

2022 No. 215

ROAD TRAFFIC

The M9/A9 Trunk Road (Cross Tay Link Road) (Temporary Prohibitions of Traffic, Overtaking and Specified Turns and Temporary Speed Restrictions) Order 2022

Made - - - - *21st June 2022*

Coming into force - - *29th June 2022*

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) and 15(2) 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 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, they have had regard to the existence of alternative routes suitable for the traffic which will be affected by this Order.

In accordance with section 15(2) of that Act, they are satisfied that the execution of the works will take longer than eighteen months and they will revoke this Order as soon as the works are completed.

Citation and commencement

1. This Order may be cited as the M9/A9 Trunk Road (Cross Tay Link Road) (Temporary Prohibitions of Traffic, Overtaking and Specified Turns and Temporary Speed Restrictions) Order 2022 and comes into force on 29 June 2022.

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 Part 1 of 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 the barrier to mark length of

(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).

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(a).

Prohibition on overtaking

3.—(1) No person may use, or permit the use of, any vehicle in such a way that it overtakes any other moving vehicle on the length of road, or a part or parts of the length of road, specified in Part 1 of 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 5 (diagram 632 – no overtaking) of the sign table in Part 2 of schedule 3 of the Traffic Signs Regulations and General Directions 2016.

(2) “Other moving vehicle” does not include 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).

Prohibition on specified turns

4. No person may use, or permit the use of, any vehicle on the lengths of road specified in Part 1 of the Schedule of this Order so as to make any turn specified in Part 2 of the Schedule 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 or all of the traffic signs of the type described in item 7 (diagram 612 – no right turn for vehicular traffic), item 1 (diagram 606 – vehicular traffic must proceed in the direction indicated by the arrow) and item 2 (diagram 609 – vehicular traffic must turn ahead in the direction indicated by the arrow) of the sign table in Part 2 of Schedule 3 of the Traffic Signs Regulations and General Directions 2016.

Speed restrictions

5.—(1) 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 Part 1 of the schedule of this Order at a speed exceeding 50 miles per hour, 40 miles per hour or 30 miles per hour, as the case may be, when that restriction 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 1 (diagram 670 – maximum speed limit in mph) of the sign table in Part 2 of schedule 10 of the Traffic Signs Regulations and General Directions 2016.

(2) When this paragraph applies, 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 Part 1 of the schedule of this Order at a speed exceeding 10 miles per hour when that restriction 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 1 (diagram 670 – maximum speed limit in mph) of the sign table in Part 2 of schedule 10 of the Traffic Signs Regulations and General Directions 2016.

(3) Paragraph (2) applies when convoy working is in operation and indicated by one or more of the traffic signs of the types described in:

- (a) item 34 (diagram 7025 – vehicles to be escorted through road works ahead), item 35 (diagram 7026 – explanation of reason for escorting vehicles in convoys) and item 36 (diagram 7029 – convoy vehicles no overtaking) of the sign table in Part 6 of schedule 13, and
- (b) item 58 (diagram 7011 – point beyond which vehicular traffic must not proceed when required to stop) of the sign table in Part 2 of schedule 14.

(a) S.I. 2016/362, amended by S.S.I. 2018/161 and S.S.I. 2022/111.

(b) Section 140 was amended by the Road Traffic (Consequential Provisions) Act 1988 (c. 54), schedule 3, paragraph 25(9).

Exemptions

6. No prohibition imposed by this Order applies to—

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

7. No speed restriction imposed by this Order applies to—

- (a) vehicles falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011^(a) when used in accordance with regulation 3(5) of those Regulations, or
- (b) vehicles being used in an emergency for coastguard purposes.

Buchanan House,
Glasgow
21st June 2022

G FIDDES
A member of the staff of the Scottish Ministers

^(a) S.I. 2011/935.

SCHEDULE

Articles 2, 3, 4 and 5

PART 1

SPECIFIED LENGTHS OF ROAD

1. That length of the northbound carriageway of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road from Inveralmond Roundabout at Perth to the Luncarty off slip road and thereafter that length of the Luncarty off slip road from its diverge from the northbound carriageway to its junction with the B8063, a distance of 3.13 kilometres or thereby.

2. That length of the Luncarty on slip road from its junction with the B9099 to the southbound carriageway of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road and thereafter that length of the southbound carriageway of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road from the merge of the Luncarty on slip road to its junction with Inveralmond Roundabout at Perth, a distance of 3.22 kilometres or thereby.

PART 2

SPECIFIED TURNS

3. All right turns from the unclassified access track on the west side of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road leading to Bertha Lodge to the southbound M9/A9 Edinburgh – Stirling – Thurso Trunk Road.

4. All right turns from the southbound M9/A9 Edinburgh – Stirling – Thurso Trunk Road to the unclassified access track leading to Bertha Lodge on the west side of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road.

5. All right turns from the unclassified access track leading to Broxy Kennels on the west side of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road to the southbound M9/A9 Edinburgh – Stirling – Thurso Trunk Road.

6. All right turns from the southbound M9/A9 Edinburgh – Stirling – Thurso Trunk Road to the unclassified access track leading to Broxy Kennels on the west side of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road.

7. All right turns from the unclassified access track on the west side of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road opposite Denmarkfield Farm, Luncarty to the south bound M9/A9 Edinburgh – Stirling – Thurso Trunk Road.

8. All right turns from the southbound M9/A9 Edinburgh – Stirling – Thurso Trunk Road to the unclassified access track opposite Denmarkfield Farm, Luncarty on the west side of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road.

9. All right turns from the unclassified access road on the east side of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road at Denmarkfield Farm, Luncarty to the northbound M9/A9 Edinburgh – Stirling – Thurso Trunk Road.

10. All right turns from the northbound M9/A9 Edinburgh – Stirling – Thurso Trunk Road to the unclassified access road leading to Denmarkfield Farm, Luncarty on the east side of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road.

11. All right turns from the unclassified access road on the east side of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road leading to network rail underpass to the northbound M9/A9 Edinburgh – Stirling – Thurso Trunk Road.

12. All right turns from the northbound M9/A9 Edinburgh – Stirling – Thurso Trunk Road unclassified access road leading to the network rail underpass on the east side of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road.