

2019 No. 228

ROAD TRAFFIC

The A77 Trunk Road (Maybole Bypass) (Temporary Prohibitions of Traffic and Overtaking and Temporary Speed Restrictions) Order 2019

Made - - - - *25th June 2019*

Coming into force - - *2nd July 2019*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 2(1) and (2), 4(1), 14(1)(a) and (4) and 15(2) 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 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.

In accordance with section 15(2) of that Act, they are satisfied that the execution of the works will take longer than eighteen months and they will revoke this Order as soon as the works are completed.

Citation and commencement

1. This Order may be cited as the A77 Trunk Road (Maybole Bypass) (Temporary Prohibitions of Traffic and Overtaking and Temporary Speed Restrictions) Order 2019 and comes into force on 2 July 2019.

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

(a) 1984 c.27. Section 2(1) and (2) was 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).

obstruction) of the sign table in Part 6 of schedule 13 of the Traffic Signs Regulations and General Directions 2016(a).

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(b).

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 the schedule at a speed exceeding 30 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 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 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 mph) 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, 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.

Exemptions

5. 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 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(c) when used in accordance with regulation 3(5) of those Regulations, or

(a) S.I. 2016/362.

(b) Section 140 was amended by the Road Traffic (Consequential Provisions) Act 1988 (c.54), schedule 3, paragraph 25(9).

(c) S.I. 2011/935.

(b) vehicles being used in an emergency for coastguard purposes.

G DYET

A member of the staff of the Scottish Ministers

Buchanan House,
Glasgow
25th June 2019

SCHEDULE

Articles 2, 3 and 4

SPECIFIED LENGTHS OF ROAD

1. That length of the A77 Fenwick – Stranraer Trunk Road from a point 170 metres west of its junction with Crossraguel View to a point 250 metres southwest of where it meets the entrance to the private property known as Broomknowes Farm, a distance of 380 metres or thereby.

2. That length of the A77 Fenwick – Stranraer Trunk Road from a point 360 metres southwest of its junction with the B7045 to a point 250 metres south of its junction with Low Grange Bungalow, a distance of 500 metres or thereby.