

2022 No. 57

ROAD TRAFFIC

**The A702 Trunk Road (Mauricewood Roundabout to the
Glencorse Junction) (Temporary Clearway) Order 2022**

Made - - - - *14th February 2022*

Coming into force - - *22nd February 2022*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 2(1) and (2), 4(1) and 14(1)(b) 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)(b) of that Act, they are satisfied that the traffic on the length of road specified in the schedule should be restricted or prohibited because of the likelihood of danger to the public, or of serious damage to the road, which is not attributable to 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, cessation and interpretation

1. This Order may be cited as the A702 Trunk Road (Mauricewood Roundabout to the Glencorse Junction) (Temporary Clearway) Order 2022, comes into force on 22 February 2022 and ceases to have effect on 22 February 2023.

2. In this Order—

“main carriageway” means the part of the road described in the schedule of this Order used primarily by through traffic and includes acceleration and deceleration lanes provided for traffic entering and leaving the road and excludes verges;

“verge” means any part of the road which is not main carriageway.

Restriction on use of vehicles

3. No person may, except upon the direction or with the permission of a police constable in uniform, cause or permit any vehicle to stop at any time on the main carriageway on the length of road specified in the schedule.

(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).

Exemptions

4. No restriction imposed by this Order applies to a person causing or permitting a vehicle to stop—

- (a) in any case where the person in control of the vehicle—
 - (i) is required by law to stop,
 - (ii) is obliged to stop in order to avoid an accident,
 - (iii) is prevented from proceeding by circumstances outwith their control and it is not reasonably practicable for them to drive or move the vehicle,
- (b) when the vehicle is—
 - (i) being used in an emergency for fire brigade, ambulance, police or coastguard purposes,
 - (ii) being used for the purpose of delivering letters, parcels, packets or other articles to premises situated on or adjacent to the length of road specified in the schedule,
 - (iii) being used by or on behalf of a local authority for the purpose of the collection of household refuse from premises situated on or adjacent to the length of road specified in the schedule,
 - (iv) a public service vehicle as defined by section 1 of the Public Passenger Vehicles Act 1981(a) providing a local service as defined in section 2 of the Transport Act 1985(b),
 - (v) a taxi or private hire car as defined by section 23(1) of the Civic Government (Scotland) Act 1982(c) stopping for the purpose of taking up or setting down passengers,
- (c) for so long as may be necessary to enable the vehicle to be used in connection with—
 - (i) any building operation or demolition being carried out adjacent to the length of road specified in the schedule,
 - (ii) the removal of any obstruction or potential obstruction to traffic on the length of road specified in the schedule,
 - (iii) the maintenance, improvement or reconstruction of the length of road specified in the schedule,
 - (iv) the laying, erection, placing, maintenance, testing, alteration, repair or removal of any structure, works or apparatus in, on, under, over or adjacent to the length of road specified in the schedule.

M POLLAND

A member of the staff of the Scottish Ministers

Buchanan House,
Glasgow
14th February 2022

(a) 1981 c. 14; sections 1(3) and 1(5) were amended by the Transport Act 1985 (c. 67), Schedule 8.
(b) 1985 c. 67.
(c) 1982 c. 45.

SCHEDULE

Article 3

SPECIFIED LENGTH OF ROAD

That length of the A702 Edinburgh - Abington Trunk Road from the point where it meets the circulation lanes of Mauricewood Roundabout (Mauricewood Road) going in a generally northerly direction to a point 100 metres or thereby north of its junction with the road leading to Glencorse, a distance of 1.5 kilometres or thereby.