2009 No. 23

ROAD TRAFFIC

The South East Unit Trunk Roads Area (Temporary Prohibitions of Traffic, Temporary Prohibitions of Overtaking and Temporary Speed Restrictions) Order 2009

Made	*22nd January 2009*
Coming into force	*1st February 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) Order 2009, comes into force on 1st February 2009 and ceases to have effect at midnight on 30th April 2009.

Interpretation

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

D M C MACNEILL
A member of the staff of the Scottish Ministers

Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF
22nd January 2009

SCHEDULE

PART 1

Articles 3 and 4

1
Description of particular lengths of road
1. That length of the M9 Edinburgh – Stirling Trunk Road being the southbound on slip at Junction 1A to the southbound on slip at Junction 1, a distance of 2.5 kilometres or thereby.
2. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the westbound and eastbound carriageways together with on/off slip roads at Junction 3 (Livingston), a distance of 2.2 kilometres or thereby.
3. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the westbound on slip road at Junction 3 (Livingston), a distance of 640 metres or thereby.
4. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the westbound off slip road at Junction 3A (Starlaw), a distance of 690 metres or thereby.
5. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the westbound on slip road at Junction 3A (Starlaw), a distance of 900 metres or thereby.
6. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the eastbound off slip road at Junction 4 (Whitburn), a distance of 550 metres or thereby.
7. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the eastbound on slip road at Junction 4 (Whitburn), a distance of 450 metres or thereby.
8. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the westbound off slip road at Junction 6 (Newhouse), a distance of 430 metres or thereby.
9. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the westbound on slip road at Junction 6 (Newhouse), a distance of 450 metres or thereby.
10. That length of the M876/A876/A977 Dennyloanhead – Gartarry Roundabout Trunk Road being the westbound off slip at Junction 1 (Denny), a distance of 260 metres or thereby.
11. That length of the M876/A876/A977 Dennyloanhead – Gartarry Roundabout Trunk Road being the westbound on slip road at Junction 1 (Denny), a distance of 520 metres or thereby.
12. That length of the M876/A876/A977 Dennyloanhead – Gartarry Roundabout Trunk Road being the westbound on slip road at Junction 2 (North Broomage), a distance of 1.4 kilometres or thereby.
13. That length of the A720 Edinburgh City Bypass Trunk Road being the westbound off slip road at Dreghorn Junction, a distance of 327 metres or thereby.
14. That length of the A720 Edinburgh City Bypass Trunk Road being the eastbound off slip road at Lothianburn Junction to the eastbound on slip at Lothianburn Junction, a distance of 3 kilometres or thereby.
15. That length of the A702 Edinburgh – Abington Trunk Road from the unclassified Mauricewood Road to the Flotterstone Inn, a distance of 631 metres or thereby.
16. That length of the A702 Edinburgh – Abington Trunk Road from the A72 (Skirling) Junction to the A721 Melbourne Junction, a distance of 7.1 kilometres or thereby.
17. That length of the A702 Edinburgh – Abington Trunk Road from the A766 Penicuik Junction to theA703 Damhead Junction, a distance of 11.5 kilometres or thereby.
18. That length of the A702 Edinburgh – Abington Trunk Road from the A72 (Symington) Junction to the A72 (Skirling) Junction, a distance of 1 kilometre or thereby.

PART 2 Articles 3, 4 and 5 (1)

1	2
Description of particular lengths of road	**Speed restriction**
19. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the westbound and eastbound carriageways and the on/off slip roads at Junction 3 (Livingston), a distance of 2.2 kilometres or thereby.	40 mph
20. That length of the A720 Edinburgh City Bypass Trunk Road being the westbound and eastbound carriageways from the Water of Leith Bridge to the westbound exit to Hermiston Gait, a distance of 4 kilometres or thereby.	40 mph
21. That length of the A1 Edinburgh – Berwick upon Tweed Trunk Road from Cockburnspath Roundabout to the unclassified Bilsdean Junction, a distance of 2 kilometres or thereby.	40 mph
22. That length of the A702 Edinburgh – Abington Trunk Road from Mauricewood Road to the Flotterstone Inn, a distance of 631 metres or thereby.	40 mph

PART 3 Articles 3, 4 and 5

1	2
Description of particular lengths of road	**Speed restriction**
23. That length of the A6091/A7 Melrose – Galashiels – Carlisle Trunk Road from the B6400 Junction northwards to the B7060 Junction, a distance of 12.4 kilometres or thereby.	30 mph
24. That length of the A6091/A7 Melrose – Galashiels – Carlisle Trunk Road from the Melrose Roundabout eastwards to Chiefswood Road Overbridge, a distance of 860 metres or thereby.	30 mph
25. That length of the A6091/A7 Melrose – Galashiels – Carlisle Trunk Road from the Linhope Farm access to the unclassified Hermitage Junction, a distance of 5.9 kilometres or thereby.	30 mph
26. That length of the A702 Edinburgh – Abington Trunk Road from the A766 Penicuik Junction to the A703 Damhead Junction, a distance of 11.5 kilometres or thereby.	30 mph
27. That length of the A702 Edinburgh – Abington Trunk Road from the A72 (Symington) Junction to the A72 (Skirling) Junction, a distance of 1 kilometre or thereby.	30 mph
28. That length of the A702 Edinburgh – Abington Trunk Road from the B7016 Kirkstyle Junction to the B7016 Broughton Road Junction, a distance of 530 metres or thereby.	30 mph
29. That length of the A702 Edinburgh – Abington Trunk Road from the A72 Skirling Junction to the unclassified Skirling Junction, a distance of 3.1 kilometres or thereby.	30 mph

30. 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