

2015 No. 258

ROADS AND BRIDGES

SPECIAL ROADS

The M80 (Castle Cary Interchange) Special Road (Transfer and Side Road) Order 2015

Made - - - - *12th June 2015*

Coming into force - - *22nd June 2015*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 9(1)(b) and (c) of the Roads (Scotland) Act 1984(a) and all other powers enabling them in that behalf.

In accordance with section 9(3) of that Act, they are satisfied that another reasonably convenient route is available before any road is stopped up pursuant to this Order.

They have determined that the project falls within Annex II to the Directive 2011/92/EU of the European Parliament and the Council(b) on the assessment of certain public and private projects on the environment, but is not a relevant project within the meaning in sections 20A and 55A(c) of that Act and should not be made subject to an environmental impact assessment in accordance with the Directive.

This Order is made in compliance with the provisions of Parts I and III of Schedule 1(d) to the Roads (Scotland) Act 1984.

Citation and commencement

1. This Order may be cited as the M80 (Castle Cary Interchange) Special Road (Transfer and Side Road) Order 2015 and comes into force on 22nd June 2015.

(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) O.J. L 26, 28.1.2012, p.1. Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC, O.J. L 175, 5.7.1985 p.40, as amended by Council Directive 97/11/EC, O.J. L 73, 14.3.1997,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 Directive 2003/35/EC of the European Parliament and of the Council, O.J. L 156, 25.6.2003, p.17, and Directive 2009/31/EC of the European Parliament and of the Council, O.J. L 140, 5.6.2009, p.114

(c) Sections 20A and 55A were substituted by S.S.I. 1999/1 and amended by S.S.I. 2006/614.

(d) 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 3 and schedule 3, paragraph 1 and S.S.I. 1999/1, S.S.I. 2006/614 and S.S.I. 2011/396. Part III of Schedule 1 was amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 96 and the Transport and Works (Scotland) Act 2007 (asp 8), schedule 3, paragraph 1.

Interpretation

2. In this Order—

“the plan” means the plan numbered M80/TSR/1 and entitled “The M80 (Castlecary Interchange) Special Road (Transfer and Side Road) Order 2015”, signed with reference to this Order and deposited at the offices of Transport Scotland, Trunk Road and Bus Operations, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF; and

“Castlecary House Hotel” means the building known as Castlecary House Hotel, Castlecary Road, Cumbernauld, Glasgow, G68 0HD.

Transferred Road

3. The Scottish Ministers specify that the length of road referred to in Part 1 of the Schedule to this Order, being the length comprised in the route of the special road prescribed by the M80 (Castlecary Interchange) Special Road Scheme 2015, shall be transferred to them as special road authority on the date of opening of that special road for use as a special road.

Side roads

4. The Scottish Ministers as special roads authority are authorised to stop up the length of road described in Part 2 of the Schedule.

Statutory Undertakers

5. Where immediately before the date this Order comes into force there is under, in, on, over, along or across the length of road described in Part 2 of the Schedule any apparatus belonging to a statutory undertaker, any rights of the statutory undertaker in respect of such apparatus shall be preserved.

R BRANNEN

A member of the staff of the Scottish Ministers

Buchanan House,
58 Port Dundas Road
Glasgow
G4 0HF
12th June 2015

SCHEDULE

Article 3

PART 1

THE ROUTE OF THE TRANSFERRED ROAD

From a point 260 metres or thereby north-east of the northern-most corner of Castle Cary House Hotel in a generally north, north-easterly direction for a distance of 55 metres or thereby to a point 310 metres or thereby north-east of the northern-most corner of Castle Cary House Hotel as shown by a heavy black line and numbered “1” on the plan.

PART 2

Article 4

LENGTH OF ROAD TO BE STOPPED UP

From a point 275 metres or thereby north-east of the northern-most corner of Castle Cary House Hotel in a generally easterly direction for a distance of 20 metres or thereby to a point 290 metres or thereby north-east of the northern-most corner of Castle Cary House Hotel, as shown by zebra hatching and numbered “2” on the plan.