

2017 No. 24

ROAD TRAFFIC

**The A725 Trunk Road (Raith) (Temporary 40mph Speed
Restriction and Prohibition of Specified Classes of Traffic and
Pedestrians) Order 2017**

Made - - - - 27th January 2017

Coming into force - - 1st February 2017

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 2(1), 4(1) and 14(1) 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 length of road specified in the schedule should be restricted because works are being or are proposed to be executed on or near that length of road and also because of the likelihood of danger to the public, or of serious damage to the road, which is not attributable to those works.

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 A725 Trunk Road (Raith) (Temporary 40mph Speed Restriction and Prohibition of Specified Classes of Traffic and Pedestrians) Order 2017 comes into force on 1st February 2017 and ceases to have effect on 31st July 2018.

Speed restriction

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 the schedule at a speed exceeding 40 miles per hour 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(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), 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.

Prohibitions of traffic

3.—(1) No person may use, or permit the use of any pedal cycles or vehicles drawn by animals on the length of road, or a part or parts of the length of road, specified in the schedule.

(2) In this article, pedal cycle means a unicycle, bicycle, tricycle or cycle having four or more wheels not being in any case mechanically propelled unless it is an electrically assisted pedal cycle that is not treated as a motor vehicle for the purposes of the Road Traffic Regulation Act 1984.

4. No person may ride any horse on the length of road, or a part or parts of the length of road, specified in the schedule.

Prohibition of Pedestrians

5. No pedestrian may enter or proceed along the length of road, or a part or parts of the length of road, specified in the schedule.

Exemptions

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

7. 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(a) when used in accordance with regulation 3(5) of those Regulations; or
- (b) vehicles being used in an emergency for coastguard purposes.

8. No prohibition on pedestrians imposed by this Order applies to a person—

- (a) while carrying out any duty in relation to the works;
- (b) while carrying out any duty in relation to the maintenance or improvement of the trunk road;
- (c) while carrying out any duty in connection with the removal of any obstruction to traffic;
- (d) while engaged in connection with fire brigade, ambulance, police or coastguard purposes;
or
- (e) leaving a vehicle which is prevented from proceeding by circumstances beyond their control.

GRAEME REID

A member of the staff of the Scottish Ministers

Buchanan House,
Glasgow
27th January 2017

(a) S.I. 2011/935.

SCHEDULE

Articles 2 to 5

SPECIFIED LENGTH OF ROAD

In this schedule, the “A725/726” means the A725/726 Shawhead – East Kilbride – Phillipshill Roundabout Trunk Road.

1. That length of road being the southbound carriageway of the A725/A726 from a point 546 metres or thereby southwest of the point at which the road passes over the east side of the West Coast Mainline Railway Overbridge to a point 330 metres or thereby northeast of the point at which the A725/A726 passes under the centre line of the B7071 Bothwell Road, a distance of 1.1 kilometres or thereby.

2. That length of road being the northbound carriageway of the A725/A726 from a point 461 metres or thereby northeast from the point at which the road passes under the centre line of the B7071 Bothwell Road to a point 546 metres or thereby southwest from the point at which the A725/A726 passes over the west side of the West Coast Mainline Railway Overbridge, a distance of 925 metres or thereby.