
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 231

ROADS AND BRIDGES

The A77 Trunk Road (Park End to Bennane Improvement)
(Side Roads) Order 2008

Made 3rd June 2008

Coming into force 10th June 2008

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 12(1) and (5) and 70(1) of the Roads (Scotland) Act 1984(a) and all other powers enabling them to do so.

In accordance with section 71(3) of that Act, they are satisfied that another reasonably convenient means of access is available or will be provided.

In accordance with sections 20A(b) and 55A(c) of that Act, they have determined that the project is a relevant project falling 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 having regard to the selection criteria contained in Annex III it should not be made the subject of an environmental impact assessment.

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

Citation and commencement

1. This Order may be cited as the A77 Trunk Road (Park End to Bennane Improvement) (Side Roads) Order 2008 and comes into force on 10th June 2008.

(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 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, and by the Transport and Works (Scotland) Act 2007 (asp 8), section 24, schedule 2, paragraph 2 and schedule 3; and by S.S.I. 1999/1 and 2006/614.

Side roads and means of access

2. The Scottish Ministers as roads authority are hereby authorised:

- (a) to stop up those private means of access described in Schedule 1 to this Order when the new means of access described in Schedule 4 to this Order have been provided;
- (b) to construct those lengths of road (hereinafter referred to as “the new side roads”) along the routes described in Schedule 2 to this Order;
- (c) to improve that length of road described in Schedule 3 to this Order; and
- (d) to provide those new means of access to land described in Schedule 4 to this Order.

Statutory Undertakers

3. Where immediately before the date this Order comes into force there is under, in, on, over, along or across any of the lengths of road described in the Schedules to this Order any apparatus of 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 roads are all open for the purpose of through traffic, the new side roads shall be transferred to South Ayrshire Council^(a) as roads authority for those roads.

A C MCLAUGHLIN
A member of the staff of the
Scottish Ministers

Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF

3rd June 2008

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

SCHEDULE 1

INTERPRETATION

In this Schedule-

“the plan” means the plan folio numbered AOK/139/5/3 entitled “the A77 Trunk Road (Park End to Bennane Improvement) (Side Roads) Order 2008” 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.

“the existing A77 Trunk Road” means the existing A77 Glasgow – Stranraer Trunk Road.

“the existing B734 Colmonell Road” means the existing road between Redburn and Pinwherry.

“the existing Balig Farm Road” means the existing private access road to Balig Farm.

“the existing Bennane Access Road” means the existing private access road to Bennane.

PRIVATE MEANS OF ACCESS TO BE STOPPED UP

1. The private means of access on the east side of the existing A77 Trunk Road, 762 metres or thereby south of its junction with the existing Balig Farm Road, as shown by a solid black bar and numbered “1” on the plan.
2. The private means of access on the east side of the existing A77 Trunk Road, 580 metres or thereby south of its junction with the existing Balig Farm Road, as shown by a solid black bar and numbered “2” on the plan.
3. The private means of access on the west side of the existing A77 Trunk Road, 525 metres or thereby south of its junction with the existing Balig Farm Road, as shown by a solid black bar and numbered “3” on the plan.
4. The private means of access on the west side of the existing A77 Trunk Road, 270 metres or thereby south of its junction with the existing Balig Farm Road, as shown by a solid black bar and numbered “4” on the plan.
5. The private means of access on the west side of the existing A77 Trunk Road, 18 metres or thereby north of its junction with the existing Balig Farm Road, as shown by a solid black bar and numbered “5” on the plan.
6. The private means of access on the east side of the existing A77 Trunk Road, on the south side of its junction with the existing Balig Farm Road, as shown by a solid black bar and numbered “6” on the plan.

7. The private means of access on the east side of the existing A77 Trunk Road, on the north side of its junction with the existing Balig Farm Road, as shown by a solid black bar and numbered “7” on the plan.
8. The private means of access on the east side of the existing A77 Trunk Road, 215 metres or thereby north of its junction with the existing Balig Farm Road, as shown by a solid black bar and numbered “8” on the plan.
9. The private means of access on the west side of the existing A77 Trunk Road, 325 metres or thereby north of its junction with the existing Balig Farm Road, as shown by a solid black bar and numbered “9” on the plan.
10. The private means of access on the east side of the existing A77 Trunk Road, 365 metres or thereby north of its junction with the existing Balig Farm Road, as shown by a solid black bar and numbered “10” on the plan.
11. The private means of access on the east side of the existing A77 Trunk Road, 372 metres or thereby north of its junction with the existing Balig Farm Road, as shown by a solid black bar and numbered “11” on the plan.
12. The private means of access on the west side of the existing A77 Trunk Road, 373 metres or thereby north of its junction with the existing Balig Farm Road, as shown by a solid black bar and numbered “12” on the plan.
13. The private means of access on the east side of the existing A77 Trunk Road, 348 metres or thereby south of its junction with the existing B734 Colmonell Road, as shown by a solid black bar and numbered “13” on the plan.
14. The private means of access on the east side of the existing A77 Trunk Road, 323 metres or thereby south of its junction with the existing B734 Colmonell Road, as shown by the solid black bar and numbered “14” on the plan.
15. The private means of access on the west side of the existing A77 Trunk Road, 263 metres or thereby south of its junction with the existing B734 Colmonell Road, as shown by a solid black bar and numbered “15” on the plan.
16. The private means of access on the east side of the existing A77 Trunk Road, 100 metres or thereby south of its junction with the existing B734 Colmonell Road, as shown by a solid black bar and numbered “16” on the plan.
17. The private means of access to the property called Redburn Cottage on the west side of the existing A77 Trunk Road, 37 metres or thereby south of its junction with the existing B734 Colmonell Road, as shown by a solid black bar and numbered “17” on the plan.
18. The private means of access to the property called Redburn House on the west side of the existing A77 Trunk Road, 7 metres or thereby south of its junction with the existing B734 Colmonell Road, as shown by a solid black bar and numbered “18” on the plan.

19. The private means of access on the west side of the existing A77 Trunk Road, 38 metres or thereby north of its junction with the existing B734 Colmonell Road, as shown by a solid black bar and numbered “19” on the plan.
20. The private means of access on the east side of the existing A77 Trunk Road, 148 metres or thereby north of its junction with the existing B734 Colmonell Road, as shown by a solid black bar and numbered “20” on the plan.
21. The private means of access on the east side of the existing A77 Trunk Road, 243 metres or thereby north of its junction with the existing B734 Colmonell Road, as shown by a solid black bar and numbered “21” on the plan.
22. The private means of access on the east side of the existing A77 Trunk Road, 508 metres or thereby north of its junction with the existing B734 Colmonell Road, as shown by a solid black bar and numbered “22” on the plan.
23. The private means of access on the east side of the existing A77 Trunk Road, 334 metres or thereby south of its junction with the existing Bennane Access Road, as shown by a solid black bar and numbered “23” on the plan.
24. The private means of access on the east side of the existing A77 Trunk Road, 329 metres or thereby south of its junction with the existing Bennane Access Road, as shown by a solid black bar and numbered “24” on the plan.
25. The private means of access on the west side of the existing A77 Trunk Road, 328 metres or thereby south of its junction with the existing Bennane Access Road, as shown by a solid black bar and numbered “25” on the plan.
26. The private means of access on the east side of the existing A77 Trunk Road, 20 metres or thereby south of its junction with the existing Bennane Access Road, as shown by a solid black bar and numbered “26” on the plan.

SCHEDULE 2

INTERPRETATION

In this Schedule-

“the plan”; and “the existing B734 Colmonell Road” have the same meanings as they have in Schedule 1.

“the new A77 Trunk Road” means the realigned and widened A77 Glasgow – Stranraer Trunk Road.

ROUTES OF THE NEW SIDE ROADS

1. From a point on the west edge of the carriageway of the new A77 Trunk Road, 96 metres or thereby south of its junction with the existing B734 Colmonell Road, generally in a westerly direction for a distance of 25 metres or thereby, as shown by stippling and numbered “27” on the plan.
2. From a point on the west edge of the carriageway of the new A77 Trunk Road, 45 metres or thereby north of its junction with the existing B734 Colmonell Road, generally in a westerly direction for a distance of 25 metres or thereby, as shown by stippling and numbered “28” on the plan.

SCHEDULE 3

INTERPRETATION

In this Schedule-

“the plan”; and “the existing B734 Colmonell Road” have the same meanings as they have in Schedule 1

“the new A77 Trunk Road” has the same meaning as it has in Schedule 2.

LENGTH OF ROAD TO BE IMPROVED

That length of the existing B734 Colmonell Road from the east edge of the carriageway of the new A77 Trunk Road in an easterly direction for a distance of 96 meters or thereby as shown by cross hatching and numbered “29” on the plan.

SCHEDULE 4

INTERPRETATION

In this Schedule-

“the plan”; “the existing A77 Trunk Road”; “the existing B734 Colmonell Road”; “the existing Balig Farm Road”; and “the existing Bennane Access Road” have the same meanings as they have in Schedule 1.

“the new A77 Trunk Road” has the same meaning as it has in Schedule 2.

“the widened Balig Farm Road” means the widened private access road to Balig Farm.

NEW MEANS OF ACCESS TO BE PROVIDED

1. From a point on the east edge of the carriageway of the new A77 Trunk Road, 870 metres or thereby south of its junction with the existing Balig Farm Road, generally in an easterly direction for a distance of 15 metres or thereby, as shown by hatching and numbered “30” on the plan.
2. From a point on the east edge of the carriageway of the new A77 Trunk Road, 348 metres or thereby south of its junction with the existing Balig Farm Road, generally in an easterly direction for a distance of 15 metres or thereby, as shown by hatching and numbered “31” on the plan.
3. From a point on the west edge of the carriageway of the new A77 Trunk Road, 296 metres or thereby south of its junction with the existing Balig Farm Road, generally in a westerly direction for a distance of 10 metres or thereby, as shown by hatching and numbered “32” on the plan.
4. From a point on the south edge of the widened Balig Farm Road, 27 metres or thereby east of its junction with the the east edge of the carriageway of the existing A77 Trunk Road, generally in a southerly direction for a distance of 2 metres or thereby, as shown by hatching and numbered “33” on the plan.
5. From a point on the north edge of the widened Balig Farm Road, 65 metres or thereby east of its junction with the the east edge of the carriageway of the existing A77 Trunk Road, generally in a northerly direction for a distance of 11 metres or thereby, as shown by hatching and numbered “34” on the plan.
6. From a point on the west edge of the carriageway of the new A77 Trunk Road, 42 metres or thereby north of its junction with widened Balig Farm Road, generally in a westerly direction for a distance of 10 metre or thereby, as shown by hatching and numbered “35” on the plan.
7. From a point on the new side road numbered “27” on the plan, 25 metres or thereby west of its junction with the existing A77 Trunk Road, generally in a southerly

direction for a distance of 26 metres or thereby and also generally in a northerly direction for a distance of 31 metres or thereby, as shown by hatching and numbered “36” on the plan.

8. From a point on the new side road numbered “27” on the plan, 20 metres or thereby west of its junction with the existing A77 Trunk Road, generally in a northeasterly and then a westerly and northerly direction for a distance of 48 metres or thereby, as shown by hatching and numbered “37” on the plan.
9. From a point on the new side road numbered “28” on the plan, 20 metres or thereby west of its junction with the existing A77 Trunk Road, generally in a southeasterly and then a westerly and southerly direction for a distance of 45 metres or thereby, as shown by hatching and numbered “38” on the plan.
10. From a point on the new side road numbered “28” on the plan, 24 metres or thereby west of its junction with the existing A77 Trunk Road, generally in a northerly direction for a distance of 23 metres or thereby and also generally in a southerly direction for a distance of 25 metres or thereby, as shown by hatching and numbered “39” on the plan.
11. From a point on the south edge of the carriageway of the widened B734 Colmonell Road, 46 metres or thereby east of its junction with the new A77 Trunk Road, in a southerly direction for a distance of 15 metres or thereby, as shown by hatching and numbered “40” on the plan.
12. From a point on the north edge of the carriageway of the existing B734 Colmonell Road, 46 metres or thereby east of its junction with the new A77 Trunk Road, in a northerly direction for a distance of 2 metres or thereby, as shown by hatching and numbered “41” on the plan.
13. From a point on the north edge of the carriageway of the existing B734 Colmonell Road, 143 metres or thereby east of its junction with the new A77 Trunk Road, in a northerly direction for a distance of 366 metres or thereby, as shown by hatching and numbered “42” on the plan.
14. From a point on the east edge of the carriageway of the new A77 Trunk Road, 40 metres or thereby south of its junction of the existing Bennane Access Road, generally in a easterly direction for a distance of 10 metres or thereby, as shown by hatching and numbered “43” on the plan.