

**2020 No. 282**

**ROAD TRAFFIC**

**The A85 Trunk Road (Gilmerton) (Temporary Prohibition of Use, Pedestrians and Waiting, Loading and Unloading) Order 2020**

*Made* - - - - *14th September 2020*

*Coming into force* - - *21st September 2020*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 2(1) and (2), 4(1) and 14(1)(a) 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)(a) of that Act, they are satisfied that 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, 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 A85 Trunk Road (Gilmerton) (Temporary Prohibition of Use, Pedestrians and Waiting, Loading and Unloading) Order 2020, comes into force on 21 September 2020 and ceases to have effect on 6 October 2020.

**Prohibition on use of road**

2. No person may use, or permit the use of, any vehicle on the length of road, or a part or parts of the length of road, specified in the schedule of this Order when a prohibition is identified as applying to that length of road, or a part or parts of that length of road, by means of a traffic sign of the type described in item 8 (diagram 7105 – position of barrier to mark length of road closed or to guide traffic past an obstruction) of the sign table in Part 6 of schedule 13 of the Traffic Signs Regulations and General Directions 2016(b).

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(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).

(b) S.I. 2016/362.

### **Prohibition of pedestrians**

3. No pedestrian may enter or proceed along the length of road, or part or parts of the length of road, specified in the schedule when a prohibition is identified as applying to that length of road, or part or parts of that length of road, by means of one or more of the traffic sign of the type described in item 22 (diagram 625.1 – Pedestrians prohibited) of the sign table in Part 2 of schedule 3 of the Traffic Signs Regulations and General Directions 2016(a).

### **Prohibition on waiting, loading and unloading**

4. No person may use, or permit the use of, any vehicle to wait, load or unload on the length of road, or a part or parts of the length of road, specified in the schedule of this Order when a prohibition is identified as applying to that length of road, or a part or parts of that length of road, by means of one or both of the traffic signs of the type described in item 19 (diagram 636 - temporary prohibition of waiting except for loading and unloading) and item 20 (diagram 636.1 - temporary prohibition of loading and unloading) of the sign table in Part 6 of schedule 13 of the Traffic Signs Regulations and General Directions 2016(b).

### **Exemption**

5. No prohibition imposed by this Order applies to—

- (a) a vehicle being used in an emergency for fire brigade, ambulance, police or coastguard purposes, or
- (b) a vehicle being used for carrying out the works.

6. No prohibition on pedestrians imposed by this Order applies to a person—

- (a) while carrying out any duty in relation to the maintenance or improvement of the trunk road,
- (b) while carrying out any duty in connection with the removal of any obstruction to traffic,
- (c) while engaged in connection with, ambulance, police or coastguard purposes, or for or in connection with the exercise of any function of the Scottish Fire and Rescue Service, or
- (d) leaving a vehicle which is prevented from proceeding by circumstances beyond their control.

*S LEES*

A member of the staff of the Scottish Ministers

Buchanan House,  
Glasgow  
14th September 2020

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(a) S.I. 2016/362.  
(b) S.I. 2016/362.

## SCHEDULE

Articles 2, 3 and 4

### SPECIFIED LENGTH OF ROAD

That length of the A85 Perth – Lochearnhead Trunk Road from its junction with Grahame Terrace, Gilmerton in a general westerly direction on the A85 Perth Road, Gilmerton to its junction with the A822 Gilmerton, a total distance of 220 metres or thereby.