SCOTTISH STATUTORY INSTRUMENTS

2007 No. 584

ROAD TRAFFIC

The A7 Trunk Road (Auchenrivock Improvement) (Temporary Prohibition of Traffic, Temporary Prohibition of Overtaking and Temporary Speed Restriction) Order 2007

Made	*18 December 2007*
Coming into force	*14 January2008*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 14(1) and (4), and 2(1) and (2) of the Road Traffic Regulation Act 1984(**a**) and of 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 or prohibited because works are being or are proposed to be executed on or near that length of road.

In accordance with section 14(3) of that Act, the 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 A7 Trunk Road (Auchenrivock Improvement) (Temporary Prohibition of Traffic, Temporary Prohibition of Overtaking and Temporary Speed Restriction) Order 2007, shall come into force on 00.01 hours on 14 January 2008 and shall cease to have effect at midnight on 19 December 2008.

Temporary prohibition on use of a road

2. Subject to Article 5, no person shall use, or permit the use of, any vehicle on the length of road specified in the Schedule when a prohibition is identified as applying to a part or parts of the length of road by means of traffic signs prescribed by the Traffic Signs Regulations and General Directions 2002(**b**).

(a) 1984 c.27; section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1. Section 2 was amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 18. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (inserted by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 70 and amended by the Scotland Act 1998 (Consequential Modifications) Order 2001 (S.I. 2001/1400)) as read with section 151(1) of the Roads (Scotland) Act 1984 (c.54). 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. 2002/3113.

Temporary prohibition on overtaking

3. (1) Subject to paragraph (2) of this Article, no person shall use, or permit the use of, any vehicle in such a way that it overtakes any other moving vehicle on the length of road specified in the Schedule when a prohibition is identified as applying to that part or parts of the length of road by means of a traffic sign prescribed in Diagram 632 of the Traffic Signs Regulations and General Directions 2002.

(2) Nothing in paragraph (1) of this Article shall prohibit any person from using, or permitting the use of, any vehicle in such a way that it overtakes 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**).

Temporary speed restriction

4. No person shall use, or permit the use of, any vehicle on the length of road specified in the Schedule at a speed exceeding 30mph when identified as applying to a part or parts of the length of road by means of a traffic sign prescribed in Diagram 670 of the Traffic Signs Regulations and General Directions 2002.

Exemption for emergency and works vehicles

5. Nothing in Article 2 of this Order shall apply to a vehicle being used in an emergency for fire brigade, ambulance, police or coastguard purposes or a vehicle while being used for carrying out the works.

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18 December 2007

(a) 1984 c.27; section 140 was amended by Road Traffic (Consequential Provisions) Act 1988 (c.54), Schedule 3, paragraph 25(9).

SCHEDULE

That length of road of the A7 Melrose-Galashiels-Carlisle Trunk Road from its junction with the access road at Middleholm, south of Langholm, in a southerly direction to a point 200 metres south of its intersection with the U249 to Hollows, a distance of 3600 metres or thereby.