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SCOTTISH STATUTORY INSTRUMENTS

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200 No.

**ROADS AND BRIDGES**

The A75 Trunk Road (Hardgrove to Kinmount Improvement) (Trunking and Detrunking)  
Order 200[ ]

*Made* 200[ ]

*Coming into force* 200[ ]

The Scottish Ministers make the following Order in exercise of the powers conferred by section 5(2) and (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 falls within Annex II to Council Directive No 85/337/EEC(d) on the assessment of the effects of certain public and private projects on the environment and that it should be made subject to an environmental impact assessment.

In accordance with sections 20A(2) and 55A(2) of that Act, they have prepared an environmental statement and published notice of it on 27<sup>th</sup> June 2008 and have complied with all other provisions of sections 20A and 55A of that Act.

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

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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 1 of Schedule 1 was 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], S.S.I.1999/1and S.S.I. 2006/614.

## **Citation and commencement**

1. This Order may be cited as “The A75 Trunk Road (Hardgrove to Kinmount Improvement) (Trunking and Detrunking) Order 200[ ]” and shall come into force on 200[ ] .

## **Trunk road**

2. The length of road (hereinafter referred to as “the new trunk road”) which the Scottish Ministers propose to construct along the route described in Schedule 1 shall become a trunk road on the date of coming into force of this Order.

## **Road ceasing to be trunk road**

3. On 1<sup>st</sup> 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 Schedule 2 shall cease to be a trunk road and Dumfries and Galloway Council(a) shall become the Roads Authority for that length of road and shall enter that length of road in their list of public roads.

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A member of the staff of the Scottish Ministers

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G4 0HF

2008

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

**TRUNK ROAD****INTERPRETATION**

In this Schedule “the plan” means the plan numbered RYC/DG11/1 entitled “The A75 Trunk Road (Hardgrove to Kinmount Improvement) (Trunking and Detrunking) Order 200[ ]”, signed with reference to this Order and deposited at the offices of the Transport Scotland, Major Transport Infrastructure Projects, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF.

**ROUTE OF THE NEW TRUNK ROAD**

From a point on the A75 Gretna – Dumfries - Stranraer Trunk Road, 233 metres or thereby west of its junction with the B725 Road to Carrutherstown in a generally south easterly direction for a distance of 3.644km or thereby, to a point on that trunk road, 44 metres or thereby northwest of its junction with the access to Upper Mains Farm, Annan, DG12 5RR as shown by a heavy black line between points marked “A” and “B” on the plan.

**SCHEDULE 2****ROAD CEASING TO BE A TRUNK ROAD****INTERPRETATION**

In this Schedule “the plan” has the same meaning as it has in Schedule 1.

**LENGTH OF ROAD CEASING TO BE A TRUNK ROAD**

That length of the A75 Gretna – Dumfries – Stranraer Trunk Road from a point 77 metres or thereby west of its junction with the B725 Road to Carrutherstown in a generally south easterly direction for a distance of 3.045km or thereby to a point 500 metres or thereby northwest of its junction with the access to Upper Mains Farm, Annan, DG12 5RR as shown by the black and white hatching between the points marked “C” and “D” on the plan.

[Note: The provisions contained in square brackets will not apply if this instrument is made and section 24 of the Transport and Works (Scotland) Act 2007 has not been commenced at that point.]