

2017 No. 1

ROAD TRAFFIC

**The North East Scotland Trunk Roads (Temporary Prohibitions
of Traffic and Overtaking and Temporary Speed Restrictions)
Order 2017**

Made - - - - *5th January 2017*

Coming into force - - *8th January 2017*

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) 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 those 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 North East Scotland Trunk Roads (Temporary Prohibitions of Traffic and Overtaking and Temporary Speed Restrictions) Order 2017, comes into force on 8th January 2017 and ceases to have effect on 1st April 2017.

Prohibition on use of a road

2. No person may use, or permit the use of, any vehicle on a length of road, or part or parts of a length of road, specified in the schedule 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 a traffic sign of the type described in item 8 (diagram 7105 – position of barrier to mark length of road closed or to guide traffic past an obstruction) of the sign table in Part 6 of schedule 13 of the Traffic Signs Regulations and General Directions 2016(b).

(a) 1984 c.27; section 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (c.22) (“the 1991 Act”), 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 1991 Act, 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) (relevantly amended by S.I. 2001/1400). The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c.46).

(b) S.I. 2016/362.

Prohibition on overtaking

3.—(1) No person may use, or permit the use of, any vehicle in such a way that it overtakes any other moving vehicle on a length of road, or a part or parts of a length of road, specified in the schedule 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 a traffic sign of the type described in item 5 (diagram 632 – no overtaking) of the sign table in Part 2 of schedule 3 of the Traffic Signs Regulations and General Directions 2016.

(2) “Other moving vehicle” does not include 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).

Speed restriction

4.—(1) No person may use, or permit the use of, any vehicle on a length of road, or a part or parts of a length of road, specified in column 1 of the tables in Parts 2 and 3 of the schedule at a speed exceeding that specified in the corresponding entry in column 2 of the relevant table when a restriction is identified as applying to that length of road, or a part or parts of that length of road, by means of a traffic sign of the type described in item 1 (diagram 670 – maximum speed limit in mph) of the sign table in Part 2 of schedule 10 of the Traffic Signs Regulations and General Directions 2016.

(2) When this paragraph applies, no person may use, or permit the use of, any vehicle on a length of road, or a part or parts of a length of road, specified in column 1 of the table in Part 3 of the schedule at a speed exceeding 10 miles per hour when that restriction is identified as applying to that length of road, or a part or parts of that length of road, by means of a traffic sign of the type described in item 1 (diagram 670 – maximum speed limit in miles per hour) of the sign table in Part 2 of schedule 10 of the Traffic Signs Regulations and General Directions 2016.

(3) Paragraph (2) applies when convoy working is in operation and indicated by one or more of the traffic signs of the types described in:

- (a) Item 34 (diagram 7025 – vehicles to be escorted through road works ahead), item 35 (diagram 7026 – explanation of reason for escorting vehicles in convoys) and item 36 (diagram 7029 – convoy vehicles no overtaking) of the sign table in Part 6 of schedule 13 of the Traffic Signs Regulations and General Directions 2016; and
- (b) Item 58 (diagram 7011 – point beyond which vehicular traffic must not proceed when required to stop) of the sign table in Part 2 of schedule 14 of the Traffic Signs Regulations and General Directions 2016.

Exemptions

5. No prohibition imposed by this Order applies to vehicles being used in an emergency for fire brigade, ambulance, police or coastguard purposes or a vehicle while being used for carrying out the works.

6. No speed restriction imposed by this Order applies to—

- (a) vehicles falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011(b) when used in accordance with regulation 3(5) of those Regulations; or
- (b) vehicles being used in an emergency for coastguard purposes.

(a) Section 140 was amended by the Road Traffic (Consequential Provisions) Act 1988 (c.54), Schedule 3, paragraph 25(9).
(b) S.I. 2011/935.

Revocation

7. The North East Scotland Trunk Roads (Temporary Prohibitions of Traffic and Overtaking and Temporary Speed Restrictions) (No.12) Order 2016^(a) is revoked.

Buchanan House,
Glasgow
5th January 2017

STEPHEN DAVIES
A member of the staff of the Scottish Ministers

^(a) S.S.I. 2016/439.

SCHEDULE
SPECIFIED LENGTHS OF ROAD

Articles 2, 3 and 4

PART 1

<i>1</i>
Specified lengths of road
1. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the northbound on slip road at the Spurryhillock Junction, Stonehaven, a distance of 120 metres or thereby.
2. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the northbound off slip road at the Spurryhillock Junction, Stonehaven, a distance of 100 metres or thereby.
3. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the southbound off slip road at the Spurryhillock Junction, Stonehaven, a distance of 100 metres or thereby.
4. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the southbound on slip road at the Spurryhillock Junction, Stonehaven, a distance of 120 metres or thereby.
5. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the southbound off slip road at Garron Point, Stonehaven, a distance of 150 metres or thereby.
6. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the northbound off slip road leading to the A952 at the Toll of Birness Junction, a distance of 199 metres or thereby.
7. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the southbound off slip road leading to the C77B Cruden Bay Junction at Hatton, a distance of 90 metres or thereby.
8. That length of the A96 Aberdeen – Inverness Trunk Road from its junction with Dr Gray’s Roundabout, Elgin westwards to its junction with Wittet Drive, Elgin, a distance of 500 metres or thereby.

PART 2

<i>1</i>	<i>2</i>
Specified lengths of road	Speed restriction (miles per hour)
9. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the northbound and southbound carriageways from its junction with Broxden Roundabout, Perth, northwards to its junction with Inveralmond Roundabout, Perth, a distance of 3.903 kilometres or thereby.	50
10. That length of the M90/A90 Edinburgh – Fraserburgh – Trunk Road being the southbound off slip road at Friarton Bridge, Perth, in a general southward direction to its junction with the Perth Southern Bypass, Perth, a distance of 1.12 kilometres or thereby.	50
11. That length of the M90/A90 Edinburgh - Fraserburgh Trunk Road being the northbound on slip road at Junction 3 (Halbeath), a distance of 293 metres or thereby.	50
12. That length of the M90/A90 Edinburgh - Fraserburgh Trunk Road being the southbound off slip road at Junction 3 (Halbeath), a distance of 298 metres or thereby.	50
13. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the northbound and southbound carriageways from its junction with the A928 Petterden Junction, northwards to its junction with the B974 at Luthermuir, a distance of 42.696 kilometres or thereby.	50

14. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the southbound carriageway of the Perth Southern Bypass from the junction with the northbound off slip road leading to Friarton Bridge in a generally southward direction to its junction with the M90/A90 Edinburgh – Fraserburgh Trunk Road, a distance of 1.15 kilometres or thereby.	50
15. That length of the A96 Aberdeen – Inverness Trunk Road being the eastbound and westbound carriageways from its junction with the Inverurie Roundabout, Inverurie, eastwards to Chapel Croft Cottages, Craibstone, a distance of 15.74 kilometres.	50

PART 3

<i>1</i>	<i>2</i>
Specified lengths of road	Speed restriction (miles per hour)
16. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the northbound and southbound carriageways from its junction with Broxden Roundabout, Perth, northwards to its junction with Inveralmond Roundabout, Perth, a distance of 3.903 kilometres or thereby.	30
17. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the southbound on slip road at Barnhill Interchange, Perth, a distance of 255 metres or thereby.	30
18. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the southbound off slip road at Friarton Bridge, Perth, in a general southward direction to its junction with the Perth Southern Bypass, Perth, a distance of 1.12 kilometres or thereby.	30
19. That length of the M90/A90 Edinburgh - Fraserburgh Trunk Road being the northbound on slip road at Junction 3 (Halbeath), a distance of 293 metres or thereby.	30
20. That length of the M90/A90 Edinburgh - Fraserburgh Trunk Road being the southbound off slip road at Junction 3 (Halbeath), a distance of 298 metres or thereby.	30
21. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the northbound and southbound carriageways from its junction with the A928 Petterden Junction, northwards to its junction with the B974 at Luthermuir, a distance of 42.696 kilometres or thereby.	30
22. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the northbound combined on and off slip road at Gateside Grade separated Junction, a distance of 560 metres or thereby.	30
23. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the southbound combined on and off slip road at Gateside Grade separated Junction, a distance of 415 metres or thereby.	30
24. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the northbound on slip road at the Douglastown Grade Separated Junction, a distance of 300 metres or thereby.	30
25. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the southbound off slip road at the Douglastown Grade Separated Junction, a distance of 520 metres or thereby.	30
26. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the southbound on slip road at the Douglastown Grade Separated Junction, a distance of 220 metres or thereby.	30
27. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the northbound off slip road at the Douglastown Grade Separated	30

Junction, a distance of 300 metres or thereby.	
28. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the northbound combined off and on slip road at the Kirriemuir Grade Separated Junction, a distance of 400 metres or thereby.	30
29. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the southbound combined off and on slip road at the Kirriemuir Grade Separated Junction, a distance of 470 metres or thereby.	30
30. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the southbound combined on and off slip road at Stracathro Grade Separated Junction, a distance of 500 metres or thereby.	30
31. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the northbound off slip road leading to the B979 Netherley Junction, Stonehaven, a distance of 350 metres or thereby.	30
32. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the northbound on slip road leading from the B979 Netherley Junction, Stonehaven, a distance of 690 metres or thereby.	30
33. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the northbound combined off and on slip road at Newtonhill Grade Separated Junction, a distance of 550 metres or thereby.	30
34. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the southbound off slip road at Newtonhill Grade Separated Junction, a distance of 550 metres or thereby.	30
35. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the southbound on slip road at Newtonhill Grade Separated Junction, a distance of 130 metres or thereby.	30
36. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the northbound off slip road at Marywell Grade Separated Junction, a distance of 650 metres or thereby.	30
37. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the northbound on slip road at Marywell Grade Separated Junction, a distance of 660 metres or thereby.	30
38. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the southbound off slip road at Marywell Grade Separated Junction, a distance of 350 metres or thereby.	30
39. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the southbound on slip road at Marywell Grade Separated Junction, a distance of 500 metres or thereby.	30
40. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the northbound combined off and on slip road at Charlestown Grade Separated Junction, a distance of 650 metres or thereby.	30
41. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the southbound off slip road at Charlestown Grade Separated Junction, a distance of 300 metres or thereby.	30
42. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the southbound on slip road at Charlestown Grade Separated Junction, a distance of 350 metres or thereby.	30
43. That length of the A92/A972 Kirkcaldy – Dundee Trunk Road from its junction with A912 New Inn Roundabout, northwards to its junction with A913 Parbroath Crossroads, a distance of 13.435 kilometres or thereby.	30
44. That length of the A96 Aberdeen – Inverness Trunk Road from its junction with the Huntly Roundabout, Huntly, eastwards to its junction with the A920 Oldmeldrum Junction, a distance of 9.189 kilometres or thereby.	30
45. That length of the A96 Aberdeen – Inverness Trunk Road from its junction with the B9115 Drummuir Junction, westwards to its junction with	30

the A98 Lennox Crescent Roundabout, Fochabers, a distance of 17.773 kilometres or thereby.	
46. That length of the A96 Aberdeen – Inverness Trunk Road from its junction with the M9/A9 Edinburgh – Stirling – Thurso Trunk Road at Raigmore Interchange, Inverness, eastwards to its junction with the Greshop Roundabout, Forres, a distance of 39.583 kilometres or thereby.	30
47. That length of the A96 Aberdeen – Inverness Trunk Road from its junction with Dr Gray’s Roundabout, Elgin, eastwards to its junction with the Reiket Lane Roundabout, Elgin, a distance of 2.94 kilometres or thereby.	30
48. That length of the A96 Aberdeen – Inverness Trunk Road being the eastbound and westbound carriageways from the roundabout at the junctions of Sclattie Park and Bankhead Avenue to Haudagain Roundabout, a distance of 2.73 kilometres.	30
49. That length of the M90/A90 Edinburgh – Fraserburgh Trunk Road being the southbound carriageway of the Perth Southern Bypass from the junction with the northbound off slip road leading to Friarton Bridge in a generally southward direction to its junction with the M90/A90 Edinburgh – Fraserburgh Trunk Road, a distance of 1.15 kilometres or thereby.	30
50. That length of the A96 Aberdeen – Inverness Trunk Road being the eastbound and westbound carriageways from its junction with the Inverurie Roundabout, Inverurie, eastwards to Chapel Croft Cottages, Craibstone, a distance of 15.74 kilometres.	30