

2020 No. 356

ROADS AND BRIDGES

The A737/A738 Trunk Road (Improvements at Beith) (Side Roads) Order 2020

Made - - - - *16th March 2020*

Coming into force - - *25th March 2020*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 12(1) and (5) and 70(1) of the Roads (Scotland) Act 1984(a) and all other powers enabling them to do so.

In accordance with section 12(3) of that Act, they are satisfied that another reasonably convenient route will be provided before the roads are stopped up.

In accordance with section 71(3) of that Act, they are satisfied that another reasonably convenient means of access is available or will be provided in pursuance of this Order before the accesses are stopped up pursuant to this Order.

They determined that the project falls within Annex II to Directive 2011/92/EU of the European Parliament and of the Council(b), on the assessment of the effects of certain public and private projects on the environment and have published notice of that determination on 2 November 2016.

They prepared an environmental statement and published notice of it on 2 November 2016. This Order is made in compliance with the provisions of Parts I and III of schedule 1(c) of the Roads (Scotland) Act 1984.

Citation and commencement

1. This Order may be cited as the A737/A738 Trunk Road (Improvements at Beith) (Side Roads) Order 2020 and comes into force on 25 March 2020.

(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 Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC, O.J. L 175, 5.7.1985, p.40, as amended by Council Directive 97/11/EC, O.J. L 73,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. Directive 2011/92/EU was amended by Directive 2014/52/EU of the European Parliament and of the Council. O.J. L 124, 25.4.2014, p.1.

(c) 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 (4)(a), schedule 2, paragraphs 2 and 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(2) and the Transport and Works (Scotland) Act 2007 (asp 8), schedule 3, paragraph 1.

Side roads, stopping up and new means of access

2. The meanings in the schedule of this Order have effect.
3. The Scottish Ministers as roads authority are authorised—
 - (a) to construct those lengths of road (hereinafter referred to as “the new side roads”) along the routes described in Part 1 of the schedule,
 - (b) to improve those lengths of road described in Part 2 of the schedule,
 - (c) to stop up those lengths of road described in Part 3 of the schedule when the new side roads are open for the purposes of through traffic,
 - (d) to stop-up the private means of access described in Part 4 of the schedule when a new means of access has been provided,
 - (e) to provide those new means of access described in Part 5 of the schedule.

Statutory undertakers

4. Where immediately before the date this Order comes into force there is under, in, on, over, along or across any of the lengths of road described in Parts 2 and 3 of the schedule any apparatus belonging to a statutory undertaker, any rights of the statutory undertaker in respect of such apparatus will be preserved.

Transfer of roads

5. On 1st April next after the date on which a side road opens for the purposes of through traffic, that new side road will be transferred to North Ayrshire Council(a) as the roads authority for those roads and they will enter those roads in their list of public roads(b).

Buchanan House,
Glasgow
16th March 2020

A GRAHAM
A member of the staff of the Scottish Ministers

(a) A council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c.39).

(b) The list of public roads prepared and kept by the local roads authority under section 1(1) of the Roads (Scotland) Act 1984.

SCHEDULE

Articles 2, 3 and 4

INTERPRETATION

In this schedule—

“the trunk road” means the existing A737/A738 St James Interchange–Kilwinning-Hawkhill Trunk Road,

“the plan” means the plan numbered SRO/1 and entitled “The A737/A738 Trunk Road (Improvements at Beith) (Side Roads) Order 2020”, signed with reference to this Order and deposited at the offices of Transport Scotland, Major Projects, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF.

“point 1” means the intersection of the existing centrelines of the trunk road and Bigholm Road, Beith as shown on the plan,

“point 2” means the intersection of the existing centrelines of Larch Terrace, Beith and Head Street, Beith as shown on the plan,

“point 3” means the intersection of the existing centrelines of the B777 Wardrop Street, Beith and the access track to Hill of Beith Farm, Beith, KA15 2LE as shown on the plan,

“point 4” means the intersection of the existing centrelines of the trunk road and Geilsland Road, Beith as shown on the plan,

“point 5” means the intersection of the existing centrelines of the B706 Barrmill Road, Beith and Glebe Road, Beith as shown on the plan,

“point 6” means the intersection of the existing centrelines of Geilsland Road, Beith and the southern access road to Geilsland School, Beith KA15 1HD as shown on the plan,

“point 7” means the intersection of the existing centrelines of the existing B706 Barrmill Road, Beith and the access track of Marshalland Playing Fields as shown on the plan,

“point 8” means the intersection of the existing centrelines of the existing B706 Barrmill Road, Beith and Spiersland Way, Beith as shown on the plan,

“point 9” means the intersection of the existing centre lines of the south western arm of the staggered B706 Barrmill Road, Beith and the trunk road as shown on the plan,

“point 10” means the intersection of the centrelines of the B7049 Dalry Road, Beith with McMillan Crescent, Beith as shown on the plan,

“point 11” means the intersection of the centrelines of the existing trunk road with the access road to Manrahead Farm, Beith KA15 1JW as shown on the plan.

PART 1

THE ROUTES OF THE NEW SIDE ROADS

1. From a point 69 metres or thereby east of point 2, in an east, south easterly direction for a distance of 360 metres or thereby to a point 62 metres or thereby east, south east of point 3 and also from a point 137 metres or thereby west, north west of point 3 in a south, south west direction for a distance of 8 metres or thereby, as shown by stipple and numbered “A1” on the plan.

2. From a point 14 metres or thereby east of point 5, in a north easterly turning to a south easterly direction for a distance of 96 metres or thereby to a point 45 metres or thereby east of point 4, as shown by stipple and numbered “A2” on the plan.

3. From a point 38 metres or thereby east of point 4, in a south easterly direction for a distance of 25 metres or thereby to a point 67 metres or thereby south east of point 4, as shown by stipple and marked “A4” on the plan.

4. From a point 148 metres or thereby east south east of point 5 in a south easterly turning to south, south westerly and then southerly direction for a distance of 185 metres or thereby to a point 239 metres or thereby north, north west of point 7 and also from a point 95 metres or thereby east, south east of point 8 in a westerly direction for a distance of 34 metres or thereby to a point 61 metres or thereby east, south east of point 8, as shown by stipple and marked “A5” on the plan.

5. From a point 4 metres or thereby west, north west of point 7, in a northerly turning to north westerly and then northerly direction for a distance of 238 metres or thereby to a point 108 metres or thereby south east of point 8, as shown by stipple and marked “A6” on the plan.

6. From a point 29 metres or thereby south east of point 2 in a south easterly direction for a distance of 5 metres or thereby, as shown by stipple and marked “A7” on the plan.

7. From a point 139 metres or thereby south east of point 2 in a south westerly direction for a distance of 10 metres or thereby, as shown by stipple and marked “A8” on the plan.

8. From a point 64 metres or thereby north east of point 9 in a south easterly direction for a distance of 8 metres or thereby, as shown by stipple and marked “A9” on the plan.

9. From a point 4 metres or thereby east, north east of point 8 in a north easterly direction for a distance of 12 metres or thereby, as shown by stipple and marked “A10” on the plan.

10. From point 64 metres or thereby south of point 9 in a westerly direction for a distance of 15 metres or thereby, as shown by stipple and marked “A11” on the plan.

11. From point 185 metres or thereby west, north west of point 6 in a northerly direction for a distance of 15 metres or thereby, as shown by stipple and marked “A12” on the plan.

PART 2

LENGTHS OF ROADS TO BE IMPROVED

12. From a point 25 metres or thereby west, north west of point 2, in an east, south easterly direction for a distance of 53 metres or thereby to a point 29 metres east, south east of point 2, as shown by cross hatching and numbered “B1” on the plan.

13. From a point 77 metres or thereby east, south east of point 2, in an east, south easterly direction for a distance of 349 metres or thereby to a point 62 metres or thereby east, south east of point 3 as shown by cross hatching and numbered “B2” on the plan.

14. From a point 164 metres or thereby west of point 6, in a westerly direction for a distance of 56 metres or thereby to a point 144 metres or thereby east of point 4, as shown by cross hatching and numbered “B4” on the plan.

15. From a point 32 metres or thereby north, north west of point 5, in a south, south easterly direction for a distance of 71 metres or thereby to a point 38 metres or thereby south, south east of point 5 and from a point 12 metres or thereby west, south west of point 5 in an east, north easterly direction for a distance of 30 metres or thereby to a point 18 metres or thereby east, north east of point 5, as shown by cross hatching and numbered “B5” on the plan.

16. From a point 20 metres or thereby south west of point 9, in a north easterly direction for a distance of 100 metres or thereby to a point 1 metre or thereby north east of point 4, as shown by cross hatching and numbered “B6” on the plan.

17. From a point 28 metres or thereby east of point 4, in an easterly direction for a distance of 22 metres or thereby to a point 50 metres or thereby east of point 4, as shown by cross hatching and numbered “B8” on the plan.

18. From a point 17 metres or thereby north west of point 8 in a south easterly direction for a distance of 99 metres or thereby to a point 82 metres or thereby south east of point 8, as shown by cross hatching and numbered “B9” on the plan.

19. From a point 102 metres or thereby south east of point 8, in a south easterly direction for a distance of 53 metres or thereby to a point 196 metres or thereby north, north west of point 7 , as shown by cross hatching and numbered “B10” on the plan.

20. From a point 95 metres or thereby north, north west of point 7 in a south, south easterly then turning to south direction for a distance of 116 metres or thereby to a point 21 metres or thereby south, south west of point 7, as shown by cross hatching and numbered “B11” on the plan.

21. From a point 3 metres or thereby south, south east of point 9, in a southerly direction for a distance of 76 metres or thereby to a point 49 metres or thereby north west of point 8, as shown by the cross hatching and numbered “B12” on the plan.

22. From a point 45 metres or thereby south of point 10, in a southerly direction for a distance of 29 metres or thereby to a point 74 metres or thereby south of point 10, as shown by the cross hatching and numbered “B13” on the plan.

23. From a point 96 metres of thereby south, south west of point 10, in a south east direction for a distance of 19 metres or thereby to a point 81 metres or thereby north, north east of point 11, as shown by the cross hatching and numbered “B14” on the plan.

PART 3

LENGTHS OF ROAD TO BE STOPPED UP

24. From a point 270 metres or thereby south of point 1, in a southerly and then south, south westerly direction for a distance of 334 metres or thereby to a point 747 metres or thereby north east of point 4, as shown by zebra hatching and numbered “C1” on the plan.

25. From a point 35 metres or thereby east, south east of point 2, in an east, south easterly direction for a distance of 42 metres or thereby, to a point 77 metres or thereby south, south east of point 2 as shown by zebra hatching and numbered “C3” on the plan.

26. From a point 230 metres or thereby east, south east of point 2 in an east, south easterly direction for a distance of 151 metres or thereby to a point 18 metres or thereby east, south east of point 3, as shown by zebra hatching and numbered “C4” on the plan.

27. From a point 45 metres or thereby east of point 4, in an easterly direction for a distance of 99 metres or thereby, to a point 220 metres or thereby west of point 6 as shown by zebra hatching and numbered “C6” on the plan.

28. From a point 5 metres or thereby south of point 4, in an easterly direction for a distance of 35 metres or thereby to a point 34 metres or thereby east of point 4, as shown by zebra hatching and numbered “C7” on the plan.

29. From a point 11 metres or thereby south east of point 5, in an easterly direction for a distance of 52 metres to a point 8 metres or thereby east of point 4 or thereby, as shown by zebra hatching and numbered “C9” on the plan.

30. From a point 77 metres or thereby south, south east of point 9 in a south, south easterly direction for a distance of 32 metres or thereby to a point 17 metres or thereby north west of point 8, as shown by zebra hatching and numbered “C10” on the plan.

31. From a point 64 metres or thereby south east of point 8, in a south easterly direction for a distance of 43 metres or thereby to a point 108 metres or thereby south east of point 8, as shown by zebra hatching and numbered “C11” on the plan.

32. From a point 113 metres or thereby south east of point 8 in a south easterly then south, south easterly direction for a distance of 206 metres or thereby to a point 34 metres or thereby north of point 7, as shown by zebra hatching and numbered “C12” on the plan.

33. From a point 20 metres south west of point 9, in a south westerly direction for a distance of 763 metres or thereby, as shown by zebra hatching and numbered “C14” on the plan.

34. From a point 782 metres or thereby south west of point 9 in a clockwise direction for a distance of 244 metres or thereby returning to the same point and forming a circulatory carriageway of the roundabout and numbered “C15” on the plan.

35. From a point 43 metres or thereby north-east of point 11, in a south westerly direction for a distance of 27 metres or thereby to a point 16 metres or thereby north east of point 11, as shown by zebra hatching and numbered “C16” on the plan.

36. From a point 370 metres or thereby north of point 4, in a south westerly direction to point 4, as shown by zebra hatching and numbered “C17” on the plan.

37. From a point 749 metres or thereby south west of point 9, in a south westerly direction for a distance of 37 metres or thereby to a point 114 metres or thereby north east of point 11, as shown by zebra hatching and numbered “C18” on the plan.

PART 4

PRIVATE MEANS OF ACCESS TO BE STOPPED UP

38. The private means of access to a field on the north side of B777 Wardrop Street 147 metres or thereby east of point 2, as shown by a solid black bar and numbered “D2” on the plan.

39. The private means of access to a field on the north side of the B777 Wardrop Street 69 metres or thereby north west of point 3, as shown by a solid black bar and numbered “D3” on the plan.

40. The private means of access to a field on the west side of the B706 Barrmill Road from a point 35 metres or thereby west of point 8, as shown by a solid black bar and numbered “D4” on the plan.

41. The private means of access to a field on the west side of the B706 Barrmill Road from a point 144 metres or thereby north, north west of point 7, as shown by a solid black bar and numbered “D5” on the plan.

42. The private means of access to a field on the west side of the B706 Barrmill Road from a point 71 metres or thereby north, north west of point 7, as shown by a solid black bar and numbered “D7” on the plan.

43. The private means of access to a field on the west side of the B706 Barrmill Road from a point 35 metres or thereby north, north west of point 7, as shown by a solid black bar and numbered “D8” on the plan.

44. The private means of access to a field on the south side of the trunk road from a point 308 metres or thereby west, south west of point 9, as shown by a solid black bar and numbered “D9” on the plan.

45. The private means of access to a field on the north west side the trunk road from a point 20 metres or thereby south west of point 11, as shown by a solid black bar and numbered “D10” on the plan.

46. The private means of access to a field on the south side of the B777 Wardrop Street from a point 142 metres or thereby east, south east of point 2, as shown by a solid black bar and numbered “D11” on the plan.

PART 5

NEW MEANS OF ACCESS TO BE PROVIDED

47. From a point 246 metres or thereby south of point 1, in an easterly direction for a distance of 23 metres or thereby, also from a point 248 metres or thereby south, south east of point 1 in a south, south easterly direction for a distance of 46 metres or thereby and from a point 282 metres or thereby south, south east of point 1 in an easterly direction for a distance of 10 metres or thereby as shown by diagonal line hatching and numbered “E1” on the plan.

48. From a point 345 metres or thereby south of point 1, in a southerly direction for a distance of 54 metres or thereby as shown by diagonal line hatching and numbered “E2” on the plan.

49. From a point 147 metres or thereby east, south east of point 2 in a north, north easterly direction for a distance of 15 metres or thereby as shown by diagonal line hatching and numbered “E3” on the plan.

50. From a point 69 metres or thereby west, north west of point 3, in a north, north easterly direction for a distance of 15 metres or thereby as shown by diagonal line hatching and numbered “E4” on the plan.

51. From a point 5 metres or thereby north of point 3, in a northerly direction for a distance of 3 metres or thereby as shown by diagonal line hatching and numbered “E5” on the plan.

52. From a point 244 metres or thereby south, south west of point 2, in a south easterly direction for a distance of 61 metres or thereby and then bifurcating both south westwards for a distance of 17 metres or thereby and south eastwards for a distance of 15 metres or thereby as shown by diagonal line hatching and numbered “E6” on the plan.

53. From a point 15 metres or thereby west, north west of point 8 in a south westerly direction for distance of 15 metres or thereby as shown by diagonal line hatching and numbered “E11” on the plan.

54. From a point 6 metres or thereby south of point 8, in a southerly direction for a distance of 83 metres or thereby as shown by diagonal line hatching and numbered “E12” on the plan.

55. From a point 153 metres or thereby south east of point 8, in a generally south easterly direction for a distance of 103 metres or thereby to a point 95 metres or thereby north, north west of point 7 as shown by diagonal line hatching and numbered “E13” on the plan.

56. From a point 190 metres or thereby north, north west of point 7, in a south, south westerly then south, south easterly then south, south westerly and then south easterly direction for a distance of 128 metres or thereby to a point 89 metres or thereby north west of point 7. Also from a point 108 metres or thereby north west of point 7 in a south easterly direction for a distance of 10 metres or thereby. All as shown by diagonal line hatching and numbered “E14” on the plan.

57. From a point 60 metres or thereby south west of point 11, in a west, north westerly direction for a distance of 59 metres or thereby and from a point 98 metres or thereby west, south west of point 11 in a north, north easterly direction for a distance of 56 metres or thereby and from a point 58 metres or thereby west, north west of point 11 in a west, north westerly direction for a distance of 21 metres or thereby as shown by diagonal line hatching and numbered “E15” on the plan.

58. From a point 129 metres or thereby north, north west of point 7, in a north easterly direction for a distance of 15 metres or thereby as shown by diagonal line hatching and numbered “E18” on the plan.