

2012 No. 80

ROADS AND BRIDGES

The M9/A90/M90 Trunk Road (Balmedie to Tippetty) (Side Roads) Order 2012

Made - - - - *1st March 2012*

Coming into force - - *15th March 2012*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 12(1)(a) 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 the roads are stopped up.

In accordance with sections 71(3) of that Act, they are satisfied that another reasonably convenient means of access is available or will be provided in pursuance of this Order before the accesses are stopped up.

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), 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 1st November 2007 and have complied with all other provisions of sections 20A and 55A of that Act.

This Order is made in compliance with the provisions of Parts I and III of Schedule 1(g) to that Act.

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- (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, 26.6.2003, p.17.
- (g) 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 and commencement

1. This Order may be cited as the M9/A90/M90 Trunk Road (Balmedie to Tippetry) (Side Roads) Order 2012 and comes into force on 15th March 2012.

Side roads and means of access

2. The meanings in Schedule 1 to this Order have effect.

3. The Scottish Ministers are authorised—

- (a) to construct those lengths of road (hereinafter referred to as “the new side roads”) along the routes described in Schedule 2 to this Order;
- (b) to improve those lengths of road described in Schedule 3 to this Order;
- (c) to stop up those lengths of road described in Schedule 4 to this Order when the new side roads are open for through traffic;
- (d) to stop up those private means of access described in Schedule 5 to this Order when the new means of access described in Schedule 6 to this Order have been provided; and
- (e) to provide those new means of access described in Schedule 6.

Statutory Undertakers

4. 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 to 4 any apparatus belonging to a statutory undertaker, any rights of the statutory undertaker in respect of such apparatus shall be preserved.

Transfer of Roads

5. On 1st April next after next after the date on which the new side roads are open for the purpose of through traffic the new side roads Aberdeenshire Council^(a) shall become the roads authority for those roads and shall enter those roads in their list of public roads^(b).

Buchanan House
Glasgow
1st March 2012

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

(a) A council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c.39).

(b) The list of public roads prepared and kept by the local roads authority under section 1(1) of the Roads (Scotland) Act 1984.

SCHEDULES

SCHEDULE 1

Article 2

INTERPRETATION

In these Schedules—

“the existing trunk road” means the existing M9/A90/M90 Edinburgh - Fraserburgh Trunk Road;

“the plan” means the plan folio numbered RYC/G110/3 entitled “The M9/A90/M90 Trunk Road (Balmedie to Tippetty) (Side Roads) Order 2012”, signed with reference to this Order and deposited at the offices of Transport Scotland, Major Infrastructure Infrastructure Projects, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF;

“point A” means the most northerly corner of the building known as East Aberdeenshire Golf Clubhouse, Milden, Balmedie, Aberdeenshire, AB23 8YY as shown on Plan No. SR01 in the plan;

“point B” means the most northerly corner of the building known as Almardo, Southfolds Balmedie, Aberdeenshire, AB23 8YY as shown on Plan No. SR01 in the plan;

“point C” means the intersection of Rowan Drive, Balmedie, Aberdeenshire with Eigie Road, Balmedie, Aberdeenshire as shown on Plan No. SR01 in the plan;

“point D” means the most northerly corner of the building known as No.9 The Holdings, Balmedie, Aberdeenshire, AB23 8XS as shown on Plan No. SR02 in the plan;

“point E” means the south westerly corner of the building known as Drumhead Lodge, Balmedie, Aberdeenshire, AB23 8YR as shown on Plan No. SR02 and SR03 in the plan;

“point F” means the north westerly corner of the building known as The White Horse Inn, Old Road, Balmedie, Aberdeenshire, AB23 8XR as shown on Plan No. SR03 in the plan;

“point G” means the north westerly corner of the building known as The Bungalow, Balmedie, Aberdeenshire, AB23 8XX as shown on Plan No. SR03 in the plan;

“point H” means the most easterly corner of the building known as South Orrock, Balmedie, Aberdeenshire, AB23 8XY as shown on Plan No. SR04 in the plan;

“point I” means the north easterly corner of the building known as Orrock House, Balmedie, Aberdeenshire, AB23 8YA as shown on Plan No. SR05 in the plan;

“point J” means the north westerly corner of the building known as Beachview, Balmedie, Aberdeenshire, AB23 8XY as shown on Plan No. SR05 in the plan;

“point K” means the most northerly corner of the building known as Hill of Menie Croft, Balmedie, Aberdeenshire, AB23 8YD as shown on Plan No. SR06 in the plan;

“point L” means the north easterly corner of the building known as Seven Acres, Balmedie, Aberdeenshire, AB23 8YJ as shown on Plan No. SR06 in the plan;

“point M” means the south westerly corner of the building known as Dambrae, Balmedie, Aberdeenshire, AB23 8YD as shown on Plan No. SR06 in the plan;

“point N” means the south westerly corner of the building known as Rashierieve, Newburgh, Aberdeenshire, AB41 6AU as shown on Plan No. SR07 in the plan;

“point O” means the south easterly corner of the remains of the property known as Cairneylaw, Near Foveran, Aberdeenshire as shown on Plan No. SR07 in the plan;

“point P” means the most easterly corner of the building known as Blair Lodge, Newburgh, Aberdeenshire, AB41 6BA as shown on Plan No. SR07 and SR08 in the plan;

“point Q” means the north westerly corner of the building known as Southlea, Newburgh, Aberdeenshire, AB41 4AU as shown on Plan No. SR08 in the plan;

“point R” means the most westerly corner of the building known as Mardon Park, Foveran, Aberdeenshire, AB41 6AR as shown on Plan No. SR08 in the plan;

“point S” means the most easterly corner of the building known as Foveran Primary School, Main Road, Foveran, Aberdeenshire, AB41 6AZ as shown on Plan No. SR09 in the plan;

“point T” means the most westerly corner of the building known as Mill of Foveran, Foveran, Aberdeenshire, AB41 6AF as shown on Plan No. SR09 in the plan;

“point U” means the most westerly corner of the building known as Pitmillan, Newburgh, Aberdeenshire, AB41 6AL as shown on Plan No. SR10 in the plan;

“point V” means the channel intersections of the B9000 (East) with the existing trunk road as shown on Plan No. SR11 in the plan;

“point W” means the south easterly corner of the building known as Fountainbleau, Newburgh, Aberdeenshire, AB41 6AJ as shown on Plan No. SR11 in the plan;

“point X” means the most westerly corner of the building known as Fornety, Newburgh, Aberdeenshire, AB41 6AH as shown on Plan No. SR11 in the plan;

“point Y” means the north westerly corner of the building known as South Farden, Newburgh, Aberdeenshire, AB41 6AJ as shown on Plan No. SR11 in the plan; and

“point Z” means the centreline intersections of the access road to Bridgend, Tippetty, Aberdeenshire with the existing trunk road as shown on Plan No. SR12 in the plan.

SCHEDULE 2

Article 3(a)

THE ROUTES OF THE SIDE ROADS

1. From a point 148 metres or thereby south of point A, generally in a northerly direction for a distance of 474 metres or thereby, to a point 59 metres or thereby north west of point B as shown by stipple and numbered “1” on plan SR01 in the plan.

2. From a point 70 metres or thereby south of point B, generally in a westerly direction for a distance of 92 metres or thereby, to a point 115 metres or thereby south west of point B as shown by stipple and numbered “2” on plan SR01 in the plan.

3. From a point 45 metres or thereby north west of point B, generally in a clockwise direction for a distance of 156 metres or thereby, to a point 45 metres or thereby north west of point B as shown by stipple and numbered “3” on plan SR01 in the plan.

4. From a point 45 metres or thereby north west of point B, generally in an easterly direction for a distance of 175 metres or thereby, to a point 182 metres or thereby south west of point C as shown by stipple and numbered “4” on plan SR01 in the plan.

5. From a point 133 metres or thereby south west of point C, generally in a clockwise direction for a distance of 156 metres or thereby, to a point 133 metres or thereby north west of point C as shown by stipple and numbered “5” on plan SR01 in the plan.

6. From a point 164 metres or thereby west of point C, generally in a northerly direction for a distance of 32 metres or thereby, to a point 176 metres or thereby west of point C as shown by stipple and numbered “6” on plan SR01 in the plan.

7. From a point 38 metres or thereby west of point C, generally in a south westerly direction for a distance of 80 metres or thereby, to a point 133 metres or thereby south west of point C as shown by stipple and numbered “7” on plan SR01 in the plan.

8. From a point 127 metres or thereby south west of point D, generally in a north easterly direction for a distance of 288 metres or thereby, to a point 177 metres or thereby north east of point D as shown by stipple and numbered “8” on plan SR02 in the plan.

9. From a point 270 metres or thereby south east of point D, generally in a north westerly then northerly direction for a distance of 1505 metres or thereby, to a point 310 metres or thereby west of point E as shown by stipple and numbered “9” on plan SR02 in the plan.

10. From a point 115 metres or thereby south of point F, generally in a westerly direction for a distance of 98 metres or thereby, to a point 164 metres or thereby south west of point F as shown by stipple and numbered “10” on plan SR03 in the plan.

11. From a point 526 metres or thereby north of point F, generally in a northerly direction for a distance of 178 metres or thereby, to a point 65 metres or thereby south west of point G as shown by stipple and numbered “11” on plan SR03 in the plan.

12. From a point 295 metres or thereby north of point I, generally in an easterly direction for a distance of 380 metres or thereby, to a point 580 metres or thereby north east of point I as shown by stipple and numbered “12” on plan SR05 in the plan.

13. From a point 355 metres or thereby north west of point M, generally in a westerly then south westerly then south easterly direction for a distance of 695 metres or thereby, to a point 290 metres or thereby west of point L as shown by stipple and numbered “13” on plan SR06 in the plan.

14. From a point 110 metres or thereby east of point L, generally in a easterly direction for a distance of 208 metres or thereby, to a point 144 metres or thereby west of point M as shown by stipple and numbered “14” on plan SR06 in the plan.

15. From a point 212 metres or thereby south east of point P, generally in a north easterly direction for a distance of 212 metres or thereby, to a point 182 metres or thereby east of point P as shown by stipple and numbered “15” on plan SR07 in the plan.

16. From a point 305 metres or thereby north west of point O, generally in a north easterly direction for a distance of 470 metres or thereby, to a point 535 metres or thereby north of point O as shown by stipple and numbered “16” on plan SR07 in the plan.

17. From a point 392 metres or thereby north of point P, generally in a easterly direction for a distance of 1145 metres or thereby, to a point 53 metres or thereby south west of point R as shown by stipple and numbered “17” on plan SR08 in the plan.

18. From a point 35 metres or thereby east of point S, generally in a easterly direction for a distance of 240 metres or thereby, to a point 13 metres or thereby north of point T as shown by stipple and numbered “18” on plan SR09 in the plan.

19. From a point 520 metres or thereby south of point V, generally in a north easterly direction for a distance of 165 metres or thereby, to a point 375 metres or thereby south of point V as shown by stipple and numbered “19” on plan SR11 in the plan.

20. From a point 342 metres or thereby south of point V, generally in a clockwise direction for a distance of 124 metres or thereby, to a point 342 metres or thereby south of point V as shown by stipple and numbered “20” on plan SR11 in the plan.

21. From a point 350 metres or thereby south of point V, generally in a north westerly direction for a distance of 4 metres or thereby, to a point 349 metres or thereby south of point V as shown by stipple and numbered “21” on plan SR11 in the plan.

22. From a point 345 metres or thereby south of point V, generally in a northerly direction for a distance of 570 metres or thereby, to a point 217 metres or thereby north west of point V as shown by stipple and numbered “22” on plan SR11 in the plan.

23. From a point 365 metres or thereby south of point V, generally in a easterly direction for a distance of 520 metres or thereby, to a point 684 metres or thereby south east of point V as shown by stipple and numbered “23” on plan SR11 in the plan.

24. From a point 570 metres or thereby south east of point V, generally in a southerly direction for a distance of 32 metres or thereby, to a point 549 metres or thereby south east of point V as shown by stipple and numbered “24” on plan SR11 in the plan.

25. From a point 161 metres or thereby south east of point V, generally in a north westerly direction for a distance of 567 metres or thereby, to a point 209 metres or thereby south west of point X as shown by stipple and numbered “25” on plan SR11 in the plan.

26. From a point 142 metres or thereby south east of point Y, generally in a south easterly direction for a distance of 282 metres or thereby, to a point 238 metres or thereby north west of point V as shown by stipple and numbered “26” on plan SR11 in the plan.

27. From a point 402 metres or thereby south of point Z, generally in a northerly direction for a distance of 397 metres or thereby, to a point 74 metres or thereby west of point Z as shown by stipple and numbered “27” on plan SR12 in the plan.

28. From a point 164 metres or thereby south west of point F, generally in a northerly direction for a distance of 530 metres or thereby, to a point 254 metres or thereby east of point E as shown by stipple and numbered “141” on plan SR03 in the plan.

SCHEDULE 3

Article 3(b)

ROADS TO BE IMPROVED

1. From a point 199 metres or thereby north west of point C, generally in a southerly direction for a distance of 116 metres or thereby, to a point 175 metres or thereby west of point C as shown by cross hatching and numbered “28” on plan SR01 in the plan.

2. From a point 15 metres or thereby west of point C, generally in a westerly direction for a distance of 61 metres or thereby, to a point 76 metres or thereby west of point C as shown by cross hatching and numbered “29” on plan SR01 in the plan.

3. From a point 415 metres or thereby north of point F, generally in a northerly direction for a distance of 117 metres or thereby, to a point 239 metres or thereby south of point G as shown by cross hatching and numbered “30” on plan SR03 in the plan.

4. From a point 245 metres or thereby south of point G, generally in a north easterly direction for a distance of 18 metres or thereby, to a point 229 metres or thereby south of point G as shown by cross hatching and numbered “31” on plan SR03 in the plan.

5. From a point 119 metres or thereby south west of point G, generally in a northerly direction for a distance of 259 metres or thereby, to a point 139 metres or thereby north of point G as shown by cross hatching and numbered “32” on plan SR03 in the plan.

6. From a point 282 metres or thereby north of point I, generally in a north easterly direction for a distance of 30 metres or thereby, to a point 296 metres or thereby north of point I as shown by cross hatching and numbered “33” on plan SR05 in the plan.

7. From a point 18 metres or thereby north east of point L, generally in a easterly direction for a distance of 112 metres or thereby, to a point 128 metres or thereby east of point L as shown by cross hatching and numbered “34” on plan SR06 in the plan.

8. From a point 47 metres or thereby south west of point M, generally in a westerly direction for a distance of 114 metres or thereby, to a point 156 metres or thereby west of point M as shown by cross hatching and numbered “35” on plan SR06 in the plan.

9. From a point 214 metres or thereby south east of point P, generally in a easterly direction for a distance of 30 metres or thereby, to a point 213 metres or thereby south east of point P as shown by cross hatching and numbered “36” on plan SR07 in the plan.

10. From a point 185 metres or thereby east of point P, generally in a north westerly direction for a distance of 45 metres or thereby, to a point 170 metres or thereby east of point P as shown by cross hatching and numbered “37” on plan SR07 in the plan.

11. From a point 506 metres or thereby north of point O, generally in a northerly direction for a distance of 84 metres or thereby, to a point 586 metres or thereby north of point O as shown by cross hatching and numbered “38” on plan SR07 in the plan.

12. From a point 130 metres or thereby north west of point Q, generally in a northerly direction for a distance of 141 metres or thereby, to a point 223 metres or thereby north west of point Q as shown by cross hatching and numbered “39” on plan SR08 in the plan.

13. From a point 54 metres or thereby south west of point R, generally in a south westerly direction for a distance of 114 metres or thereby, to a point 169 metres or thereby south west of point R as shown by cross hatching and numbered “40” on plan SR08 in the plan.

14. From a point 16 metres or thereby north west of point T, generally in a easterly direction for a distance of 95 metres or thereby, to a point 82 metres or thereby east of point T as shown by cross hatching and numbered “41” on plan SR09 in the plan.

15. From a point 572 metres or thereby south of point V, generally in a northerly direction for a distance of 145 metres or thereby, to a point 436 metres or thereby south of point V as shown by cross hatching and numbered “42” on plan SR11 in the plan.

16. From a point 350 metres or thereby south of point V, generally in a north westerly direction for a distance of 10 metres or thereby, to a point 344 metres or thereby south of point V as shown by cross hatching and numbered “43” on plan SR11 in the plan.

17. From a point 140 metres or thereby north of point W, generally in a north westerly direction for a distance of 23 metres or thereby, to a point 160 metres or thereby north of point W as shown by cross hatching and numbered “44” on plan SR11 in the plan.

18. From a point 101 metres or thereby south east of point Y, generally in a south easterly direction for a distance of 69 metres or thereby, to a point 169 metres or thereby south east of point Y as shown by cross hatching and numbered “45” on plan SR11 in the plan.

19. From a point 619 metres or thereby south east of point V, generally in a south easterly direction for a distance of 120 metres or thereby, to a point 736 metres or thereby south east of point V as shown by cross hatching and numbered “46” on plan SR11 in the plan.

20. From a point 493 metres or thereby south east of point V, generally in a south easterly direction for a distance of 66 metres or thereby, to a point 560 metres or thereby south east of point V as shown by cross hatching and numbered “47” on plan SR11 in the plan.

21. From a point 150 metres or thereby south east of point V, generally in a south easterly direction for a distance of 60 metres or thereby, to a point 207 metres or thereby south east of point V as shown by cross hatching and numbered “48” on plan SR11 in the plan.

22. From a point 205 metres or thereby south west of point X, generally in a southerly direction for a distance of 35 metres or thereby, to a point 217 metres or thereby south west of point X as shown by cross hatching and numbered “49” on plan SR11 in the plan.

23. From a point 52 metres or thereby west of point Z, generally in a westerly direction for a distance of 32 metres or thereby, to a point 83 metres or thereby west of point Z as shown by cross hatching and numbered “50” on plan SR12 in the plan.

SCHEDULE 4

Article 3(c)

LENGTHS OF ROAD TO BE STOPPED UP

1. That length of the existing Millden Access from a point 445 metres or thereby south of point A, generally in a northerly direction for a distance of 50 metres or thereby, to a point 398 metres or thereby south of point A as shown by zebra hatching and numbered “51” on plan SR01 in the plan.

2. That length of the existing Eigie Road from a point 118 metres or thereby north east of point B, generally in a easterly direction for a distance of 53 metres or thereby, to a point 179 metres or thereby west of point C as shown by zebra hatching and numbered “52” on plan SR01 in the plan.

3. That length of the existing Eigie Road from a point 171 metres or thereby west of point C, generally in a easterly direction for a distance of 122 metres or thereby, to a point 49 metres or thereby west of point C as shown by zebra hatching and numbered “53” on plan SR01 in the plan.

4. That length of the existing Old Road from a point 149 metres or thereby north east of point B, generally in a northerly direction for a distance of 16 metres or thereby, to a point 163 metres or thereby north east of point B as shown by zebra hatching and numbered “54” on plan SR01 in the plan.

5. That length of the existing Old Road from a point 170 metres or thereby west of point C, generally in a northerly direction for a distance of 47 metres or thereby, to a point 187 metres or thereby north west of point C as shown by zebra hatching and numbered “55” on plan SR01 in the plan.

6. That length of the existing Old Road from a point 176 metres or thereby north east of point B, generally in a northerly direction for a distance of 53 metres or thereby, to a point 220 metres or thereby north east of point B as shown by zebra hatching and numbered “56” on plan SR01 in the plan.

7. That length of the existing B977 Dyce Road from a point 31 metres or thereby east of point E, generally in a south easterly direction for a distance of 248 metres or thereby, to a point 278 metres or thereby south east of point E as shown by zebra hatching and numbered “57” on plan SR03 in the plan.

8. That length of the existing trunk road from a point 232 metres or thereby north west of point F, generally in a northerly direction for a distance of 584 metres or thereby, to a point 35 metres or thereby north west of point G as shown by zebra hatching and numbered “58” on plan SR03 in the plan.

9. That length of the existing Old Road from a point 474 metres or thereby north of point F, generally in a northerly direction for a distance of 48 metres or thereby, to a point 247 metres or thereby south of point G as shown by zebra hatching and numbered “59” on plan SR03 in the plan.

10. That length of the existing Old Road from a point 244 metres or thereby south of point G, generally in a north westerly direction for a distance of 28 metres or thereby, to a point 240 metres or thereby south west of point G as shown by zebra hatching and numbered “60” on plan SR03 in the plan.

11. That length of the existing unclassified road from a point 112 metres or thereby north of point J, generally in a north westerly then south westerly then north westerly direction for a distance of 384 metres or thereby, to a point 233 metres or thereby north east of point I as shown by zebra hatching and numbered “61” on plan SR05 in the plan.

12. That length of the existing unclassified road from a point 50 metres or thereby south of point N, generally in a south westerly direction for a distance of 577 metres or thereby, to a point 215

metres or thereby south east of point P as shown by zebra hatching and numbered “62” on plan SR07 in the plan.

13. That length of the existing unclassified road from a point 185 metres or thereby east of point P, generally in a south easterly direction for a distance of 134 metres or thereby, to a point 271 metres or thereby south east of point P as shown by zebra hatching and numbered “63” on plan SR07 in the plan.

14. That length of the existing trunk road from a point 46 metres or thereby north west of point O, generally in a northerly direction for a distance of 534 metres or thereby, to a point 562 metres or thereby north of point O as shown by zebra hatching and numbered “64” on plan SR07 in the plan.

15. That length of the existing A975 Newburgh Road from a point 116 metres or thereby west of point Q, generally in a north easterly direction for a distance of 460 metres or thereby, to a point 82 metres or thereby south west of point R as shown by zebra hatching and numbered “65” on plan SR08 in the plan.

16. That length of the existing Foveran School Road from a point 70 metres or thereby south east of point S, generally in a easterly direction for a distance of 246 metres or thereby, to a point 12 metres or thereby north of point T as shown by zebra hatching and numbered “66” on plan SR09 in the plan.

17. That length of the existing trunk road from a point 518 metres or thereby south of point V, generally in a northerly direction for a distance of 176 metres or thereby, to a point 350 metres or thereby south of point V as shown by zebra hatching and numbered “67” on plan SR11 in the plan.

18. That length of the existing trunk road from a point 343 metres or thereby south of point V, generally in a northerly then north westerly direction for a distance of 1335 metres or thereby, to a point 450 metres or thereby north of point Y as shown by zebra hatching and numbered “68” on plan SR11 in the plan.

19. That length of the existing unclassified road from point V, generally in an easterly then southerly direction for a distance of 164 metres or thereby, to a point 157 metres or thereby south east of point V as shown by zebra hatching and numbered “69” on plan SR11 in the plan.

20. That length of the existing B9000 Pitmedden Road from a point 153 metres or thereby north west of point W, generally in a westerly direction for a distance of 9 metres or thereby, to a point 150 metres or thereby north west of point W as shown by zebra hatching and numbered “70” on plan SR11 in the plan.

21. That length of the existing B9000 Pitmedden Road from a point 150 metres or thereby north west of point W, generally in a north westerly direction for a distance of 295 metres or thereby, to a point 125 metres or thereby south east of point Y as shown by zebra hatching and numbered “71” on plan SR11 in the plan.

22. That length of the existing Tarty Road from a point 216 metres or thereby south west of point X, generally in a southerly direction for a distance of 119 metres or thereby, to a point 296 metres or thereby south west of point X as shown by zebra hatching and numbered “72” on plan SR11 in the plan.

23. That length of the existing B9000 Newburgh Road from a point 545 metres or thereby south east of point V, generally in a south easterly direction for a distance of 90 metres or thereby, to a point 635 metres or thereby south east of point V as shown by zebra hatching and numbered “73” on plan SR11 in the plan.

24. That length of the existing road know as Bridgend from a point 10 metres or thereby west of point Z, generally in a south westerly direction for a distance of 42 metres or thereby, to a point 52 metres or thereby south west of point Z as shown by zebra hatching and numbered “74” on plan SR12 in the plan.

SCHEDULE 5

Article 3(d)

PRIVATE MEANS OF ACCESS TO BE STOPPED UP

1. The private means of access to Southfolds, Balmedie, Aberdeenshire, AB23 8YY from the existing trunk road from a point 66 metres or thereby south east of point B as shown by solid black infill and numbered “75” on plan SR01 in the plan.

2. The private means of access to The Holdings, Balmedie, Aberdeenshire from the existing trunk road from a point 208 metres or thereby east of point D as shown by solid black infill and numbered “76” on plan SR02 in the plan.

3. The private means of access to Hill of Menie Croft, Balmedie, Aberdeenshire, AB23 8YD from the Hill of Menie, Balmedie, Aberdeenshire from a point 185 metres or thereby east of point K as shown by solid black infill and numbered “77” on plan SR06 in the plan.

4. The private means of access to Hill of Menie Croft, Balmedie, Aberdeenshire, AB23 8YD from the Hill of Menie, Balmedie, Aberdeenshire from a point 214 metres or thereby east of point K as shown by solid black infill and numbered “78” on plan SR06 in the plan.

5. The private means of access to Stoneyards, Balmedie, Aberdeenshire, AB23 8ZT from the existing trunk road from a point 415 metres or thereby north east of point L as shown by solid black infill and numbered “79” on plan SR06 in the plan.

6. The private means of access to Stoneyards, Balmedie, Aberdeenshire, AB23 8ZT from the existing trunk road from a point 281 metres or thereby north west of point M as shown by solid black infill and numbered “80” on plan SR06 in the plan.

7. The private means of access to Pitmillan, Newburgh, Aberdeenshire, AB41 6AL from the existing trunk road from a point 563 metres or thereby north west of point U as shown by solid black infill and numbered “81” on plan SR10 in the plan.

8. The private means of access to Fountainbleau, Newburgh, Aberdeenshire, AB41 6AJ from the existing trunk road from a point 165 metres or thereby south of point V as shown by solid black infill and numbered “82” on plan SR11 in the plan.

9. The private means of access to Fountainbleau, Newburgh, Aberdeenshire, AB41 6AJ from the existing trunk road from a point 72 metres or thereby south of point V as shown by solid black infill and numbered “83” on plan SR11 in the plan.

10. The private means of access to Fountainbleau, Newburgh, Aberdeenshire, AB41 6AJ from the existing trunk road from a point 39 metres or thereby south west of point V as shown by solid black infill and numbered “84” on plan SR11 in the plan.

11. The private means of access to Fountainbleau, Newburgh, Aberdeenshire, AB41 6AJ from the existing trunk road from a point 41 metres or thereby north east of point W as shown by solid black infill and numbered “85” on plan SR11 in the plan.

SCHEDULE 6

Article 3(e)

NEW MEANS OF ACCESS TO BE PROVIDED

1. From a point 40 metres or thereby north west of point A, generally in a north westerly direction for a distance of 8 metres or thereby, to a point 48 metres or thereby north west of point A as shown by single hatching and numbered “86” on plan SR01 in the plan.

2. From a point 70 metres or thereby south of point B, generally in a north easterly direction for a distance of 58 metres or thereby, to a point 36 metres or thereby south east of point B as shown by single hatching and numbered “87” on plan SR01 in the plan.

3. From a point 123 metres or thereby south west of point B, generally in a westerly direction for a distance of 7 metres or thereby, to a point 129 metres or thereby south west of point B as shown by single hatching and numbered “88” on plan SR01 in the plan.

4. From a point 99 metres or thereby south west of point C, generally in a southerly direction for a distance of 6 metres or thereby, to a point 97 metres or thereby south west of point C as shown by single hatching and numbered “89” on plan SR01 in the plan.

5. From a point 137 metres or thereby south west of point D, generally in a south westerly direction for a distance of 6 metres or thereby, to a point 143 metres or thereby south west of point D as shown by single hatching and numbered “90” on plan SR02 in the plan.

6. From a point 40 metres or thereby south west of point D, generally in a south easterly direction for a distance of 25 metres or thereby, to a point 47 metres or thereby south of point D as shown by single hatching and numbered “91” on plan SR02 in the plan.

7. From a point 58 metres or thereby east of point D, generally in a south easterly direction for a distance of 6 metres or thereby, to a point 61 metres or thereby east of point D as shown by single hatching and numbered “92” on plan SR02 in the plan.

8. From a point 64 metres or thereby east of point D, generally in a south easterly direction for a distance of 6 metres or thereby, to a point 68 metres or thereby east of point D as shown by single hatching and numbered “93” on plan SR02 in the plan.

9. From a point 338 metres or thereby west of point D, generally in a westerly direction for a distance of 6 metres or thereby, to a point 343 metres or thereby west of point D as shown by single hatching and numbered “94” on plan SR02 in the plan.

10. From a point 505 metres or thereby north west of point D, generally in an easterly direction for a distance of 9 metres or thereby, to a point 498 metres or thereby north west of point D as shown by single hatching and numbered “95” on plan SR02 in the plan.

11. From a point 495 metres or thereby north west of point D, generally in an easterly direction for a distance of 6 metres or thereby, to a point 491 metres or thereby north west of point D as shown by single hatching and numbered “96” on plan SR02 in the plan.

12. From a point 498 metres or thereby south west of point E, generally in a westerly direction for a distance of 6 metres or thereby, to a point 502 metres or thereby south west of point E as shown by single hatching and numbered “97” on plan SR02 in the plan.

13. From a point 308 metres or thereby south west of point E, generally in an easterly direction for a distance of 6 metres or thereby, to a point 302 metres or thereby south west of point E as shown by single hatching and numbered “98” on plan SR02 in the plan.

14. From a point 310 metres or thereby south of point G, generally in an easterly direction for a distance of 6 metres or thereby, to a point 303 metres or thereby south of point G as shown by single hatching and numbered “99” on plan SR03 in the plan.

15. From a point 38 metres or thereby north west of point G, generally in an easterly direction for a distance of 6 metres or thereby, to a point 32 metres or thereby north west of point G as shown by single hatching and numbered “100” on plan SR03 in the plan.

16. From a point 224 metres or thereby north of point G, generally in an easterly direction for a distance of 5 metres or thereby, to a point 222 metres or thereby north of point G as shown by single hatching and numbered “101” on plan SR03 in the plan.

17. From a point 73 metres or thereby north east of point H, generally in an easterly direction for a distance of 353 metres or thereby, to a point 408 metres or thereby east of point H as shown by single hatching and numbered “102” on plan SR04 in the plan.

18. From a point 421 metres or thereby north east of point H, generally in an easterly direction for a distance of 6 metres or thereby, to a point 426 metres or thereby north east of point H as shown by single hatching and numbered “103” on plan SR04 in the plan.

19. From a point 108 metres or thereby north east of point I, generally in a north easterly then north westerly direction for a distance of 213 metres or thereby, to a point 293 metres or thereby north east of point I as shown by single hatching and numbered “104” on plan SR05 in the plan. From a point 82 metres or thereby east of point L, generally in a northerly direction for a distance of 6 metres or thereby, to a point 84 metres or thereby east of point L as shown by single hatching and numbered “105” on plan SR06 in the plan.

20. From a point 136 metres or thereby east of point L, generally in a northerly direction for a distance of 6 metres or thereby, to a point 138 metres or thereby east of point L as shown by single hatching and numbered “106” on plan SR06 in the plan.

21. From a point 252 metres or thereby east of point L, generally in a south easterly then southerly direction for a distance of 345 metres or thereby, to a point 148 metres or thereby east of point K as shown by single hatching and numbered “107” on plan SR06 in the plan.

22. From a point 167 metres or thereby north east of point K, generally in an easterly direction for a distance of 7 metres or thereby, to a point 174 metres or thereby north east of point K as shown by single hatching and numbered “108” on plan SR06 in the plan.

23. From a point 27 metres or thereby south west of point M, generally in a southerly direction for a distance of 6 metres or thereby, to a point 32 metres or thereby south west of point M as shown by single hatching and numbered “109” on plan SR06 in the plan.

24. From a point 215 metres or thereby south east of point P, generally in a southerly direction for a distance of 70 metres or thereby, to a point 278 metres or thereby south east of point P as shown by single hatching and numbered “110” on plan SR07 in the plan.

25. From a point 27 metres or thereby south west of point O, generally in a southerly direction for a distance of 6 metres or thereby, to a point 30 metres or thereby south west of point O as shown by single hatching and numbered “111” on plan SR07 in the plan.

26. From a point 398 metres or thereby north east of point P, generally in a northerly direction for a distance of 6 metres or thereby, to a point 404 metres or thereby north east of point P as shown by single hatching and numbered “112” on plan SR08 in the plan.

27. From a point 420 metres or thereby north east of point P, generally in a northerly direction for a distance of 6 metres or thereby, to a point 426 metres or thereby north east of point P as shown by single hatching and numbered “113” on plan SR08 in the plan.

28. From a point 266 metres or thereby north west of point Q, generally in a north easterly direction for a distance of 6 metres or thereby, to a point 271 metres or thereby north west of point Q as shown by single hatching and numbered “114” on plan SR08 in the plan.

- 29.** From a point 182 metres or thereby north west of point Q, generally in an easterly direction for a distance of 6 metres or thereby, to a point 177 metres or thereby north west of point Q as shown by single hatching and numbered “115” on plan SR08 in the plan.
- 30.** From a point 176 metres or thereby north west of point Q, generally in an easterly direction for a distance of 6 metres or thereby, to a point 172 metres or thereby north west of point Q as shown by single hatching and numbered “116” on plan SR08 in the plan.
- 31.** From a point 256 metres or thereby south west of point R, generally in a northerly direction for a distance of 6 metres or thereby, to a point 254 metres or thereby south west of point R as shown by single hatching and numbered “117” on plan SR08 in the plan.
- 32.** From a point 249 metres or thereby south west of point R, generally in a northerly direction for a distance of 6 metres or thereby, to a point 247 metres or thereby south west of point R as shown by single hatching and numbered “118” on plan SR08 in the plan.
- 33.** From a point 533 metres or thereby south west of point T, generally in an easterly direction for a distance of 6 metres or thereby, to a point 531 metres or thereby south west of point T as shown by single hatching and numbered “119” on plan SR09 in the plan.
- 34.** From a point 16 metres or thereby north east of point T, generally in a northerly direction for a distance of 6 metres or thereby, to a point 22 metres or thereby north east of point T as shown by single hatching and numbered “120” on plan SR09 in the plan.
- 35.** From a point 166 metres or thereby north of point S, generally in an easterly direction for a distance of 6 metres or thereby, to a point 167 metres or thereby north of point S as shown by single hatching and numbered “121” on plan SR09 in the plan.
- 36.** From a point 170 metres or thereby north west of point U, generally in a north westerly direction for a distance of 395 metres or thereby, to a point 564 metres or thereby north west of point U as shown by single hatching and numbered “122” on plan SR10 in the plan.
- 37.** From a point 548 metres or thereby north west of point U, generally in a north easterly direction for a distance of 6 metres or thereby, to a point 547 metres or thereby north west of point U as shown by single hatching and numbered “123” on plan SR10 in the plan.
- 38.** From a point 547 metres or thereby north west of point U, generally in a north easterly direction for a distance of 6 metres or thereby, to a point 548 metres or thereby north west of point U as shown by single hatching and numbered “124” on plan SR10 in the plan.
- 39.** From a point 189 metres or thereby north west of point U, generally in a north easterly direction for a distance of 6 metres or thereby, to a point 188 metres or thereby north west of point U as shown by single hatching and numbered “125” on plan SR10 in the plan.
- 40.** From a point 187 metres or thereby north west of point U, generally in a north easterly direction for a distance of 6 metres or thereby, to a point 186 metres or thereby north west of point U as shown by single hatching and numbered “126” on plan SR10 in the plan.
- 41.** From a point 514 metres or thereby south of point V, generally in a south easterly direction for a distance of 6 metres or thereby, to a point 516 metres or thereby south of point V as shown by single hatching and numbered “127” on plan SR11 in the plan.
- 42.** From a point 521 metres or thereby south of point V, generally in a south easterly direction for a distance of 6 metres or thereby, to a point 524 metres or thereby south of point V as shown by single hatching and numbered “128” on plan SR11 in the plan.
- 43.** From a point 47 metres or thereby south east of point W, generally in a westerly direction for a distance of 5 metres or thereby, to a point 43 metres or thereby south east of point W as shown by single hatching and numbered “129” on plan SR11 in the plan.

44. From a point 32 metres or thereby north east of point W, generally in a westerly direction for a distance of 4 metres or thereby, to a point 28 metres or thereby north east of point W as shown by single hatching and numbered “130” on plan SR11 in the plan.

45. From a point 230 metres or thereby north west of point W, generally in a north easterly direction for a distance of 6 metres or thereby, to a point 233 metres or thereby north west of point W as shown by single hatching and numbered “131” on plan SR11 in the plan.

46. From a point 178 metres or thereby south east of point V, generally in a north easterly direction for a distance of 6 metres or thereby, to a point 180 metres or thereby south east of point V as shown by single hatching and numbered “132” on plan SR11 in the plan.

47. From a point 489 metres or thereby south east of point V, generally in a southerly direction for a distance of 6 metres or thereby, to a point 495 metres or thereby south east of point V as shown by single hatching and numbered “133” on plan SR11 in the plan.

48. From a point 502 metres or thereby south east of point V, generally in a southerly direction for a distance of 6 metres or thereby, to a point 508 metres or thereby south east of point V as shown by single hatching and numbered “134” on plan SR11 in the plan.

49. From a point 519 metres or thereby south east of point V generally in a northerly direction for a distance of 8 metres or thereby, to a point 513 metres or thereby south east of point V as shown by single hatching and numbered “135” on plan SR11 in the plan.

50. From a point 635 metres or thereby south east of point V, generally in a southerly direction for a distance of 6 metres or thereby, to a point 638 metres or thereby south east of point V as shown by single hatching and numbered “136” on plan SR11 in the plan.

51. From a point 208 metres or thereby south west of point X, generally in a westerly direction for a distance of 6 metres or thereby, to a point 214 metres or thereby south west of point X as shown by single hatching and numbered “137” on plan SR11 in the plan.

52. From a point 181 metres or thereby south of point V, generally in a south westerly direction for a distance of 10 metres or thereby, to a point 190 metres or thereby south west of point V as shown by single hatching and numbered “138” on plan SR11 in the plan.

53. From a point 210 metres or thereby south of point Z, generally in an easterly direction for a distance of 7 metres or thereby, to a point 209 metres or thereby south of point Z as shown by single hatching and numbered “139” on plan SR12 in the plan.

54. From a point 209 metres or thereby south of point Z, generally in an easterly direction for a distance of 7 metres or thereby, to a point 208 metres or thereby south of point Z as shown by single hatching and numbered “140” on plan SR12 in the plan.