

2010 No. 292

ROAD TRAFFIC

**The M8/A8 and A737/A738 Trunk Roads (White Cart Viaduct)
(Temporary Prohibition of Traffic, Temporary Prohibition of
Overtaking and Temporary Speed Restriction) Order 2010**

Made

26th July 2010

Coming into force

7th August 2010

The Scottish Ministers make the following order, in exercise of the powers conferred by sections 14(1) and (4), 2(1) and (2) and 4(1) of the Road Traffic Regulation Act 1984(a) and 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 because works are being or are proposed to be executed on or near those 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.

In accordance with section 15(2) of that Act, they are satisfied that the execution of the works in question will take longer than eighteen months and they will revoke this Order as soon as the works are completed.

Citation, commencement and cessation

1. This Order may be cited as the M8/A8 and A737/A738 Trunk Roads (White Cart Viaduct) (Temporary Prohibition of Traffic, Temporary Prohibition of Overtaking and Temporary Speed Restriction) Order 2010 and comes into force on 7th August 2010.

Temporary prohibition on use of a road

2. Subject to articles 5 and 6, no person shall use, or permit the use of, any vehicle on the lengths of road specified in the Schedule when a prohibition is identified as applying to any part or parts of those lengths of road by means of traffic signs prescribed in Diagrams 7010.1 and 7105 of the Traffic Signs Regulations 2002(b).

(a) 1984 c.27; section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), Schedule 1 and section 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 18. The Scottish Ministers are the roads authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (inserted by the New Roads and Street Works Act 1991, Schedule 8, paragraph 70 and amended by 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

3.–(1) Subject to paragraph (2), no person shall use, or permit the use of, any vehicle in such a way that it overtakes any other moving vehicle on the lengths of road specified in the Schedule when a prohibition is identified as applying to any part or parts of the lengths of road by means of a traffic sign prescribed in Diagram 632 of the Traffic Signs Regulations 2002.

(2) Nothing in paragraph (1) 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

4. No person shall use, or permit the use of, any vehicle on the lengths of road specified in the Schedule at a speed exceeding 40 mph when identified as applying to any part or parts of the lengths of road by means of a traffic sign prescribed in Diagram 670 of the Traffic Signs Regulations 2002.

Permission or direction of Police Constable

5. Nothing in articles 2 and 3 shall apply to anything done with the permission or upon the direction of a police constable in uniform.

Exemption for emergency and works vehicles

6. Nothing in articles 2 and 3 shall apply to a vehicle while being used in an emergency for fire brigade, ambulance, police or coastguard purposes or a vehicle while being used for carrying out the works.

W H VALENTINE

A member of the staff of the Scottish Ministers

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26th July 2010

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

SCHEDULE

Articles 2, 3 and 4

1. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the westbound carriageway from Arkleston overbridge west to a point 35 metres or thereby west of St James Interchange overbridge, a distance of 3.42 kilometres or thereby.
2. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the eastbound carriageway from gantry SG/01-820 east to the eastbound off slip road to Junction 27 (Arkleston), a distance of 4.3 kilometres or thereby.
3. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the westbound on slip road from Junction 27 (Arkleston), to the main carriageway, a distance of 50 metres or thereby.
4. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the westbound off slip road to Junction 28 (Glasgow Airport), a distance of 50 metres or thereby.
5. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the eastbound on slip road from Junction 29 (St James Interchange) to the main carriageway, a distance of 115 metres or thereby.
6. That length of the M8/A8 Edinburgh – Greenock Trunk Road being the eastbound on slip road from the A737/A738 St James Interchange – Kilwinning – Hawkhill Trunk Road from its junction with the A737 east to the main carriageway, a distance of 900 metres or thereby.
7. That length of the A737/A738 St James Interchange – Kilwinning – Hawkhill Trunk Road being the eastbound carriageway from gantry SG/03-7903 east to its junction with the M8 eastbound slip road, a distance of 1.6 kilometres or thereby.