

**2017 No. 31**

**ROADS AND BRIDGES**

**The A90 Trunk Road (Charleston to Blackdog) Detrunking  
(Variation) Order 2017**

*Made* - - - - *6th February 2017*

*Coming into force* - - *17th February 2017*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 5(2) and 145 of the Roads (Scotland) Act 1984(a) and all other powers enabling them to do so.

In accordance with section 5(2) of that Act, they have taken into consideration the requirements of local and national planning, including the requirement of agriculture and industry, and are satisfied as to expediency.

They determined that the project falls within Annex II to Directive 2011/92/EU of the European Parliament and of the Council(b) on the assessment of the effects of certain public and private projects on the environment as amended by Directive 2014/52/EU of the European Parliament and of the Council(c), and have published notice of that determination on 26 June 2015.

This Order is made in compliance with the provisions of Part I and III of schedule 1(d) of that Act.

**Citation and commencement**

**1.** This Order may be cited as the A90 Trunk Road (Charleston to Blackdog) Detrunking (Variation) Order 2017 and comes into force on 17th February 2017.

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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) OJ L 26, 28.1.2012, p.1. Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC, OJ L 175, 5.7.1985, p.40, as amended by Council Directive 97/11/EC, OJ L 73, 14.3.1997, p.5, Directive 2003/35/EC of the European Parliament and of the Council, OJ L 156, 25.6.2003, p.17 and Directive 2009/31/EC of the European Parliament and of the Council, OJ L 140, 5.6.2009, p.114.

(c) OJ L 124, 25.4.2014 p.1.

(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, paragraphs 2 and 3 and schedule 3, paragraph 1, S.S.I. 1999/1, S.S.I. 2006/614 and S.S.I. 2011/396. Part III of schedule 1 was amended by the New Roads and Street Works Act 1991 (c.22), schedule 8, paragraph 96(2) and the Transport and Works (Scotland) Act 2007 (asp 8), schedule 3, paragraph 1.

## **Variation of the A90 Trunk Road (Charleston to Blackdog) Detrunking Order 2010**

2. In the A90 Trunk Road (Charleston to Blackdog) Detrunking Order 2010(a) the schedule is varied as follows:

- (a) For ““the existing A90 Trunk Road” means the existing A90/M90 Inverkeithing - Fraserburgh Trunk Road between Charleston and Blackdog including all lay-bys and bus lay-bys;” substitute ““the existing A90 Trunk Road” means the existing M90/A90 Edinburgh - Fraserburgh Trunk Road between Charleston and Blackdog including all lay-bys and bus lay-bys;”,
- (b) For ““the plan folio” means the plan folio numbered RYC/G109/13/0721 and entitled “The A90 (Charleston to Blackdog) Detrunking Order 2010”, signed with reference to this Order” substitute ““the plan folio” means the plan folio entitled “The A90 (Charleston to Blackdog) Detrunking (Variation) Order 2017, signed with reference to the A90 Trunk Road (Charleston to Blackdog) Detrunking (Variation) Order 2017”,
- (c) For “9. That length of the existing A90 Trunk Road from a point 1.74 kilometres or thereby south, south-east of point 2 in a generally northerly then north, north-westerly direction for a distance of 1.01 kilometres or thereby including the existing R8 roundabout to a point 760 metres or thereby south, south-east of point 2 as shown by black and white hatching between the points marked “point I” and “point J” on plan DT2 in the plan folio” substitute “9. That length of the existing A90 Trunk Road from a point 1.74 kilometres or thereby south, south-east of point 2 in a generally northerly then north, north-westerly direction for a distance of 395 metres or thereby to a point 1.37 kilometres or thereby south, south-east of point 2 as shown by black and white hatching between the points marked “point I” and “point S” on plan DT2 in the plan folio.”.

*M F RENNIE*

A member of the staff of the Scottish Ministers

Buchanan House,  
Glasgow  
6th February 2017