SCOTTISH STATUTORY INSTRUMENTS

2009 No. 422

ROAD TRAFFIC

The South East Unit Trunk Roads Area (Temporary Prohibitions of Traffic, Temporary Prohibitions of Overtaking and Temporary Speed Restrictions) (No.11) Order 2009

Made	*20th November 2009*
Coming into force	*1st December 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 to the Order 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.11) Order 2009, comes into force on 1st December 2009 and ceases to have effect at midnight on 28th February 2010.

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 A LEGGETT
A member of the staff of the Scottish Ministers

Transport Scotland
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20th November 2009

SCHEDULE

PART 1

Articles 3 and 4

1
Description of particular lengths of road
1. That length of the A720 Edinburgh City Bypass Trunk Road being the eastbound and westbound carriageways between Lasswade Junction and Sheriffhall Roundabout, a distance of 3 kilometres or thereby.
2. 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.
3. That length of the A720 Edinburgh City Bypass Trunk Road between the eastbound off slip road at Lothianburn Junction to the eastbound on slip road at Lothianburn Junction, a distance of 500 metres or thereby.
4. That length of the A720 Edinburgh City Bypass Trunk Road being the westbound off slip road at Straiton Junction, a distance of 354 metres or thereby.
5. That length of the A720 Edinburgh City Bypass Trunk Road being the westbound on slip road at Straiton Junction, a distance of 434 metres or thereby.
6. That length of the A720 Edinburgh City Bypass Trunk Road being the eastbound off slip road at Straiton Junction, a distance of 361 metres or thereby.
7. That length of the A720 Edinburgh City Bypass Trunk Road being the eastbound on slip road at Straiton Junction, a distance of 551 metres or thereby.
8. That length of the A720 Edinburgh City Bypass Trunk Road being the eastbound off slip road at Lothianburn Junction, a distance of 368 metres or thereby.
9. That length of the A702 Edinburgh – Abington Trunk Road from the A72 Symington Junction to the A72 (Skirling) Junction, a distance of 2.8 kilometres or thereby.
10. That length of the M80/A80 Glasgow – Stirling Trunk Road being the northbound and southbound carriageways from the northbound diverge from the M876 at Junction 5 (Bankhead) to the northbound merge with the M9 at Junction 9 (Bannockburn), a distance of 10.7 kilometres or thereby.

PART 2

Articles 3, 4 and 5 (1)

1	2
Description of particular lengths of road	**Speed restriction**
11. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk road being the northbound and southbound carriageways from Junction 3 (Boroughmuir) to Junction 4 (Lathallan), a distance of 8 kilometres or thereby.	40 mph

PART 3 Articles 3, 4 and 5

1	2
Description of particular lengths of road	**Speed restriction**
12. That length of the A68 Edinburgh – Carter Bar Trunk Road from the A6093 Haddington Junction to the Carfraemill Roundabout, a distance of 20 kilometres or thereby.	30 mph
13. That length of the A6091/A7 Melrose – Galashiels – Carlisle Trunk Road from the Melrose Roundabout eastwards to Chiefswood Road underbridge, a distance of 860 metres or thereby.	30 mph
14. That length of the A1 Edinburgh – Berwick Upon Tweed Trunk Road from the A6437 Auchencrow Junction to the unclassified Blackburn Junction, a distance of 8 kilometres or thereby.	30 mph
15. 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 of thereby	30 mph