SCOTTISH STATUTORY INSTRUMENTS

2009 No.199

ROAD TRAFFIC

The South East Unit Trunk Roads Area (Temporary Prohibitions of Traffic, Temporary Prohibitions of Overtaking and Temporary Speed Restrictions) (No.5) Order 2009

Made	*20th May 2009*
Coming into force	*1st June 2009*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 14(1) and (4), 2(1) and (2) and 4(1) 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 lengths of road specified in the Schedule should be restricted or prohibited as hereinafter provided because works are being or are proposed to be executed on or near the said 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.

Citation, commencement and cessation

1. This Order may be cited as the South East Unit Trunk Roads Area (Temporary Prohibitions of Traffic, Temporary Prohibitions of Overtaking and Temporary Speed Restrictions) (No.5) Order 2009, comes into force on 1st June 2009 and ceases to have effect at midnight on 31st August 2009.

Interpretation

2. In this Order a reference to a numbered column is to the column in the Schedule bearing that number.

(**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).

Temporary prohibition on use of a road

3. Subject to Article 6, no person shall use, or permit the use of, any vehicle on each length of road specified in column 1 when a prohibition is identified as applying to a part or parts of that length of road by means of one or more of the traffic signs prescribed in Diagram 7010.1 and 7105 of the Traffic Signs Regulations 2002(**a**).

Temporary prohibition on overtaking

4.–(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 each length of road specified in column 1 when a prohibition is identified as applying to a part or parts of that length of road by means of a traffic sign prescribed in Diagram 632 of the Traffic Signs Regulations 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**(b)**.

Temporary speed restriction

5.–(1) Subject to paragraph (2) of this Article, no person shall drive any vehicle on the lengths of road specified in column 1 of Parts 2 and 3 of the Schedule at a speed exceeding that specified in column 2 when a restriction is identified as applying to a part or parts of that length of road by means of a traffic sign prescribed in Diagram 670 of the Traffic Signs Regulations 2002.

(2) When convoy working is in operation and indicated by one or more of the traffic signs prescribed in Diagrams 7011, 7025, 7026, 7027, 7028 and 7029 of the Traffic Signs Regulations 2002, no person shall drive any vehicle on the lengths of road specified in column 1 of Part 3 of the Schedule at a speed exceeding 10 mph when a restriction is identified as applying to a part or parts of that length of road by means of a traffic sign prescribed in Diagram 670 of the Traffic Signs Regulations 2002.

(**a**) Part 1 of S.I. 2002/3113.
(**b**) 1984 c.27; section 140 was amended by the Road Traffic (Consequential Provisions) Act 1988 (c.54), Schedule 3, paragraph 25 (9).

Exemption for emergency and works vehicles

6. Nothing in Article 3 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.

S R LEES
A member of the staff of the Scottish Ministers

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20th May 2009

SCHEDULE

PART 1

Articles 3 and 4

1
Description of particular lengths of road
1. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the southbound on slip road at Junction 9 (Pirnhall), a distance of 770 metres or thereby.
2. That length of the A702 Edinburgh – Abington Trunk Road being from the A703 Junction at Hillend to the A766 Junction at Walstone, a distance of 11.4 kilometres or thereby.

PART 2

Articles 3, 4 and 5 (1)

1	2
Description of particular lengths of road	**Speed restriction**
3. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the Kirkliston Spur from Junction 1A (Kirkliston) to a point north of the Falkirk to Edinburgh Rail Overbridge, a distance of 1.3 kilometres or thereby.	40 mph
4. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the eastbound off slip road to Newbridge Roundabout, a distance of 400 metres or thereby.	40 mph
5. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being from the merge of the westbound on slip road from the Newbridge Roundabout to the Kirkliston Spur Overbidge, a distance of 1.7 kilometres or thereby	40 mph

PART 3

Articles 3, 4 and 5

1	2
Description of particular lengths of road	**Speed restriction**
6. That length of the A6091/A7 Melrose – Galashiels – Carlisle Trunk Road being Branxholme 2 kilometres or thereby south of Hawick, a distance of 100 metres or thereby.	30 mph
7. That length of the A6091/A7 Melrose – Galashiels – Carlisle Trunk Road being from the B6400 Junction northwards to the B7060 Junction, a distance of 12.4 kilometres or thereby.	30 mph
8. That length of the A6091/A7 Melrose – Galashiels – Carlisle Trunk Road being from the Melrose Roundabout eastwards to Chiefswood Road Underbridge, a distance of 860 metres or thereby.	30 mph

9. That length of the A6091/A7 Melrose – Galashiels – Carlisle Trunk Road being from the B709 New Langholm Junction northwards to the B711 Roberton Junction, a distance of 32 kilometres or thereby.	30 mph
10. That length of the A1 Edinburgh – Berwick Upon Tweed Trunk Road being the northbound and southbound carriageways from Skateraw Railway Bridge southwards to the Coldingham Junction, a distance of 7.2 kilometres or thereby.	30 mph
11. That length of the A1 Edinburgh – Berwick Upon Tweed Trunk Road being the northbound and southbound carriageways from A1107 Coldingham Junction southwards to the B6437 Auchencrow Junction, a distance of 11.1 kilometres or thereby.	30 mph
12. That length of the A1 Edinburgh – Berwick Upon Tweed Trunk Road being from the A1107 Eyemouth Junction southwards to the unclassified Lamberton Shiels Junction, a distance of 3.9 kilometres or thereby.	30 mph
13. That length of the A702 Edinburgh – Abington Trunk Road being from the A766 Penicuik Junction Northwards to the A703 Damhead Junction, a distance of 11.5 kilometres of thereby.	30 mph
14. That length of the A702 Edinburgh – Abington Trunk Road being from the Maidencoates Roundabout northwards to the A72 Skirling Junction, a distance of 16.2 kilometres of thereby.	30 mph
15. That length of the A702 Edinburgh – Abington Trunk Road being from the Scottish Borders Council boundary at Dolphinton northwards to the B7059 Junction at West Linton, a distance of 6.3 kilometres of thereby.	30 mph
16. That length of the A702 Edinburgh – Abington Trunk Road being from the unclassified Grange Dell Junction northwards to the unclassified Bush Junction at Easter Howgate, a distance of 3.4 kilometres of thereby.	30 mph
17. That length of the A68 Edinburgh – Carter Bar Trunk Road being from the B6357 Bonchester Bridge Junction northwards to the A698 Junction at Bonjedward, a distance of 6 kilometres or thereby.	30 mph
18. That length of the A68 Edinburgh – Carter Bar Trunk Road being from the B6400 Ancrum Junction northwards to the B6398 South Junction to Newtown St Boswells, a distance of 9 kilometres or thereby.	30 mph