

**2007 No. 509**

**ROADS AND BRIDGES**

**The A9 Trunk Road (Helmsdale to Ord of Caithness  
Improvements - Phase 2) (Side Roads) (No. 2) Order 2007**

*Made* - - - - - *9th November 2007*

*Coming into force* - - - - - *16th November 2007*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 12(1) and (5) of the Roads (Scotland) Act 1984(a) and all other powers enabling them to do so.

In accordance with sections 12(3) of the Act, they are satisfied that another reasonably convenient route will be provided before the road is stopped up pursuant to this Order.

In accordance with sections 20A(b) of that Act, they have determined that the project falls within Annex I to Council Directive No. 85/337/EEC(c) on the assessment of the effects of certain public and private projects on the environment.

In accordance with sections 20A(2) of that Act, they have prepared an environmental statement and published notice of it on 25th May 2004 and have complied with all other provisions of sections 20A of that Act.

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

**Citation, commencement and interpretation**

**1.**—(1) This Order may be cited as the A9 Trunk Road (Helmsdale to Ord of Caithness Improvements – Phase 2) (Side Roads) (No. 2) Order 2007, and shall come into force on 16th November 2007.

(2) In this Order “the plan folio” means the plan folio numbered OTG/19305/1001 and entitled “The A9 Trunk Road (Helmsdale to Ord of Caithness Improvements – Phase 2) (Side Roads) (No. 2) Order 2007”, signed with reference to this Order and deposited at the offices of Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow G4 0HF.

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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) 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).

(d) 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], S.S.I. 1999/1 and S.S.I. 2006/614.

## **Side roads**

2. The Scottish Ministers as roads authority are authorised–
- (a) to construct the length of road (hereinafter referred to as “the new side road”) along the route described in the Schedule; and
  - (b) to stop-up the length of road described in the Schedule when the new side road is open for the purposes of through traffic.

## **Statutory Undertakers**

3. Where immediately before the date this Order comes into force there is under, in, on, along or across the length of road described in the Schedule any apparatus belonging to a statutory undertaker, any rights of the statutory undertaker in respect of such apparatus shall be preserved.

## **Transfer of roads**

4. On 1st April next after the date on which the new side road is open for the purposes of through traffic, the new side road shall be transferred to The Highland Council<sup>(a)</sup> as roads authority for those roads.

*A McLAUGHLIN*

A member of the staff of the Scottish Ministers

Transport Scotland  
MTrIPs  
Buchanan House  
58 Port Dundas Road  
Glasgow  
G4 0HF  
9th November 2007

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

## SCHEDULE

Article 2

### **THE ROUTE OF THE NEW SIDE ROAD**

That length of the A9 Inverness to Thurso Trunk Road, from its intersection with the access to the Ceol Na Mara, Helmsdale, in a northerly direction for a distance of 115 metres or thereby to its intersection with the U299 Cemetery Road as shown by stipple and marked “1” on plan SR1 in the plan folio.

### **LENGTH OF ROAD TO BE STOPPED UP**

That length of the A9 Inverness to Thurso Trunk Road, from its intersection with the access to the Ceol Na Mara, Helmsdale, in a northerly direction for a distance of 95 metres or thereby to its intersection with the U299 Cemetery Road as shown by zebra hatching and marked “2” on plan SR1 in the plan folio.