

2018 No. 366

ROAD TRAFFIC

**The A90 Trunk Road (Aberdeen Western Peripheral Route)
(Temporary Prohibitions and Restrictions) 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) to (3), 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 A90 Trunk Road (Aberdeen Western Peripheral Route) (Temporary Prohibitions and Restrictions) Order 2018, comes into force on 30 November 2018 and ceases to have effect on 30 June 2019.

Interpretation

2. In this Order—

“A90 Trunk Road” means the lengths of the road constructed under the M9/A90/M90 Trunk Road (Balmedie to Tipperty) (Trunking and Detrunking) Order 2012^(b) between Balmedie and Tipperty, and the A90 (Aberdeen Western Peripheral Route) Trunk Road Order 2010^(c) at Stonehaven and Blackdog,

“AWPR” means the lengths of the road constructed under the A90 (Aberdeen Western Peripheral Route) (Craibstone Junction) Special Road Scheme 2010^(d) and the A90

^(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.S.I. 2012/79.

^(c) S.S.I. 2010/80.

^(d) S.S.I. 2010/81.

(Aberdeen Western Peripheral Route) Special Road Scheme 2010(a) between Stonehaven and Blackdog,

“carriageway” means a part of the road which is provided for the regular passage of vehicular motor traffic along the road,

“central reservation” means a part of the road which separates the carriageway to be used by vehicles travelling in one direction from the carriageway to be used by vehicles travelling in the opposite direction,

“emergency layby” means a part of the road which is designed to take the weight of a vehicle, is adjacent to and situated on the left hand side of the carriageway when facing in the direction in which vehicles may be driven in accordance with article 5, and which is marked with traffic signs of the type described as blank diagram 1 in Part 1, and item 9 (stopping prohibited in a layby except in emergency) of the sign table in Part 3 of schedule 4 of TSRGD 2016,

“the road” means the M90/A90/A9000 Edinburgh – Fraserburgh trunk road,

“TSRGD 2016” means the Traffic Signs Regulations and General Directions 2016(b),

“verge” means any part of the road which is not a carriageway, an emergency layby or a central reservation.

Application of articles 4 to 11

3.—(1) The prohibitions and restrictions in articles 4, and 6 to 11 apply only to the lengths of the AWPR specified in Part 1 of the schedule.

(2) The prohibition in article 5 applies only to the lengths of the AWPR and the A90 Trunk Road specified in Part 2 of the schedule.

Prohibition on use of road

4.—(1) No person may on any part of the AWPR use, or permit the use of, the classes of traffic specified in schedule 3 of the Roads (Scotland) Act 1984(c) other than classes I and II.

(2) No pedestrian may use any part of the AWPR.

No entry

5. Where on any part of the AWPR or, as the case may be, the A90 Trunk Road, there is a traffic sign indicating that there is no entry to a carriageway at a particular place, no vehicle may be driven or moved onto that carriageway at that place.

Direction of driving

6.—(1) Where on any part of the AWPR there is a length of carriageway, being a length which is not contiguous to a central reservation, which can be entered at one end only a vehicle may only be driven or moved on that length of carriageway such that it proceeds away from the point of entry of that length of carriageway towards the other end.

(2) No vehicle may be driven or moved on a length of carriageway of the AWPR which is contiguous to a central reservation such that the central reservation is on the left-hand side of the vehicle.

(3) No vehicle may be driven or moved so as to cause it to turn and proceed in or face the opposite direction where the vehicle is on—

(a) a length of carriageway of the AWPR on which vehicles are required in terms of this article to be driven in one direction only and is proceeding in or facing that direction, or

(a) S.S.I. 2010/79.

(b) S.I. 2016/362.

(c) 1984 c.54.

- (b) any other length of carriageway of the AWPR and is proceeding in or facing one direction.

Prohibition on use of the central reservation or verge

7. No vehicle may be driven, moved, stopped or remain at rest on a central reservation or verge on any part of the AWPR.

Restriction on stopping

8.—(1) No vehicle may stop, or remain at rest, on the carriageway of any part of the AWPR.

(2) Paragraph (1) does not apply where it is necessary for a vehicle which is being driven on the carriageway of the AWPR to be stopped—

- (a) because of a breakdown or mechanical defect or lack of fuel, oil or water, required for the vehicle,
- (b) because of any accident, illness or other emergency,
- (c) to permit any person carried in or on the vehicle to recover or move any object which has fallen on the road, or
- (d) to permit any person carried in or on the vehicle to give help which is required by any other person in any of the circumstances specified in the provisions of this paragraph.

(3) A vehicle to which paragraph (2) applies must, as soon and insofar as is reasonably practicable and safe, be driven or moved off the carriageway of the AWPR on to, and may stop and remain at rest in, an emergency layby.

(4) A vehicle—

- (a) which is at rest in an emergency layby may, so far as is reasonably practicable, be allowed to remain at rest there in such a position only that no part of the vehicle or of any load it carries may obstruct or be a cause of danger to vehicles using the carriageway, and
- (b) may not remain at rest in an emergency layby for longer than is necessary in the circumstances or for the purposes specified in paragraph (2).

(5) Nothing in this article prohibits a vehicle from being stopped or remaining at rest on the carriageway of the AWPR while it is prevented from proceeding along the carriageway by the presence of any other vehicle, person or object.

Restriction on reversing

9. No vehicle may be driven or moved backwards on any part of the AWPR except to the extent that it is necessary to drive or move the vehicle backwards to enable it to proceed forwards or to be connected to any other vehicle.

Restriction on the use of emergency laybys

10. No vehicle may be driven, moved, stop, or remain at rest in an emergency layby on the AWPR, except in accordance with article 8(3) and (4).

Restrictions affecting animals carried in vehicles

11.—(1) A person in charge of an animal which is carried by a vehicle must not, so far as is practicable while the vehicle is on any part of the AWPR—

- (a) remove the animal from the vehicle, or
- (b) permit the animal to leave the vehicle.

(2) If an animal escapes from, or it is necessary for it to be removed from, or to be permitted to leave a vehicle on the AWPR, any person in charge of that animal must not, so far as is practicable—

- (a) permit the animal to go onto or remain on any part of the AWPR other than an emergency layby or a verge, and
- (b) permit the animal not to be held on a lead or otherwise kept under control while on any part of the AWPR.

Exemptions for vehicles

12. Articles 4 to 11 do not apply to—

- (a) a vehicle being used in an emergency for fire and rescue, ambulance, police or coastguard purposes,
- (b) a vehicle being used for carrying out any maintenance, inspection, clearance, cleaning, repair, alteration or improvement of any part of the road,
- (c) a vehicle being used for the erection, laying, placing, maintenance, testing, alteration, repair or removal of any structure, works, apparatus in, on, under or over any part of the road,
- (d) a vehicle being used in the investigation of an accident or incident which has occurred on or near the road,
- (e) a vehicle being used in connection with a breakdown or mechanical defect or lack of fuel, oil or water, required for a vehicle, including in connection with the recovery and removal of that vehicle, or
- (f) a vehicle being used in accordance with any direction given by a constable in uniform or in accordance with the indication given by a traffic sign.

Exemptions for pedestrians and cyclists

13. Article 4 does not apply to any person being present on or using any part of the AWPR—

- (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, or
- (g) where they do so in order to use a place on the carriageway where provision is made for either pedestrians only, or pedestrians and pedal cyclists, to cross the carriageway.

Speed restrictions

14.—(1) No person may use, or permit the use of, a vehicle on any length of the A90 Trunk Road specified in Part 3 of the schedule at a speed exceeding 30 miles per hour when that restriction is identified as applying to that length of the A90 Trunk 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 TSRGD 2016(a).

(2) No person may use, or permit the use of, a vehicle on any length of the AWPR, or of the A90 Trunk Road, specified in Part 4 of the schedule at a speed exceeding 40 miles per hour when that restriction is identified as applying to that length of the AWPR, or of the A90 Trunk 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 TSRGD 2016.

(3) No person may use, or permit the use of, a vehicle on any length of the AWPR specified in Part 5 of the schedule at a speed exceeding 50 miles per hour when that restriction is identified as applying to that length of the AWPR 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 TSRGD 2016.

(4) Paragraphs 1 to 3 do not apply to—

- (a) vehicles falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011(b) 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. 2016/362.

(b) S.I. 2011/935.

SCHEDULE

Articles 3 and 14

PART 1

SPECIFIED LENGTHS OF ROAD

1. That length of the AWPR being the northbound carriageway from its junction with the circulatory carriageway of the roundabout at Stonehaven North Junction to its junction with the circulatory carriageway of Cleanhill Roundabout, a distance of 11.45 kilometres or thereby.

2. That length of the AWPR being the southbound carriageway from its junction with the circulatory carriageway of Cleanhill Roundabout to its junction with the circulatory carriageway of the roundabout at Stonehaven North Junction, a distance of 11.45 kilometres or thereby.

3. That length of the AWPR being the entire circulatory carriageway of Cleanhill Roundabout, a distance of 250 metres or thereby.

4. That length of the AWPR being the northbound carriageway from its junction with the circulatory carriageway of Cleanhill Roundabout to a point 325 metres or thereby south of the centreline of the Craibstone Junction Underbridge, a distance of 13.13 kilometres or thereby.

5. That length of the AWPR being the southbound carriageway from a point 304 metres or thereby south of the centreline of the Craibstone Junction Underbridge to its junction with the circulatory carriageway of Cleanhill Roundabout, a distance of 13.15 kilometres or thereby.

6. That length of the AWPR being the eastbound carriageway from a point 26 metres or thereby east of the centreline of the A947 Aberdeen to Oldmeldrum to Turriff Road Overbridge to a point 10 metres or thereby south-west of its junction with the circulatory carriageway of the roundabout at Blackdog Junction, a distance of 6.52 kilometres or thereby.

7. That length of the AWPR being the westbound carriageway from a point 10 metres or thereby south-west of its junction with the circulatory carriageway of the roundabout at Blackdog Junction to a point 891 metres or thereby east of the centreline of the A947 Aberdeen to Oldmeldrum to Turriff Road Overbridge, a distance of 5.66 kilometres or thereby.

8. That length of the AWPR being the northbound off slip at Deeside Junction from its commencement at its junction with the northbound carriageway to its junction with the circulatory carriageway of the roundabout at that Deeside Junction, a distance of 593 metres or thereby.

9. That length of the AWPR being the northbound on slip at Deeside Junction from its junction with the circulatory carriageway of the roundabout at that Deeside Junction to its junction with the northbound carriageway, a distance of 670 metres or thereby.

10. That length of the AWPR being the southbound off slip at Deeside Junction from its commencement at its junction with the southbound carriageway to its junction with the circulatory carriageway of the roundabout at that Deeside Junction, a distance of 809 metres or thereby.

11. That length of the AWPR being the southbound on slip at Deeside Junction from its junction with the circulatory carriageway of the roundabout at that Deeside Junction to its junction with the southbound carriageway, a distance of 878 metres or thereby.

12. That length of the AWPR being the northbound off slip at Kingswells South Junction from its commencement at its junction with the northbound carriageway to its junction with the circulatory carriageway of the roundabout at the A944 at that Kingswells South Junction, a distance of 772 metres or thereby.

13. That length of the AWPR being the northbound on slip at Kingswells South Junction from its junction with the circulatory carriageway of the roundabout at the A944 at that Kingswells

South Junction to its junction with the northbound carriageway, a distance of 839 metres or thereby.

14. That length of the AWPR being the southbound off slip at Kingswells South Junction from its commencement at its junction with the southbound carriageway to its junction with the circulatory carriageway of the roundabout at the A944 at that Kingswells South Junction, a distance of 673 metres or thereby.

15. That length of the AWPR being the southbound on slip at Kingswells South Junction from its junction with the circulatory carriageway of the roundabout at the A944 at that Kingswells South Junction to its junction with the southbound carriageway, a distance of 775 metres or thereby.

16. That length of the AWPR being the southbound off slip at Kingswells North Junction from its commencement at its junction with the southbound carriageway to its junction with the road that connects that Kingswells North Junction and the C89C Chapel of Stoneywood to Fairley Road, a distance of 576 metres or thereby.

17. That length of the AWPR being the northbound off slip at Craibstone Junction from its commencement at its junction with the northbound carriageway to its junction with the A96 Trunk Road being the road that connects the C89C Chapel of Stoneywood to Fairley Road and the roundabout at the A96 Trunk Road, a distance of 741 metres or thereby.

18. That length of the AWPR being the southbound on slip at Craibstone Junction from its junction with the A96 Trunk Road being the road that connects the C89C Chapel of Stoneywood to Fairley Road and the roundabout at the A96 Trunk Road to its junction with the southbound carriageway, a distance of 798 metres or thereby.

19. That length of the AWPR being the eastbound on slip at Parkhill Junction from its junction with the circulatory carriageway of the roundabout at the A947 at that Parkhill Junction to its junction with the eastbound carriageway, a distance of 624 metres or thereby.

20. That length of the AWPR being the westbound off slip at Parkhill Junction from its commencement at its junction with the westbound carriageway to its junction with the circulatory carriageway of the roundabout at the B977 at that Parkhill Junction, a distance of 677 metres or thereby.

PART 2

SPECIFIED LENGTHS OF ROAD

21. That length of the AWPR being the northbound off slip at Kingswells South Junction from its commencement at its junction with the northbound carriageway to its junction with the circulatory carriageway of the roundabout at the A944 at that Kingswells South Junction, a distance of 772 metres or thereby.

22. That length of the AWPR being the southbound off slip at Kingswells South Junction from its commencement at its junction with the southbound carriageway to its junction with the circulatory carriageway of the roundabout at the A944 at that Kingswells South Junction, a distance of 673 metres or thereby.

23. That length of the AWPR being the southbound off slip at Kingswells North Junction from its commencement at its junction with the southbound carriageway to its junction with the road that connects that Kingswells North Junction and the C89C Chapel of Stoneywood to Fairley Road, a distance of 576 metres or thereby.

24. That length of the AWPR being the northbound off slip at Craibstone Junction from its commencement at its junction with the northbound carriageway to its junction with the A96 Trunk Road being the road that connects the C89C Chapel of Stoneywood to Fairley Road and the roundabout at the A96 Trunk Road, a distance of 741 metres or thereby.

25. That length of the AWPR being the westbound off slip at Parkhill Junction from its commencement at its junction with the westbound carriageway to its junction with the circulatory carriageway of the roundabout at the B977 at that Parkhill Junction, a distance of 677 metres or thereby.

26. That length of the A90 Trunk Road being the southbound off slip at Blackdog Junction from its commencement at its junction with the southbound carriageway to its junction with the circulatory carriageway of the roundabout at Blackdog Junction, a distance of 500 metres or thereby.

27. That length of the A90 Trunk Road being the northbound off slip at Balmedie Junction from its commencement at its junction with the northbound carriageway to its junction with the circulatory carriageway of the west roundabout at that Balmedie Junction, a distance of 471 metres or thereby.

28. That length of the A90 Trunk Road being the southbound off slip at Balmedie Junction from its commencement at its junction with the southbound carriageway to its junction with the circulatory carriageway of the east roundabout at that Balmedie Junction, a distance of 485 metres or thereby.

29. That length of the A90 Trunk Road being the northbound off slip at Newburgh Road Junction from its commencement at its junction with the northbound carriageway to its junction with the A975 Newburgh to Cruden Bay Road at that Newburgh Road Junction, a distance of 694 metres or thereby.

30. That length of the A90 Trunk Road being the southbound off slip at Tipperty Junction from its commencement at its junction with the southbound carriageway to its junction with the B9000 Newburgh to Pitmedden Road at that Tipperty Junction, a distance of 768 metres or thereby.

PART 3

SPECIFIED LENGTHS OF ROAD

31. That length of the A90 Trunk Road being the northbound off slip from its intersection with the Balmedie Junction west roundabout, in a generally northerly direction, a distance of 20 metres or thereby.

32. That length of the A90 Trunk Road being the northbound on slip from its intersection with the Balmedie Junction west roundabout, in a generally north-easterly direction for a distance of 305 metres or thereby.

33. That length of the A90 Trunk Road being the southbound off slip from its intersection with the Balmedie Junction east roundabout, in a generally southerly direction, a distance of 25 metres or thereby.

34. That length of the A90 Trunk Road being the southbound on slip from its intersection with the Balmedie Junction east roundabout, in a generally south-westerly direction for a distance of 350 metres or thereby.

PART 4

SPECIFIED LENGTHS OF ROAD

35. That length of the A90 Trunk Road being the entire circulatory carriageway of the Stonehaven North Junction roundabout, a distance of 219 metres or thereby.

36. That length of the A90 Trunk Road from its intersection with the Stonehaven North Junction roundabout, in a generally southerly direction for a distance of 231 metres or thereby.

37. That length of the A90 Trunk Road being the northbound off slip from its intersection with the Stonehaven North Junction roundabout, in a generally south-easterly direction for a distance of 132 metres or thereby.

38. That length of the A90 Trunk Road being the southbound on slip at Stonehaven North Junction from a point 292 metres or thereby west 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 292 metres or thereby.

39. That length of the AWPR from its intersection with the Stonehaven North Junction roundabout, in a generally northerly direction for a distance of 42 metres or thereby.

40. That length of the AWPR being the northbound off slip from its intersection with the Deeside Junction roundabout, in a generally northerly direction for a distance of 36 metres or thereby.

41. That length of the AWPR being the northbound on slip from its intersection with the Deeside Junction roundabout, in a generally northerly direction for a distance of 36 metres or thereby.

42. That length of the AWPR being the southbound off slip from its intersection with the Deeside Junction roundabout, in a generally easterly direction for a distance of 26 metres or thereby.

43. That length of the AWPR being the southbound on slip from its intersection with the Deeside Junction roundabout, in a generally easterly direction for a distance of 26 metres or thereby.

44. That length of the AWPR being the northbound off slip from its intersection with the Kingswells South Junction roundabout, in a generally south-westerly direction for a distance of 440 metres or thereby.

45. That length of the AWPR being the northbound on slip from its intersection with the Kingswells South Junction roundabout, in a generally north-easterly direction for a distance of 416 metres or thereby.

46. That length of the AWPR being the southbound off slip from its intersection with the Kingswells South Junction roundabout, in a generally northerly direction for a distance of 319 metres or thereby.

47. That length of the AWPR being the southbound on slip from its intersection with the Kingswells South Junction roundabout, in a generally south-westerly direction for a distance of 318 metres or thereby.

48. That length of the AWPR being the southbound off slip from its intersection with the Kingswells North Junction link road, in a generally north-easterly direction for a distance of 52 metres or thereby.

49. That length of the AWPR being the northbound off slip at Craibstone Junction from its intersection with the A96 Trunk Road, in a generally southerly direction for a distance of 179 metres or thereby.

50. That length of the AWPR being the southbound on slip at Craibstone Junction from its intersection with the A96 Trunk Road, in a generally southerly direction for a distance of 41 metres or thereby.

51. That length of the AWPR being the eastbound on slip from its intersection with the Parkhill Junction west roundabout, in a generally easterly direction for a distance of 304 metres or thereby.

52. That length of the AWPR being the westbound off slip from its intersection with the Parkhill Junction east roundabout, in a generally north-easterly direction for a distance of 44 metres or thereby.

53. That length of the AWPR from a point 10 metres or thereby south-west of its intersection with the Blackdog Junction roundabout, in a generally south-westerly direction for a distance of 22 metres or thereby.

54. That length of the A90 Trunk Road from its intersection with the Blackdog Junction roundabout, in a generally south-westerly direction for a distance of 10 metres or thereby.

55. That length of the A90 Trunk Road being the entire circulatory carriageway of the Blackdog Junction roundabout, a distance of 488 metres or thereby.

56. That length of the A90 Trunk Road being the northbound on slip from its intersection with the Blackdog Junction roundabout, in a generally northerly direction for a distance of 236 metres or thereby.

57. That length of the A90 Trunk Road being the southbound off slip from its intersection with the Blackdog Junction roundabout, in a generally northerly direction for a distance of 268 metres or thereby.

58. That length of the A90 Trunk Road being the northbound off slip at Newburgh Road Junction from its intersection with the A975 Newburgh Road, in a generally southerly direction for a distance of 456 metres or thereby.

59. That length of the A90 Trunk Road being the southbound on slip at Newburgh Road Junction from its intersection with the A975 Newburgh Road, in a generally southerly direction for a distance of 331 metres or thereby.

PART 5

SPECIFIED LENGTHS OF ROAD

60. That length of the AWPR being the northbound carriageway from a point 47 metres or thereby south-west of the centreline of the Kingswells North Junction Underbridge, in a generally northerly direction for a distance of 1805 metres or thereby.

61. That length of the AWPR being the northbound off slip at Craibstone Junction from a point 179 metres or thereby south of its intersection with the A96 Trunk Road in a generally southerly direction for a distance of 562 metres or thereby.

62. That length of the AWPR being the westbound off slip from a point 44 metres or thereby north-east of its intersection with the Parkhill Junction east roundabout, in a generally easterly direction for a distance of 632 metres or thereby.

63. That length of the AWPR being the westbound carriageway from a point 78 metres or thereby west of the centreline of the Lochgreens Access Road Overbridge, in a generally westerly direction for a distance of 1372 metres or thereby.