripheral Route) Special Road Scheme 2010(**a**) is approved by resolution of the Scottish Parliament.

(2) In this Order "the plan folio" means the plan folio numbered RYC/G109/13/0735 and entitled "The A96 (Aberdeen Western Peripheral Route) Trunk Road (Side Roads) Order 2010", 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 construct those lengths of road (hereinafter referred to as "the new side roads") along the routes described in Schedule 1;

(b) to improve those lengths of road described in Schedule 2;

(c) to stop up those lengths of road described in Schedule 3 when the new side roads are open for the purposes of through traffic;

(d) to stop up those private means of access described in Schedule 4; and

(e) to provide those new means of access described in Schedule 5 to this Order.

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 Schedules 2 and 3 any apparatus of a statutory undertaker, any rights of the statutory undertaker in respect of such apparatus shall be preserved.

Transfer of Roads

4. On 1st April next after the date on which the new side roads along the routes described in paragraphs 1 to 5 and 7 to 8 of Schedule 1 are all open for the purposes of through traffic, the new side roads shall be transferred to Aberdeen City Council(**b**) as roads authority for those roads.

A. C. McLaughlin
A member of the staff of the Scottish Ministers

Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF
11th March 2010

(**a**) S.S.I. 2010/79.

(**b**) A council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c.39). Aberdeen Council changed the name for their area from "Aberdeen" to "Aberdeen City" by resolution under section 23(1) of the Local Government (Scotland) Act 1973 (c.65) on 9th May 1995.

SCHEDULE 1

Article 2(a)

THE ROUTES OF THE NEW SIDE ROADS

1. From a point 690 metres or thereby east, north-east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN in a generally north, north-easterly direction for a distance of 90 metres or thereby to a point 750 metres or thereby east, north-east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN as shown by stipple and numbered "1" on plan SR1 in the plan folio.

2. From a point 755 metres or thereby east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN in a generally north, north westerly direction for a distance of 55 metres or thereby to a point 740 metres or thereby east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN as shown by stipple and numbered "2" on plan SR1 in the plan folio.

3. From a point 720 metres or thereby east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN in a generally east then south-easterly direction for a distance of 145 metres or thereby to a point 840 metres or thereby east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN as shown by stipple and numbered "3" on plan SR1 in the plan folio.

4. From a point 210 metres or thereby east, south-east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN in a generally northerly direction for a distance of 50 metres or thereby to a point 200 metres or thereby east, south-east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN as shown by stipple and numbered "4" on plan SR1 in the plan folio.

5. From a point 140 metres or thereby south of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN in a generally easterly direction for a distance of 200 metres or thereby to a point 220 metres or thereby east, south-east of the south corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN as shown by stipple and numbered "5" on plan SR1 in the plan folio.

6. From a point 370 metres or thereby east, south-east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN in a generally southerly direction for a distance of 105 metres or thereby to a point 415 metres or thereby east, south-east of the southern corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN as shown by stipple and numbered "6" on plan SR1 in the plan folio.

7. From a point 485 metres or thereby north-west of the western-most corner of the building known as Greenburn House, Bucksburn, Aberdeen, AB21 9UA in a generally southerly direction for a distance of 395 metres or thereby to a point 385 metres or thereby west of the western-most corner of the building known as Greenburn House, Bucksburn, Aberdeen, AB21 9UA as shown by stipple and numbered "7" on plan SR2 in the plan folio.

8. From a point 440 metres or thereby west, north-west of the western corner of the building known as Greenburn House, Bucksburn, Aberdeen, AB21 9UA in a generally southerly then south, south-westerly direction for a distance of 340 metres or thereby to a point 365 metres or thereby west of the western-most corner of the building known as Greenburn House, Bucksburn, Aberdeen, AB21 9UA as shown by stipple and numbered "8" on plan SR2 in the plan folio.

SCHEDULE 2

Article 2(b)

LENGTHS OF ROAD TO BE IMPROVED

1. From a point 730 metres or thereby east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN in a generally east, south-easterly direction for a distance of 85 metres or thereby to a point 800 metres or thereby east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN as shown by cross hatching and numbered "9" on plan SR1 in the plan folio.

2. From a point 485 metres or thereby north-west of the western-most corner of the building known as Greenburn House, Bucksburn, Aberdeen, AB21 9UA in a generally southerly then south, south-westerly direction for a distance of 425 metres or thereby to a point 385 metres or thereby west, south-west of the western-most corner of the building known as Greenburn House, Bucksburn, Aberdeen, AB21 9UA as shown by cross hatching and numbered "10" on plan SR2 in the plan folio.

3. From a point 345 metres or thereby south, south-west of the western-most corner of the building known as Greenburn House, Bucksburn, Aberdeen, AB21 9UA in a generally north-westerly direction for a distance of 500 metres or thereby to a point 540 metres or thereby west of the western-most corner of the building known as Greenburn House, Bucksburn, Aberdeen, AB21 9UA as shown by cross hatching and numbered "11" on plan SR2 in the plan folio.

4. From a point 549 metres or thereby west, south-west of the western-most corner of the building known as Greenburn House, Bucksburn, Aberdeen, AB21 9UA in a generally east then north-easterly direction for a distance of 70 metres or thereby to a point 430 metres or thereby west, south-west of the western-most corner of the building known as Greenburn House, Bucksburn, Aberdeen, AB21 9UA as shown by cross hatching and numbered "12" on plan SR2 in the plan folio.

5. From a point 395 metres or thereby south, south-west of the western-most corner of the building known as Greenburn House, Bucksburn, Aberdeen, AB21 9UA in a generally north, north-easterly direction for a distance of 40 metres or thereby to a point 350 metres or thereby south, south-west of the western-most corner of the building known as Greenburn House, Bucksburn, Aberdeen, AB21 9UA as shown by cross hatching and numbered "13" on plan SR2 in the plan folio.

SCHEDULE 3

Article 2(c)

LENGTHS OF ROAD TO BE STOPPED UP

1. That length of the existing Chapel of Stoneywood – Fairley Road (C89C) from a point 305 metres or thereby north, north-west of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN in a generally southerly direction for a distance of 15 metres or thereby to a point 295 metres or thereby north, north-west of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN as shown by zebra hatching and numbered "14" on plan SR1 in the plan folio

2. That length of the existing A96 Aberdeen – Inverness Trunk Road, Aberdeen from a point 590 metres or thereby east, north-east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN in a generally east, south-easterly direction for a distance of 160 metres or thereby to a point 720 metres or thereby east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN as shown by zebra hatching and numbered "15" on plan SR1 in the plan folio.

3. That length of the existing A96 Aberdeen – Inverness Trunk Road, Aberdeen from a point 435 metres or thereby west of the western-most corner of the building known as Greenburn House, Bucksburn, Aberdeen, AB21 9UA in a generally east, south-east then easterly direction for a distance of 25 metres or thereby to a point 415 metres or thereby west of the western-most corner of the building known as Greenburn House, Bucksburn, Aberdeen, AB21 9UA as shown by zebra hatching and numbered "16" on plan SR2 in the plan folio.

4. That length of the existing access to Craibstone (College of Agriculture) from the A96 Aberdeen – Inverness Trunk Road, Aberdeen from a point 455 metres or thereby west, south-west of the western-most corner of the building known as Greenburn House, Bucksburn, Aberdeen, AB21 9UA in a generally north-east then north, north-westerly direction for a distance of 50 metres or thereby to a point 440 metres or thereby west, south-west of the western-most corner of the building known as Greenburn House, Bucksburn, Aberdeen, AB21 9UA as shown by zebra hatching and numbered "17" on plan SR2 in the plan folio.

5. That length of the existing A96 Aberdeen – Inverness Trunk Road, Aberdeen from a point 385 metres or thereby west, south-west of the western-most corner of the building known as Greenburn House, Bucksburn, Aberdeen, AB21 9UA in a generally west, north-westerly direction for a distance of 35 metres or thereby to a point 410 metres or thereby west, south-west of the western-most corner of the building known as Greenburn House, Bucksburn, Aberdeen, AB21 9UA as shown by zebra hatching and numbered "18" on plan SR2 in the plan folio.

SCHEDULE 4

Article 2(d)

PRIVATE MEANS OF ACCESS TO BE STOPPED UP

1. The private means of access on the south side of the existing A96 Aberdeen – Inverness Trunk Road, Aberdeen from a point 360 metres or thereby north-east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN as shown by a solid black bar and numbered "19" on plan SR1 in the plan folio.

2. The private means of access on the south side of the existing A96 Aberdeen – Inverness Trunk Road, Aberdeen from a point 385 metres or thereby east, north-east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN as shown by a solid black bar and numbered "20" on plan SR1 in the plan folio.

SCHEDULE 5

Article 2(e)

NEW MEANS OF ACCESS TO BE PROVIDED

1. From a point 540 metres or thereby north-east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN in a generally westerly direction for a distance of 50 metres or thereby to a point 500 metres or thereby north-east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN as shown by single hatching and numbered "21" on plan SR1 in the plan folio.

2. From a point 520 metres or thereby north-east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN in a generally southerly direction for a distance of 10 metres or thereby to a point 515 metres or thereby north-east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN as shown by single hatching and numbered "22" on plan SR1 in the plan folio.

3. From a point 485 metres or thereby east, north-east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN in a generally northerly direction for a distance of 160 metres or thereby to a point 575 metres or thereby north-east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN as shown by single hatching and numbered "23" on plan SR1 in the plan folio.

4. From a point 460 metres or thereby east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN in a generally north-westerly direction for a distance of 45 metres or thereby to a point 435 metres or thereby east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN as shown by single hatching and numbered "24" on plan SR1 in the plan folio.

5. From a point 445 metres or thereby east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN in a generally south-westerly direction for a distance of 10 metres or thereby to a point 440 metres or thereby east of the southern-most corner of the building known as West Lodge, Craibstone, Bucksburn, Aberdeen, AB21 9TN as shown by single hatching and numbered "25" on plan SR1 in the plan folio.