

2018 No. 364

ROAD TRAFFIC

**The A92 Trunk Road (Aberdeen Western Peripheral Route)
(Stonehaven to Charleston) (Temporary Prohibition and 40mph
Speed Restriction) Order 2018**

Made - - - - 26th November 2018

Coming into force - - 30th November 2018

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

In accordance with section 14(1)(b) of that Act, they are satisfied that the traffic on the lengths of road specified in the schedule should be restricted because of the likelihood of danger to the public, or of serious damage to the road, which is not attributable to works.

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 A92 Trunk Road (Aberdeen Western Peripheral Route) (Stonehaven to Charleston) (Temporary Prohibition and 40mph Speed Restriction) Order 2018, comes into force on 30 November 2018 and ceases to have effect on 30 June 2019.

Prohibition

2. No person may use, or permit the use of, any vehicle on a length of road, or a part or parts of a length of road, specified in Part 1 of the schedule when a prohibition is identified as applying to that length of road, or a part or parts of that length of road, by means of a traffic sign of the type described in item 10 (diagram 616 - no entry for vehicular traffic) of the sign table in Part 2 of schedule 3 of the Traffic Signs Regulations and General Directions 2016(b).

(a) 1984 c.27; section 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (c.22) (“the 1991 Act”) schedule 8, paragraph 18 and section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), schedule 1. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (inserted by the 1991 Act, 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) (relevantly amended by S.I. 2001/1400). 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. 2016/362.

Speed restrictions

3. No person may use, or permit the use of, any vehicle on a length of road, or a part or parts of a length of road, specified in Part 2 of the schedule at a speed exceeding 40 miles per hour when that restriction is identified as applying to that length of road, or a part or parts of that length of road, by means of a traffic sign of the type described in item 1 (diagram 670 – maximum speed limit in mph) of the sign table in Part 2 of schedule 10 of the Traffic Signs Regulations and General Directions 2016.

Exemptions

4.—(1) Article 2 does not apply to any person using a length of road, or a part or parts of a length of road specified in Part 1 of the schedule—

- (a) in accordance with any direction given by a constable in uniform or in accordance with the indication given by a traffic sign,
- (b) where, in accordance with the permission given by a constable or the roads authority, they do so for the purpose of investigating any accident or incident which has occurred on or near the road,
- (c) where it is necessary for that person to do so to avoid or prevent an accident or to obtain or give help required as a result of an accident or emergency, and they do so in such manner as to cause as little danger and inconvenience as possible to other traffic on the road,
- (d) where they do so in the exercise of their duty as a constable, as a member of a fire and rescue service, of an ambulance service, or the coastguard,
- (e) where it is necessary for them to do so to carry out in an efficient manner—
 - (i) the maintenance, inspection, repair, cleaning, clearance, alteration or improvement of any part of the road,
 - (ii) the removal of any vehicle from any part of the road, or
 - (iii) the erection, laying, placing, maintenance, testing, alteration, repair or removal of any structure, works or apparatus in, on, under or over any part of the road,
- (f) where it is necessary for them to do so in connection with any inspection, survey, investigation or census which is carried out in accordance with any authority granted by the Scottish Ministers.

(2) Article 3 does not apply to—

- (a) vehicles falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011^(a) when used in accordance with regulation 3(5) of those Regulations, or
- (b) vehicles being used in an emergency for coastguard purposes.

D LAIRD

A member of the staff of the Scottish Ministers

Buchanan House,
Glasgow
26th November 2018

(a) S.I. 2011/935.

SCHEDULE

Articles 2 and 3

In this schedule—

“A92 Trunk Road” means the lengths of the A92 Stonehaven - Blackdog Trunk Road constructed under the A90 (Aberdeen Western Peripheral Route) Trunk Road Order 2010(a) at Stonehaven and Charleston,

“A90 Trunk Road” means the lengths of the road constructed under the A90 (Aberdeen Western Peripheral Route) Trunk Road Order 2010 at Stonehaven,

“A956 Trunk Road” means the lengths of the A956 - Aberdeen Western Peripheral Route Trunk Road constructed under the A956 (Aberdeen Western Peripheral Route) Trunk Road Order 2010(b) at Charleston, and

“AWPR” means the lengths of the road constructed under the A956 (Aberdeen Western Peripheral Route) Special Road Scheme 2010(c) between Cleanhill and Charleston.

PART 1

SPECIFIED LENGTHS OF ROAD

1. That length of the A92 Trunk Road being the southbound off slip at Stonehaven North Junction from its commencement at its junction with the southbound carriageway to its junction with the A90 Trunk Road being the road that connects the B979 Netherley Road and the roundabout at Stonehaven North Junction, a distance of 1.12 kilometres or thereby.

2. That length of the A92 Trunk Road being the northbound off slip at Charleston Junction from its commencement at its junction with the northbound carriageway to its junction with the A956 Trunk Road being the road that connects the A956 Wellington Road and the AWPR at that Charleston Junction, a distance of 892 metres or thereby.

PART 2

SPECIFIED LENGTHS OF ROAD

3. That length of the A92 Trunk Road being the northbound on slip from its intersection with the Stonehaven North Junction roundabout, in a generally south-easterly direction for a distance of 173 metres or thereby.

4. That length of the A92 Trunk Road being the southbound off slip at Stonehaven North Junction from a point 246 metres or thereby north-east of its junction with the A90 Trunk Road being the road that connects the B979 Netherley Road and the roundabout at Stonehaven North Junction to that junction, a distance of 246 metres or thereby.

5. That length of the A92 Trunk Road being the northbound off slip at Charleston Junction from its intersection with the A956 Trunk Road, in a generally southerly direction for a distance of 403 metres or thereby.

6. That length of the A92 Trunk Road being the southbound on slip at Charleston Junction from its intersection with the A956 Trunk Road, in a generally southerly direction for a distance of 331 metres or thereby.

(a) S.S.I. 2010/80.
(b) S.S.I. 2010/82.
(c) S.S.I. 2010/83.