

THE A75 TRUNK ROAD (DUNRAGIT BYPASS)

COMPULSORY PURCHASE ORDER No.2 2009

Made

13 November 2009

The Roads (Scotland) Act 1984 and the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947.

The Scottish Ministers (hereinafter referred to as “the acquiring authority”) in exercise of the powers conferred by sections 103 to 108 inclusive as read with section 110(2) of the Roads (Scotland) Act 1984 hereby make the following compulsory purchase order-


1. This Order may be cited as the A75 Trunk Road (Dunragit Bypass) Compulsory Purchase Order No.2 2009.

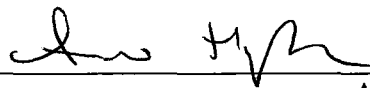
2. Subject to the provisions of this Order, the acquiring authority are hereby authorised to purchase compulsorily for the purpose of improving the A75 Gretna – Dumfries – Stranraer Trunk Road by the provision of a bypass of Dunragit Village, Stranraer, Wigtownshire the land which is described in the Schedule hereto and is delineated in red and coloured pink on the map signed with reference to this Order and marked “Map referred to in the A75 Trunk Road (Dunragit Bypass) Compulsory Purchase Order No.2 2009”, a duplicate of which map is given in terms of section 48 of the Conveyancing (Scotland) Act 1924.

3. In relation to the foregoing purchase section 70 of the Railways Clauses Consolidation (Scotland) Act 1845 and sections 71 to 78 of that Act as originally enacted and not as amended for certain purposes by section 15 of the Mines (Working Facilities and Support) Act 1923 are hereby incorporated with the enactment under which the said purchase is authorised, subject to the modifications that references in the said sections to the company shall be construed as references to the acquiring authority and references to the railway or works shall be construed as references to the land authorised to be purchased and any building or works constructed or to be constructed thereon.

4. For the purpose of the said section 71 of the Railways Clauses Consolidation (Scotland) Act 1845, as incorporated in this Order, the prescribed distance in relation to any seam of minerals lying under land adjoining the works to be constructed upon the land described in the Schedule hereto shall be such a lateral distance from the said works on every side thereof as is equal at every point along the said works to one half of the depth of the seam below the natural surface of the ground at that point or 37 metres (40 yards), whichever is the greater.

Subscribed by Ainslie Crichton McLaughlin, Director of Major Transport Infrastructure Projects, being an officer of the Scottish Ministers at Edinburgh on the Thirteenth day of November Two Thousand and Nine, before the witness Andrew John Hynds, Civil Servant, Civil Servant, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF.

A.C. 
A C McLaughlin


A Hynds

This is the Schedule referred to in the foregoing A75 Trunk Road (Dunragit Bypass) Compulsory Purchase Order No.2 2009.

SCHEDULE

In this Schedule:-

1. All the land described is situated in the County of Wigtown.
2. “the existing trunk road” means the A75 Gretna – Dumfries – Stranraer Trunk Road, in the vicinity of Dunragit, Dumfries and Galloway.
3. “the C52w” means that length of road from the B7084 at Piltanton Bridge to the existing A75 Trunk Road, north of former Dunragit Station.
4. “the U43w” means that length of road which runs from the existing trunk road at Whitecrook via Low Boreland to the C Class Road known as C1, at its junction south of Balmesh, Glenluce, Newton Stewart.
5. Where all or part of a plot forms part of a title or titles registered in the Land Register of Scotland, the Land Register of Scotland Title Number is given at the end of the description.
6. The number of the individual sheet (hereinafter referred to as “CPO No.2 Sheet”) within the said map on which the plot is shown is given at the end of the description.

Number on Map	Description of the land or servitude right	Owners	Lessees and Occupiers
1101	8 square metres or thereby of the bank and bed of the Ballancollantie Burn lying to the south of the existing trunk road and to the west, north west of Dunragit Station, Dunragit. CPO No. 2 Sheet 1 of 2	A B McIntosh Drumflower Farm Drumflower Dunragit DG9 8PQ	1. A B McIntosh Drumflower Farm Drumflower Dunragit DG9 8PQ 2. J McIntosh Auchneel Farmhouse Stranraer DG9 0LE, 3. A A Torbet Cedar Bungalow Whitecrook Dunragit DG9 8PY, and 4. A Henry Bridge Cottage Droughduil Dunragit DG9 8QB as Trustees of the Dunragit Angling Association.

Number on Map	Description of the land or servitude right	Owners	Lessees and Occupiers
1102	<p>231 square metres or thereby of the bank and bed of the Ballancollantie Burn lying to the south of existing trunk road and to the west, north west of Dunragit Station, Dunragit.</p> <p>CPO No.2 Sheet 1 of 2</p>	<p>A B McIntosh Drumflower Farm Drumflower Dunragit DG9 8PQ</p> <p>Lochinch Maintenance Trust per Stair Estates Estates Office Rephad Stranraer DG9 8BX</p>	<p>1. A B McIntosh Drumflower Farm Drumflower Dunragit DG9 8PQ</p> <p>2. J McIntosh Auchneel Farmhouse Stranraer DG9 0LE,</p> <p>3. A A Torbet Cedar Bungalow Whitecrook Dunragit DG9 8PY, and</p> <p>4. A Henry Bridge Cottage Droughduil Dunragit DG9 8QB</p> <p>as Trustees of the Dunragit Angling Association.</p>
1103	<p>703 square metres or thereby of the <i>solum</i> and verges of the C52w lying to the west of Droughduil Holdings, and to the south of Dunragit Station, Dunragit.</p> <p>CPO No. 2 Sheet 1 of 2</p>	Unknown	Occupied by Dumfries & Galloway Council as roads authority.
1104 to 1200	Number not allocated.		
1201	<p>528 square metres or thereby of the <i>solum</i> and verges of the U43w lying to the north of the existing trunk road and to the east of Boreland Cottage, Dunragit.</p> <p>CPO No. 2 Sheet 2 of 2</p>	Unknown	Occupied by Dumfries & Galloway Council as roads authority.

A. C. [Signature]

Roads (Scotland) Act 1984

Acquisition of Land (Authorisation Procedure)
(Scotland) Act 1947

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Solicitor to the Scottish Government
Victoria Quay
Edinburgh
EH6 6QQ

Transport Scotland Ref: *RYC/DG12/10/1*

