

2010 No. 362

ROAD TRAFFIC

The South East Unit Trunk Roads Area (Temporary Prohibitions of Traffic, Temporary Prohibitions of Overtaking and Temporary Speed Restrictions) (No.10) Order 2010

Made

19th October 2010

Coming into force

1st November 2010

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 2(1) and (2), 4(1) and 14(1) and (4) and of the Road Traffic Regulation Act 1984(a) and all other powers enabling them to do so.

In accordance with section 14(1) of that Act, they are satisfied that the traffic on the lengths of road specified in the Schedule should be restricted or prohibited because works are being or are proposed to be executed on or near the said lengths of road.

In accordance with section 14(3) of that Act, they have had regard to the existence of alternative routes suitable for the traffic which will be affected by this Order.

Citation, commencement and cessation

1. This Order may be cited as the South East Unit Trunk Roads Area (Temporary Prohibitions of Traffic, Temporary Prohibitions of Overtaking and Temporary Speed Restrictions) (No.10) Order 2010, comes into force on 1st November 2010 and ceases to have effect at 0001 hours on 1st February 2011.

Interpretation

2. In this Order a reference to a numbered column is to the column in the Schedule bearing that number.

Temporary prohibition on use of a road

3. Subject to article 6, no person shall use, or permit the use of, any vehicle on each length of road specified in column 1 when a prohibition is identified as applying to a part or parts of that length of road by means of one or more of the traffic signs prescribed in Diagram 7010.1 and 7105 of the Traffic Signs Regulations 2002(b).

(a) 1984 c.27; section 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 18 and section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (inserted by the New Roads and Street Works Act 1991, Schedule 8, paragraph 70 and amended by S.I. 2001/1400) as read with section 151(1) of the Roads (Scotland) Act 1984 (c.54). The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c.46).

(b) Part 1 of S.I. 2002/3113.

Temporary prohibition on overtaking

4.—(1) Subject to paragraph (2), no person shall use, or permit the use of, any vehicle in such a way that it overtakes any other moving vehicle on each length of road specified in column 1 when a prohibition is identified as applying to a part or parts of that length of road by means of a traffic sign prescribed in Diagram 632 of the Traffic Signs Regulations 2002.

(2) Nothing in paragraph (1) shall prohibit any person from using, or permitting the use of, any vehicle in such a way that it overtakes a cycle, motor cycle, tricycle or any other vehicle not being a motor vehicle in accordance with section 140 of the Road Traffic Regulation Act 1984(a).

Temporary speed restriction

5. No person shall drive any vehicle on the lengths of road specified in column 1 of Parts 2 and 3 of the Schedule at a speed exceeding that specified in column 2 when a restriction is identified as applying to a part or parts of that length of road by means of a traffic sign prescribed in Diagram 670 of the Traffic Signs Regulations 2002.

Exemption for emergency and works vehicles

6. Nothing in article 3 shall apply to a vehicle being used in an emergency for fire brigade, ambulance, police or coastguard purposes or a vehicle while being used for carrying out the works.

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19th October 2010

(a) 1984 c.27; section 140 was amended by the Road Traffic (Consequential Provisions) Act 1988 (c.54), Schedule 3, paragraph 25(9).

SCHEDULE

PART 1

Articles 3 and 4

1
Description of particular lengths of road
1. That length of the A720 Edinburgh City Bypass Trunk Road being the eastbound off slip road at Dreghorn Junction, a distance of 327 metres or thereby.
2. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the northbound carriageway from the off slip road at Junction 9 (Bannockburn) to the on slip road at Junction 9 (Bannockburn), a distance of 1 kilometre or thereby.
3. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the Carnbroe Road off slip road, a distance of 100 metres or thereby.
4. That length of the A1 Edinburgh – Berwick Upon Tweed Trunk Road being the westbound on slip road at Abbotsview Junction, a distance of 600 metres or thereby.

PART 2

Articles 3, 4 and 5

1	2
Description of particular lengths of road	Speed restriction
5. That length of the A1 Edinburgh to Berwick Upon Tweed Trunk Road being the northbound and southbound carriageways from Spott Roundabout to Skateraw railway over bridge (Edinburgh to Newcastle line), a distance of 6.1 kilometres or thereby.	40mph
6. That length of the A1 Edinburgh – Berwick Upon Tweed Trunk Road from the B6435 Reston Junction northwards to the Cockburnspath Roundabout, a distance of 16.8 kilometres or thereby.	40 mph
7. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the northbound and southbound carriageway from Junction 6, (Earlsgate) southbound off slip road to Junction 5 (Cadgers Brae), southbound, a distance of 2.1 kilometres or thereby.	40 mph