

2019 No. 11

ROAD TRAFFIC

The M9/A9 Trunk Road (Inveralmond to Birnam) (Temporary Prohibition of Traffic, Specified Turns, Overtaking and Speed Restrictions) Order 2019

Made - - - - 21st January 2019

Coming into force - - 1st February 2019

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 2(1) and (2), 4(1) and 14(1)(a) and (4) and 15(2) 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 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 M9/A9 Trunk Road (Inveralmond to Birnam) (Temporary Prohibition of Traffic, Specified Turns, Overtaking and Speed Restrictions) Order 2019 and comes into force on 1 February 2019.

Prohibition on use of a road

2. No person may use, or permit the use of, any vehicle on the lengths of road, or part or parts of the lengths of road, specified in Part 1 of the schedule when a prohibition is identified as applying to those lengths of road, or a part or parts of those lengths of road, by means of a traffic sign of the type described in item 8 (diagram 7105 – position of barrier to mark length of road closed or to

(a) 1984 c.27; section 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (c.22), schedule 8, paragraph 18 and section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and schedule 1. The Scottish Ministers are the traffic 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) (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).

guide traffic past an obstruction) of the sign table in Part 6 of schedule 13 of the Traffic Signs Regulations and General Directions 2016(a).

Prohibition on overtaking

3. No person may use, or permit the use of, any vehicle in such a way that it overtakes any other moving vehicle on the lengths of road, or a part or parts of the lengths of road, specified in Part 1 of the schedule when a prohibition is identified as applying to those lengths of road, or a part or parts of those lengths of road, by means of a traffic sign of the type described in item 5 (diagram 632 – no overtaking) of the sign table in Part 2 of schedule 3 of the Traffic Signs Regulations and General Directions 2016. “Other moving vehicle” does not include 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(b).

Prohibition of specified turns

4. No person may use, or permit the use of, any vehicle on the lengths of road specified in Part 1 of the schedule of this Order so as to make any turn specified in Part 2 of the schedule when a prohibition is identified as applying to those lengths of road by means of an appropriate traffic sign of the type described in item 7 (diagram 612 – no right turn for vehicular traffic) or item 8 (diagram 613 – no left turn for vehicular traffic) of the sign table in Part 2 of schedule 3 of the Traffic Signs Regulations and General Directions 2016(c).

Speed restriction

5.—(1) No person may use, or permit the use of, any vehicle on the lengths of road, or a part or parts of the lengths of road, specified in column 1 of the tables in Parts 3 and 4 of the schedule at a speed exceeding that specified in the corresponding entry in column 2 of the relevant table when a restriction is identified as applying to those lengths of road, or a part or parts of those lengths 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.

(2) When this paragraph applies, no person may use, or permit the use of, any vehicle on the lengths of road, or a part or parts of the lengths of road, specified in column 1 of the table in Part 4 of the schedule at a speed exceeding 10 miles per hour when that restriction is identified as applying to those lengths of road, or a part or parts of those lengths 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.

(3) Paragraph (2) applies when convoy working is in operation and indicated by one or more of the traffic signs of the types described in:

- (a) Item 34 (diagram 7025 – vehicles to be escorted through road works ahead), item 35 (diagram 7026 – explanation of reason for escorting vehicles in convoys) and item 36 (diagram 7029 – convoy vehicles no overtaking) of the sign table in Part 6 of schedule 13, and
- (b) item 58 (diagram 7011 – point beyond which vehicular traffic must not proceed when required to stop) of the sign table in Part 2 of schedule 14.

Exemptions

6. No prohibition imposed by this Order applies to vehicles being used in an emergency for fire brigade, ambulance, police or coastguard purposes or a vehicle while being used for carrying out the works.

(a) S.I. 2016/323.

(b) Section 140 was amended by the Road Traffic (Consequential Provisions) Act 1988 (c.54), schedule 3, paragraph 25(9).

(c) S.I. 2016/362.

7. No speed restriction imposed by this Order applies 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.

Buchanan House,
Glasgow
21st January 2019

D MURPHY
A member of the staff of the Scottish Ministers

^(a) S.I. 2011/935.

SCHEDULE

Articles 2, 3, 4 and 5

PART 1

SPECIFIED LENGTHS OF ROAD

Those lengths of the northbound and southbound carriageways of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road from Inveralmond Roundabout at Perth to a point 3.7 kilometres or thereby south of the A822 Amulree Road at the Pass of Birnam.

PART 2

SPECIFIED TURNS

All right turns from the A9 to Luncarty North, Tullybelton East and West, and Stanley East Junction.

All right turns from the A9 Southbound to Bankfoot South Junction.

All right turns from the B867 onto the A9 South.

All right turns from the Bankfoot North Junction onto the A9 North.

PART 3

| <i>1</i> | <i>2</i> |
|---|---|
| Specified lengths of road | Speed restriction (miles per hour) |
| 1. The northbound carriageway of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road from Inveralmond Roundabout at Perth to a point 3.7 kilometres or thereby south of the A822 Amulree Road at the Pass of Birnam. | 40mph |
| 2. The southbound carriageway of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road from Inveralmond Roundabout at Perth to a point 3.7 kilometres or thereby south of the A822 Amulree Road at the Pass of Birnam. | 40mph |

PART 4

| <i>1</i> | <i>2</i> |
|---|---|
| Specified lengths of road | Speed restriction (miles per hour) |
| 1. The northbound carriageway of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road from Inveralmond Roundabout at Perth to a point 3.7 kilometres or thereby south of the A822 Amulree Road at the Pass of Birnam. | 30mph |
| 2. The southbound carriageway of the M9/A9 Edinburgh – Stirling – Thurso Trunk Road from Inveralmond Roundabout at Perth to a point 3.7 kilometres or thereby south of the A822 Amulree Road at the Pass of Birnam. | 30mph |