

2021 No. 422

ROADS AND BRIDGES

**The M9/A9 Trunk Road (Winchburgh Junction 1B at the B8020)
(Special Road) (Side Roads) Order 2021**

Made - - - - - *17th November 2021*

Coming into force - - - - - *25th November 2021*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 9(1)(c) and (d), and 70(1) of the Roads (Scotland) Act 1984(a) and all other powers enabling them to do so.

In accordance with section 9(3) of that Act, they are satisfied, as the case requires, that another reasonably convenient route is available or will be provided before any road is stopped up pursuant to this Order.

In accordance with section 71(3) of that Act, they are satisfied, as the case requires, that no access to the land is reasonably required or another reasonably convenient means of access to the land is available or will be provided in pursuance of this Order before the accesses are stopped up pursuant to this Order.

In accordance with section 20C and 55A of that Act(b) they determined that the project falls within Annex I to Directive 2011/92/EU of the European Parliament and of the Council(c) on the assessment of the effects of certain public and private projects on the environment and have published notice of that determination on 27 August 2020.

They prepared an Environmental Impact Assessment Report and published notice of it on 27th August 2020. This Order is made in compliance with the provisions of Parts I and III of schedule 1(d) of the Roads (Scotland) Act 1984.

(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) Sections 20C and 55A were inserted by S.S.I. 2017/137.

(c) O.J. L 26, 28.1.2012, p.1. Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC, O.J. L 175, 5.7.1985 p.40, as amended by Council Directive 97/11/EC, O.J. L 73, 14.3.1997,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. Directive 2003/35/EC of the European Parliament and of the Council, O.J. L 156, 25.6.2003, p.17, and Directive 2009/31/EC of the European Parliament and of the Council, O.J. L 140, 5.6.2009, p.114. Directive 2011/92/EU was amended by Directive 2014/52/EU of the European Parliament and of the Council, O.J. L 124, 25.4.2014, p.1.

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

Citation and commencement

1. This Order may be cited as the M9/A9 Trunk Road (Winchburgh Junction 1B at the B8020) (Special Road) (Side Roads) Order 2021 and comes into force on 25 November 2021.

Side roads and New Means of Access

2. The Scottish Ministers as roads authority are authorised—

- (a) to construct those lengths of road (hereinafter referred to as “the new side roads”) along the routes described in Part 1 of the schedule,
- (b) to improve those lengths of road described in Part 2 of the schedule,
- (c) to stop up those lengths of road described in Part 3 of the schedule where another reasonably convenient route is available or has been provided pursuant to this Order,
- (d) to stop up those private means of access described in Part 4 of the schedule where another reasonably convenient means of access to the affected land has been provided pursuant to this Order,
- (e) to stop up those private means of access described in Part 5 of the schedule,
- (f) to provide the new means of access described in Part 6 of the schedule.

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 Parts 2 and 3 of the schedule any apparatus belonging to a statutory undertaker, and 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 a side road opens for the purposes of through traffic, that new side road shall be transferred to West Lothian Council^(a) as roads authority for those roads and they shall enter those roads in their list of public roads^(b).

S R LEES

A member of the staff of the Scottish Ministers

Transport Scotland,
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF
17th November 2021

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

(b) The list of public roads prepared and kept by the local roads authority under section 1(1) of the Roads (Scotland) Act 1984.

SCHEDULE

Article 2

INTERPRETATION

In this schedule—

“the existing B8020” means the Broxburn – Woodend local road;

“the proposed new B8020 link road” means the proposed new local road linking the B8020 south of the M9 to the B8020 north of the M9, including two new roundabouts;

“M9” means the M9/A9 Edinburgh – Stirling – Thurso Trunk Road at Winchburgh;

“Reference Point A” means the point of the intersection of the centreline of the proposed new B8020 link road and the M9 overbridge as shown on the plan;

“the plan” means the plan numbered SR01 and entitled “The M9/A9 Trunk Road (Winchburgh Junction 1B at the B8020) (Special Road) (Side Road) Order 2021”, signed with reference to this Order and deposited at the offices of Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF.

PART 1

THE ROUTES OF THE NEW SIDE ROADS

1. The new roundabout north of the M9 from a point 58 metres or thereby north of Reference Point A, in a circulatory direction for a distance of 50 metres or thereby, as shown by stipple and numbered “1” on the plan.

2. The new roundabout south of the M9 from a point 83 metres or thereby south of Reference Point A, in a circulatory direction for a distance of 50 metres or thereby, as shown by stipple and numbered “2” on the plan.

3. From a point 105 metres or thereby north of Reference Point A in a north easterly direction for a distance of 240 metres or thereby to a point 345 metres or thereby north east of Reference Point A, as shown by stipple and numbered “3” on the plan.

PART 2

ROADS TO BE IMPROVED

4. The existing B8020 from a point 58 metres or thereby north of Reference Point A in a southerly direction for a distance of 140 metres or thereby to a point 82 metres or thereby south of Reference Point A, as shown by cross hatching and numbered “4” on the plan.

5. The existing B8020 from a point 133 metres or thereby south of Reference Point A in a southerly direction for a distance of 51 metres or thereby to a point 184 metres or thereby south of Reference Point A, as shown by cross hatching and numbered “5” on the plan.

PART 3

ROADS TO BE STOPPED UP

6. The existing B8020 from a point 115 metres or thereby north of Reference Point A in a northerly direction for a distance of 58 metres or thereby to a point 173 metres or thereby north of Reference Point A, as shown by zebra hatching and numbered “6” on the plan.

7. The existing B8020 from a point 218 metres or thereby north east of Reference Point A in a north easterly direction for a distance of 111 metres or thereby to a point 319 metres or thereby north east of Reference Point A, as shown by zebra hatching and numbered “7” on the plan.

8. The existing B8020 from a point 66 metres or thereby north of Reference Point A in a northerly direction, for a distance of 32 metres or thereby to a point 98 metres or thereby north of Reference Point A, as shown by zebra hatching and numbered “8” on the plan.

9. The existing B8020 from a point 91 metres or thereby south of Reference Point A in a southerly direction, for a distance of 33 metres or thereby to a point 124 metres or thereby south of Reference Point A, as shown by zebra hatching and numbered “9” on the plan.

PART 4

PRIVATE MEANS OF ACCESS TO BE STOPPED UP AND NEW ACCESS PROVIDED

10. The private means of access at a point 80 metres or thereby south of Reference Point A, as shown by a solid black bar and numbered “10” on the plan.

11. The private means of access at a point 81 metres or thereby north of Reference Point A, as shown by a solid black bar and numbered “12” on the plan.

PART 5

PRIVATE MEANS OF ACCESS TO BE STOPPED UP

12. The private means of access at a point 54 metres or thereby south of Reference Point A, as shown by a solid black bar and numbered “11” on the plan.

PART 6

NEW MEANS OF ACCESS

13. From a point 172 metres or thereby south of Reference Point A in a south easterly direction for a distance of 642 metres or thereby to a point 750 metres or thereby south east of Reference Point A, as shown by single hatching and numbered “13” on the plan.

14. From a point 139 metres or thereby north of Reference Point A in a south easterly direction for a distance of 692 metres or thereby to a point 594 metres or thereby south east of Reference Point A, as shown by single hatching and numbered “14” on the plan.

15. From a point 218 metres or thereby north east of Reference Point A in a south westerly direction for a distance of 67 metres or thereby to a point 174 metres or thereby north of Reference Point A, as shown by single hatching and numbered “15” on the plan.

16. From a point 174 metres or thereby south of Reference Point A in a northerly direction for a distance of 20 metres or thereby to a point 156 metres or thereby south east of Reference Point A, as shown by single hatching and numbered “16” on the plan.

17. From a point 198 metres or thereby south east of Reference Point A in a northerly direction for a distance of 12 metres or thereby to a point 187 metres or thereby south east of Reference Point A, as shown by single hatching and numbered “17” on the plan.

18. From a point 213 metres or thereby south east of Reference Point A in a north easterly direction for a distance of 14 metres or thereby to a point 216 metres or thereby south east of Reference Point A, as shown by single hatching and numbered “18” on the plan.

19. From a point 265 metres or thereby south east of Reference Point A in a north easterly direction for a distance of 14 metres or thereby to a point 270 metres or thereby south east of Reference Point A, as shown by single hatching and numbered “19” on the plan.