

2009 No. 250

ROADS AND BRIDGES

The A702 Trunk Road Improvement (Candymill Bend and Edmonston Brae)
(Trunking and Detrunking) Order 2009

<i>Made</i>	<i>22nd June 2009</i>
<i>Coming into force</i>	<i>29th June 2009</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by section 5(2) and 5(6) of the Roads (Scotland) Act 1984(a) and all other powers enabling them to do so.

In accordance with section 5(2) of that Act, they are satisfied as to expediency.

In accordance with sections 20A(b) and 55A(c) of that Act, they have determined that the project is a relevant project falling within Annex II to Council Directive 85/337/EEC(d) on the assessment of the effects of certain public and private projects on the environment but having regard to the selection criteria contained in Annex III it should not be made subject to an environmental impact assessment in accordance with the Directive.

They have complied with the requirements of Part I of Schedule 1(e) to that Act.

Citation and commencement

1. This Order may be cited as the A702 Trunk Road Improvement (Candymill Bend and Edmonston Brae) (Trunking and Detrunking) Order 2009 and comes into force on 29th June 2009.

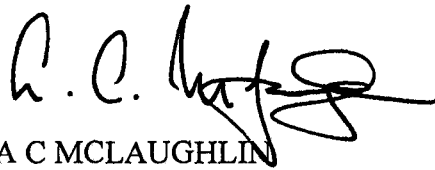
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- (a) 1984 c.54. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c.46).
(b) Section 20A was substituted by S.S.I. 1999/1 and was amended by S.S.I. 2006/614.
(c) Section 55A was substituted by S.S.I. 1999/1 and was amended by S.S.I. 2006/614.
(d) O.J. L 175, 5.7.1985, p.40 as amended by Council Directive 97/11/EC (O.J. L 73, 14.3.1997, p.5) and Council Directive 2003/35/EC (O.J. L 156, 25.6.2003, p.17).
(e) Part I of Schedule 1 was relevantly amended by the Local Government etc. (Scotland) Act 1994 (c.39), Schedule 13, paragraph 135, the Water Industry (Scotland) Act 2002 (asp 3), Schedule 7, paragraph 14, the Transport and Works (Scotland) Act 2007 (asp 8), section 24, Schedule 2, paragraph 2 and Schedule 3, and by S.S.I. 1999/1 and S.S.I. 2006/614.

Trunk road

2. The lengths of road which the Scottish Ministers propose to construct along the routes described in Part 1 of the Schedule shall become a trunk road on the date of the coming into force of this Order.

Road Ceasing to be Trunk Road

3. On 1st April next after the date on which the new trunk road is open for the purpose of through traffic, the length of road described in Part 2 of the Schedule shall cease to be a trunk road and South Lanarkshire Council(a) shall become the Road Authority for that length of road and shall enter that length of road in their list of public roads.



A C MCLAUGHLIN
A member of the staff of the Scottish Ministers

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

(a) A council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c.39).

SCHEDULE

INTERPRETATION

In this Schedule—

“the Plan” means the plan numbered 07/SE/0901/003/002/02 and entitled “The A702 Trunk Road Improvement (Candymill Bend and Edmonston Brae) (Trunking and Detrunking) Order 2009”, signed with reference to this Order and deposited at the offices of Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF;

“the existing Trunk Road” means the A702 Edinburgh to Abington Trunk Road; and

“Candymill Road” means the existing side road that leads to Candy Cottage.

Article 2

PART 1

THE ROUTES OF THE NEW TRUNK ROAD

1. From a point on the existing Trunk Road marked ‘A’ on the Plan 215 metres or thereby south west of it’s junction with Candymill Road in a north easterly direction to a point on the existing Trunk Road marked ‘B’ on the Plan 235 metres or thereby north east of its junction with Candymill Road, a distance of 460 metres or thereby, as shown by a heavy black line on the Plan.
2. From a point on the existing Trunk Road marked ‘C’ on the Plan 580 metres or thereby north of its junction with Candymill Road, in a northerly direction for a distance of 555 metres or thereby to a point marked ‘D’ on the Plan, as shown by a heavy black line on the Plan.

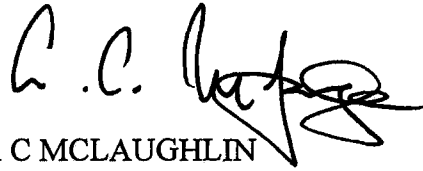
Article 3

PART 2

LENGTH OF ROAD CEASING TO BE A TRUNK ROAD

1. From a point on the existing A702 Trunk Road marked ‘E’ on the Plan at its junction with Candymill Road in a north easterly direction, as indicated by the heavy black broken line, for a distance of 230 metres or thereby to a point marked ‘F’ on the Plan.

It is certified that the instrument known as the A702 Trunk Road Improvement (Candymill Bend and Edmonston Brae)(Trunking and Detrunking) Order 2009 is a local instrument.

A handwritten signature in black ink, appearing to read 'A.C. McLaughlin', with a stylized flourish at the end.

A C MCLAUGHLIN
A member of the staff of the Scottish Ministers

Transport Scotland
Buchanan House
Glasgow
G4 0HF
22nd June 2009

ROADS (SCOTLAND) ACT 1984

THE A702 TRUNK ROAD IMPROVEMENT CANDYMILL BEND AND EDMONSTON BRAE

THE SCOTTISH MINISTERS hereby give notice that they have made following Orders:

1. The A702 Trunk Road Improvement (Candymill Bend and Edmonston Brae) (Trunking and Detrunking) Order 2009 under sections 5(2) and 5(6) of the Roads (Scotland) Act 1984, to provide for the construction of two new lengths of road for the purpose of improving the A702 Edinburgh – Abington Trunk Road in the vicinity of Edmonston Brae and Candymill to the North of Biggar, Lanarkshire; and
2. The A702 Trunk Road Improvement (Candymill Bend and Edmonston Brae) (Side Roads) Order 2009 under sections 12(1), (5), 70(1) of the Roads (Scotland) Act 1984, to provide for the construction of new side roads, the improvement of existing roads to form new and improved connections in relation to the existing trunk road; the stopping up of various existing roads; the stopping up of a private means of access; and the provision of certain new means of access.

COPIES of the Orders as made and the relevant plans may be inspected, free of charge, during normal business hours, from 29th June 2009 to 10th August 2009 at the offices of Transport Scotland, Buchanan House, Glasgow, G4 0HF between 9.00 am – 5.00 pm (Mon – Thurs) and 9.00 am – 4.30 pm (Fri); the offices of South Lanarkshire Council, Gillespie Centre, 74 High Street, Biggar ML12 6BJ between 10:00 am – 2:00 pm (Mon – Fri), Lanark Library, 16 Hope St, Lanark, Lanarkshire ML11 7LZ between 9:15 am – 7:30 pm (Mon), 9:15 am – 8 pm (Tues and Thurs), 9:15 am – 5 pm (Wed and Sat), 9:30 am – 7:30 pm (Fri); Peebles Library, Chambers Institution, High St, Peebles, Peeblesshire EH45 8AG between 9:30 am – 5 pm (Mon, Wed and Fri), 9:30 am – 7 pm (Tues and Thurs), 9 am – 12:30 pm (Sat) and the offices of BEAR Scotland Ltd, 6a Dryden Road, Bilston Glen Industrial Estate, Loanhead, Midlothian EH20 9TY.

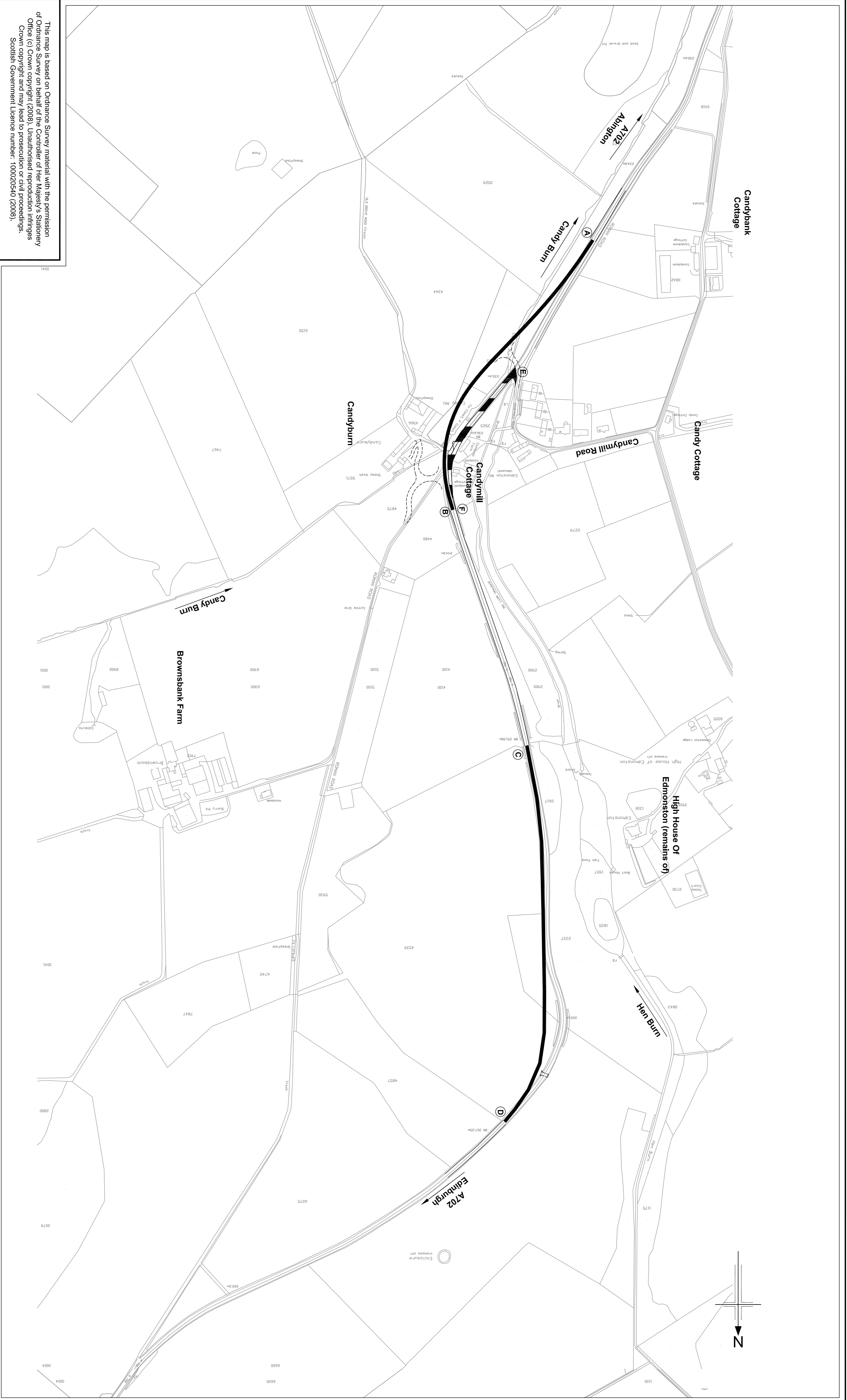
ANY PERSON aggrieved by these Orders who desires to question the validity thereof, or of any provision therein on the grounds that they are not within the powers of the Roads (Scotland) Act 1984 or that any requirement of the said Act has not been complied with in relation to the Orders may within 6 weeks of 29th June 2009 make application to the Court of Session for the suspension of the operation of, or the quashing of, the Orders or any provision contained therein.



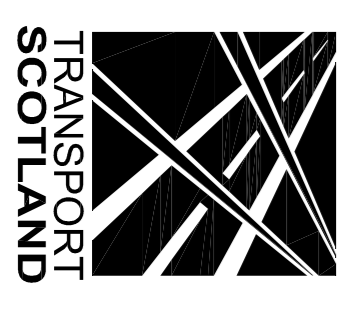
A C MCLAUGHLIN

A member of staff of the Scottish Ministers


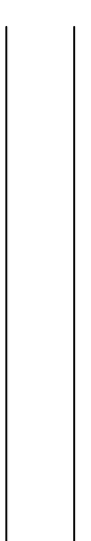
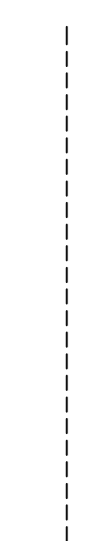
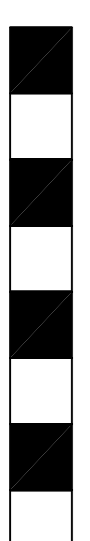
Transport Scotland
Trunk Roads: Network Management
Buchanan House
58 Port Dundas Road
GLASGOW
G4 0HF

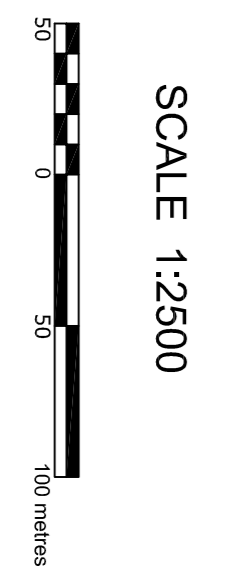


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KEY

-  NEW TRUNK ROAD
-  EXISTING TRUNK ROAD
-  ASSOCIATED WORKS
-  EXISTING TRUNK ROAD CEASING TO BE A TRUNK ROAD



Drawing No. 07/SE/0901/003/002/02
Sheet 1 of 1

**THE A702 TRUNK ROAD IMPROVEMENT
(CANDYMILL BEND AND EDMONSTON BRAE)
(TRUNKING AND DE-TRUNKING) ORDER 2009**

This Plan shows the centre line of the new roads but does not represent the widths or levels of the proposed roads, or the land to be occupied by them.