

2013 No. 231

ROAD TRAFFIC

**The A738 Trunk Road (Kilwinning) (Temporary Prohibition on
Waiting and Use of Road) Order 2013**

Made - - - - *10th July 2013*

Coming into force - - *17th July 2013*

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

In accordance with section 14(1)(a) of that Act, they are satisfied that traffic on the length of road specified in Part 1 of the Schedule should be restricted or prohibited because works are being or are proposed to be executed on or near that length 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 A738 Trunk Road (Kilwinning) (Temporary Prohibition on Waiting and Use of Road) Order 2013, comes into force on 17th July 2013 and ceases to have effect on 12th August 2013.

Prohibition on use of road

2. No person may use, or permit the use of, any vehicle on the length of road, or a part or parts of the length of road, specified in Part 1 of the Schedule to this Order when a prohibition is identified as applying to that length of road, or a part or parts of that length of road, by means of the traffic signs prescribed in Diagram 7010.1 and 7105 of the Traffic Signs Regulations 2002(b).

Prohibition on waiting

3. No person may use, or permit the use of, any vehicle to wait on the length of road, specified in Part 1 of the Schedule when a prohibition is identified as applying to that length of road, or part

(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), 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.

or parts of that length of road, by means of one or more of the traffic signs prescribed in Diagrams 636 of the Traffic Signs Regulations.

Exemptions

4. No prohibition imposed by this Order applies to—

- (a) a vehicle being used in an emergency for fire brigade, ambulance, police or coastguard purposes; or
- (b) a vehicle being used for carrying out the works.

5. No prohibition imposed by Article 2 of this Order applies to any vehicle using the length of road specified in Part 1 of the Schedule for the purposes of accessing a road specified in Part 2 of the Schedule.

Buchanan House,
Glasgow
10th July 2013

D M C HAMILTON
A member of the staff of the Scottish Ministers

SCHEDULE

Articles 2 and 3

PART 1

That length of the A737/A738 St James Interchange - Kilwinning - Hawkhill Trunk Road from the junction of Stevenston Road/Pennyburn Road to the junction of Stevenston Road/Whitehirst Park Road, a distance of 650 metres or thereby.

PART 2

West Doura Way, Segton Avenue and Winton Avenue.