

**2007 No. 542**

**ROAD TRAFFIC**

**The South East Unit Trunk Roads Area (Temporary Prohibitions of Traffic, Temporary Prohibitions of Overtaking and Temporary Speed Restrictions) (No. 11) Order 2007**

*Made* 29<sup>th</sup> November 2007

*Coming into force* 1<sup>st</sup> December 2007

The Scottish Ministers make the following order in exercise of the powers conferred by sections 14(1) and (4) and 2(1) and (2) of the Road Traffic Regulation Act 1984(a) and of all other powers enabling them to do so.

In accordance with section 14(1) of that Act, they are satisfied that the traffic on the lengths of road specified in the Schedule should be restricted or prohibited as hereinafter provided because works are being or are proposed to be executed on or near the said lengths of road.

In accordance with section 14(3) of that Act, they have had regard to the existence of alternative routes suitable for the traffic which will be affected by this Order.

**Citation, commencement and cessation**

**1.** This Order may be cited as the South East Unit Trunk Roads Area (Temporary Prohibitions of Traffic, Temporary Prohibitions of Overtaking and Temporary Speed Restrictions) (No. 11) Order 2007, shall come into force on 1<sup>st</sup> December 2007 and shall cease to have effect at midnight on 29<sup>th</sup> February 2008.

**2.** In this Order a reference to a numbered column is to the column in the Schedule bearing that number.

**Temporary prohibition on use of a road**

**3.** Subject to Article 6, no person shall use, or permit the use of, any vehicle on each length of road specified in column 1 during the period corresponding to that length of road specified in column 2 when a prohibition is identified as applying to a part or parts of that length of road by means of traffic signs prescribed by the Traffic Signs Regulations and General Directions 2002(b).

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(a) 1984 c.27; section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1. Section 2 was amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 18. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (inserted by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 70 and amended by the Scotland Act 1998 (Consequential Modifications) Order 2001 (S.I. 2001/1400)) as read with section 151(1) of the Roads (Scotland) Act 1984 (c.54). The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c.46).

(b) S.I. 2002/3113.

### **Temporary prohibition on overtaking**

4. (1) Subject to paragraph (2) of this Article, no person shall use, or permit the use of, any vehicle in such a way that it overtakes any other moving vehicle on each length of road specified in column 1 during the period corresponding to that length of road specified in column 2 when a prohibition is identified as applying to a part or parts of that length of road by means of a traffic sign prescribed in Diagram 632 of the Traffic Signs Regulations and General Directions 2002.

(2) Nothing in paragraph (1) of this Article shall prohibit any person from using, or permitting the use of, any vehicle in such a way that it overtakes a cycle, motor cycle, tricycle or any other vehicle not being a motor vehicle in accordance with section 140 of the Road Traffic Regulation Act 1984(a).

### **Temporary speed restriction**

5. (1) Subject to paragraph (2) of this Article, no person shall drive any vehicle on the lengths of road specified in column 1 of Parts 2 and 3 of the Schedule during the period corresponding to that length of road specified in column 2 at a speed exceeding that specified in column 3 when a restriction is identified as applying to a part or parts of that length of road by means of a traffic sign prescribed in Diagram 670 of the Traffic Signs Regulations and General Directions 2002.

(2) When convoy working is in operation and indicated by one or more of the signs shown in Diagrams 7025, 7026, 7027, 7028 and 7029 of the Traffic Signs Regulations and General Directions 2002, no person shall drive any vehicle on the length of road specified in column 1 of Part 3 of the Schedule at a speed exceeding 10 mph when a restriction is identified as applying to a part or parts of that length of road by means of a traffic sign prescribed in Diagram 670 of the Traffic Signs Regulations and General Directions 2002.

### **Exemption for emergency and works vehicles**

6. Nothing in Article 3 of this Order shall apply to a vehicle being used in an emergency for fire brigade, ambulance, police or coastguard purposes or a vehicle while being used for carrying out the works.

D MORRISON

A member of the staff of the Scottish Ministers

Transport Scotland  
Buchanan House  
58 Port Dundas Road  
Glasgow  
G4 0HF  
29<sup>th</sup> November 2007

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(a) 1984 c.27; section 140 was amended by the Road Traffic (Consequential Provisions) Act 1988 (c.54), Schedule 3, paragraph 25(9).

# SCHEDULE

## PART 1

Articles 3 and 4

1	2
Description of particular lengths of road	Duration of restriction or prohibition
1. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the eastbound off slip road at Junction 5 (Shotts), a distance of 460 metres or thereby.	From 1 <sup>st</sup> December 2007 to 29 <sup>th</sup> February 2008.
2. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the westbound on slip road at Junction 6 (Newhouse), a distance of 430 metres or thereby.	From 1 <sup>st</sup> December 2007 to 29 <sup>th</sup> February 2008.
3. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the eastbound off slip road at Junction 6 (Newhouse), a distance of 400 metres or thereby.	From 1 <sup>st</sup> December 2007 to 29 <sup>th</sup> February 2008. .
4. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the westbound off slip road at Junction 3 (Livingston), a distance of 750 metres or thereby.	From 1 <sup>st</sup> December 2007 to 29 <sup>th</sup> February 2008.

## PART 2

Articles 3, 4 and 5 (1)

1	2	3
Description of particular lengths of road	Duration of restriction or prohibition	Speed restriction
5. That length of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road being the northbound and southbound carriageway from Junction 9 (Pirnhall) southbound on slip road to Junction 8 (Hill of Kinnaird) southbound on slip road, a distance of 7.5 kilometres or thereby.	From 1 <sup>st</sup> December 2007 to 29 <sup>th</sup> February 2008.	40 mph

## PART 3

Articles 3, 4, 5 (1) and (2)

1	2	3
Description of particular lengths of road	Duration of restriction or prohibition	Speed restriction
6. That length of the A6091/A7 Melrose – Galashiels – Carlisle Trunk Road being from the Melrose Roundabout eastwards to Chiefswood Road Underbridge, a distance of 860 metres or thereby.	From 1 <sup>st</sup> December 2007 to 29 <sup>th</sup> February 2008.	30 mph