

*Scheme made by the Scottish Ministers laid before the Scottish Parliament under section 143A(1)(c) and (3) of the Roads (Scotland) Act 1984 for approval by resolution of the Scottish Parliament.*

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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2010 No.**

**ROADS AND BRIDGES**

**SPECIAL ROADS**

**The A90 (Aberdeen Western Peripheral Route) Special Road Scheme 2010**

<i>Made</i>	- - - -	<i>14th January 2010</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>15th January 2010</i>
<i>Coming into force</i>	- -	<i>2010</i>

The Scottish Ministers make the following Scheme in exercise of the powers conferred by sections 7, 8(2) and 10(1) of the Roads (Scotland) Act 1984(1) and all other powers enabling them to do so.

In accordance with section 7(7) of that Act, they have given due consideration to the requirements of local and national planning, and to the requirements of agriculture and industry.

In accordance with section 20A(2) of that Act, they have determined that the project falls within Annex I to Council Directive 85/337/EEC(3), as relevantly amended by Council Directive 97/11/EC(4) and Council Directive 2003/35/EC(5), on the assessment of the effects of certain public and private projects on the environment.

In accordance with section 20A(2) of that Act, they have prepared an environmental statement and published notice of it on 11th September 2007 and have complied with all other provisions of section 20A of that Act.

This Scheme is made in accordance with the provisions of Parts II and III of Schedule 1(6) to that Act.

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(1) 1984 c.54. Section 7 was amended by the [Water Industry \(Scotland\) Act 2002 \(asp 3\)](#), schedule 7, paragraph 14 and the [Transport and Works \(Scotland\) Act 2007 \(asp 8\)](#), schedule 2, paragraph 2 and schedule 3. Sections 8 and 10 were amended by the [New Roads and Street Works Act 1991 \(c.22\)](#), sections 45 and 46 respectively. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of section 53 of the [Scotland Act 1998 \(c.46\)](#).

(2) Section 20A was substituted by [S.S.I. 1999/1](#) and was amended by [S.S.I. 2006/614](#).

(3) O.J. L 175, 5.7.1985, p.40.

(4) O.J. L 73, 14.3.1997, p.5.

(5) O.J. L 156, 25.6.2003, p.17.

(6) Part II 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 3, and schedule 3 and also by [S.S.I. 1999/1](#) and [2006/614](#).

### **Citation and commencement**

1. This Scheme may be cited as the A90 (Aberdeen Western Peripheral Route) Special Road Scheme 2010 and comes into force on the 28th day after the day on which it is approved by resolution of the Scottish Parliament.

### **Special road**

2. The Scottish Ministers as special road authority are, by means of this Scheme, authorised to provide a special road along the routes described in the Schedule and such road shall become trunk road on the date this Scheme comes into force.

### **Classes of traffic**

3. Classes I and II of the classes of traffic set out in Schedule 3 to the Roads (Scotland) Act 1984 are prescribed for the purpose of the use of the special road, the routes of which are described in the Schedule.

Buchanan House,  
Glasgow  
14th January 2010

*A C McLAUGHLIN*  
A member of the staff of the Scottish Ministers

## SCHEDULE

Paragraph 2

### SPECIAL ROAD INTERPRETATION

In this Schedule—

“the plan folio” means the plan folio numbered RYC/G109/13/0701 and entitled “The A90 (Aberdeen Western Peripheral Route) Special Road Scheme 2010”, signed with reference to this Scheme and deposited at the offices of Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF;

“point 1” means the existing access to Middleton Farm, Whitehorse Terrace, Bridge of Don, Aberdeen, AB23 8BS at the existing A90/M90 Inverkeithing – Fraserburgh Trunk Road shown marked “point 1” on plan SP1 in the plan folio;

“point 2” means the centre point of the existing Goval Bridge, Dyce, Aberdeenshire where the existing A947 Aberdeen – Oldmeldrum – Turriff Road crosses Goval Burn shown marked “point 2” on plan SP1 in the plan folio;

“point 3” means the centre point of the existing Aberdeen – Inverness Railway Line railway bridge by Tillybrig Cottage, Dyce, Aberdeen, AB21 0DP, shown marked “point 3” on plan SP1 in the plan folio;

“point 4” means the existing access to Corsehill, Bucksburn, Aberdeen, Aberdeenshire, AB21 9TJ at the existing A96 Aberdeen – Inverness Trunk Road as shown marked “point 4” on plan SP2 in the plan folio;

“point 5” means the existing junction at Kingwells Park & Ride, Kingwells, Aberdeen with the existing A944 Aberdeen – Alford – Strathdon Road (Skene Road) shown marked “point 5” on plan SP3 in the plan folio;

“point 6” means the existing access to Hill Farm, Milltimber, Aberdeen, AB13 0ET from the existing Contlaw Road, Aberdeen shown marked “point 6” on plan SP3 in the plan folio;

“point 7” means the centre point of the existing Maryculter Bridge, Maryculter, Aberdeenshire south of Milltimber, Aberdeen where the existing B979 Stonehaven – Newmachar Road (Netherley Road) crosses the River Dee shown marked “point 7” on plan SP4 in the plan folio;

“point 8” means the existing access to Mains of Cookney, Cookney, Aberdeenshire, AB39 3SA at the existing Muchalls – Burnhead Road (C25K), Aberdeenshire shown marked “point 8” on plan SP4 in the plan folio;

“point 9” means the existing access to Elrick Farm, Bridge of Muchalls, Stonehaven, Aberdeenshire, AB39 3RU at the existing Bridge of Muchalls – Netherley Road (C12K), Aberdeenshire shown marked “point 9” on plan SP5 in the plan folio; and

“point 10” means the existing access to East Lodge, Ury, Stonehaven, Aberdeenshire, AB39 3QA at the existing B979 Stonehaven – Newmachar Road (Netherley Road) shown marked “point 10” on plan SP5 in the plan folio.

### THE ROUTES OF THE SPECIAL ROAD

1. From a point 390 metres or thereby north of point 1 in a generally west, south-westerly then westerly then west, north-westerly then westerly then west, south-westerly then westerly direction for a distance of 8.45 kilometres or thereby to a point 190 metres or thereby south, south-west of point 3 as shown by a heavy black line between points marked “point A” and “point B” on plan SP1 in the plan folio.

2. From a point 1.33 kilometres or thereby east, north-east of point 2 in a generally west, south-westerly direction for a distance of 490 metres or thereby to a point 830 metres or thereby east, north-

east of point 2 as shown by a heavy black line between points marked “point C” and “point D” on plan SP1 in the plan folio.

3. From a point 775 metres or thereby east, north-east of point 2 in a generally west, north-westerly then westerly direction for a distance of 415 metres or thereby to a point 380 metres or thereby east, north-east of point 2 as shown by a heavy black line between points marked “point E” and “point F” on plan SP1 in the plan folio.

4. From a point 455 metres or thereby west of point 2 in a generally east, north-easterly direction for a distance of 500 metres or thereby to a point 170 metres or thereby north of point 2 as shown by a heavy black line between points marked “point G” and “point H” on plan SP1 in the plan folio.

5. From a point 180 metres or thereby north, north-east of point 2 in a generally easterly direction for a distance of 410 metres or thereby to a point 520 metres or thereby east, north-east of point 2 as shown by a heavy black line between points marked “point I” and “point J” on plan SP1 in the plan folio.

6. From a point 190 metres or thereby south, south-west of point 3 in a generally westerly then west, south-westerly then southerly then south, south-easterly then south-easterly then south, south-easterly then southerly then south, south-westerly direction for a distance of 7.48 kilometres or thereby to a point 2.53 kilometres or thereby south, south-east of point 4 as shown by a heavy black line between points marked “point K” and “point L” on plan SP2 in the plan folio.

7. From a point 2.09 kilometres or thereby south, south-east of point 4 in a generally south, south-westerly direction for a distance of 570 metres or thereby to a point 2.51 kilometres or thereby south, south-east of point 4 as shown by a heavy black line between points marked “point M” and “point N” on plan SP2 in the plan folio.

8. From a point 2.43 kilometres or thereby south, south-east of point 4 in a generally north, north-easterly direction for a distance of 550 metres or thereby to a point 2.07 kilometres or thereby south, south-east of point 4 as shown by a heavy black line between points marked “point O” and “point P” on plan SP2 in the plan folio.

9. From a point 2.60 kilometres or thereby north of point 5 in a generally south, south-westerly then southerly then south, south-westerly then southerly then south, south-easterly then south-easterly direction for a distance of 8.45 kilometres or thereby to a point 1.67 kilometres or thereby south, south-east of point 6 as shown by a heavy black line between points marked “point Q” and “point R” on plan SP3 in the plan folio.

10. From a point 1.11 kilometres or thereby west, north-west of point 5 in a generally southerly direction for a distance of 485 metres or thereby to a point 1.08 kilometres or thereby west of point 5 as shown by a heavy black line between points marked “point S” and “point T” on plan SP3 in the plan folio.

11. From a point 1.13 kilometres or thereby west of point 5 in a generally south, south-westerly direction for a distance of 570 metres or thereby to a point 1.50 kilometres or thereby west, south-west of point 5 as shown by a heavy black line between points marked “point U” and “point V” on plan SP3 in the plan folio.

12. From a point 1.55 kilometres or thereby west, south-west of point 5 in a generally north, north-easterly direction for a distance of 600 metres or thereby to a point 1.23 kilometres or thereby west of point 5 as shown by a heavy black line between points marked “point W” and “point X” on plan SP3 in the plan folio.

13. From a point 1.19 kilometres or thereby west of point 5 in a generally north, north-easterly direction for a distance of 630 metres or thereby to a point 1.19 kilometres or thereby west, north-west of point 5 as shown by a heavy black line between points marked “point Y” and “point Z” on plan SP3 in the plan folio.

14. From a point 350 metres or thereby south, south-west of point 6 in a generally southerly then south, south-easterly direction for a distance of 300 metres or thereby to a point 565 metres or thereby south of point 6 as shown by a heavy black line between points marked “point AA” and “point AB” on plan SP3 in the plan folio.

15. From a point 565 metres or thereby south of point 6 in a generally south-easterly then southerly then westerly then south-westerly then westerly direction for a distance of 330 metres or thereby to a point 760 metres or thereby south, south-west of point 6 as shown by a heavy black line between points marked “point AB” and “point AC” on plan SP3 in the plan folio.

16. From a point 565 metres or thereby south of point 6 in a generally west, south-westerly then south-westerly then southerly direction for a distance of 350 metres or thereby to a point 865 metres or thereby south of point 6 as shown by a heavy black line between points marked “point AB” and “point AD” on plan SP3 in the plan folio.

17. From a point 820 metres or thereby south of point 6 in a generally north, north-westerly then north-westerly direction for a distance of 280 metres or thereby to a point 645 metres or thereby south, south-west of point 6 as shown by a heavy black line between points marked “point AE” and “point AF” on plan SP3 in the plan folio.

18. From a point 645 metres or thereby south, south-west of point 6 in a generally south-westerly then southerly direction for a distance of 140 metres or thereby to a point 770 metres or thereby south, south-west of point 6 as shown by a heavy black line between points marked “point AF” and “point AG” on plan SP3 in the plan folio.

19. From a point 645 metres or thereby south, south-west of point 6 in a generally north-easterly then northerly direction for a distance of 310 metres or thereby to a point 350 metres or thereby south-west of point 6 as shown by a heavy black line between points marked “point AF” and “point AH” on plan SP3 in the plan folio.

20. From a point 705 metres or thereby north, north-west of point 7 in a generally south, south-easterly direction for a distance of 2.75 kilometres or thereby to a point 2.03 kilometres or thereby south, south-east of point 7 as shown by a heavy black line between points marked “point AI” and “point AJ” on plan SP4 in the plan folio.

21. From a point 2.09 kilometres or thereby south, south-east of point 7 in a clockwise direction for a distance of 250 metres or thereby returning to the same point 2.09 kilometres or thereby south, south-east of point 7 as shown by a heavy black line marked “point AK” on plan SP4 in the plan folio.

22. From a point 2.14 kilometres or thereby south, south-east of point 7 in a generally south, south-easterly then southerly then south, south-easterly then southerly direction for a distance of 5.31 kilometres or thereby to a point 270 metres or thereby east of point 8 as shown by a heavy black line between points marked “point AL” and “point AM” on plan SP4 in the plan folio.

23. From a point 1.03 kilometres or thereby north of point 9 in a generally southerly then south, south-westerly then southerly then south, south-easterly then southerly direction for a distance of 6.13 kilometres or thereby to a point 230 metres or thereby east of point 10 as shown by a heavy black line between points marked “point AN” and “point AO” on plan SP5 in the plan folio.

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The A90 (Aberdeen Western Peripheral Route) Special Road Scheme 2010 No. 79

## EXPLANATORY NOTE

*(This note is not part of the Scheme)*

This Scheme at paragraph 2 authorises the Scottish Ministers, as special road authority, to provide a special road along those routes described in the Schedule between Blackdog and Stonehaven.

Paragraph 3 prescribes which classes of traffic are permitted to use the special road.

Copies of the Environmental Statement prepared for the project, and the plans referred to in this Scheme, may be inspected, free of charge, at the offices of Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow G4 0HF between 0900 hours - 1630 hours (Monday to Friday, excluding public holidays).



