

202[ ] No.

**ROADS AND BRIDGES**

**The M90/A90/A9000 Trunk Road (A90/A937 Laurencekirk Junction Improvement) (Side Roads) (No. 2) Order 202[ ]**

*Made* - - - - 202[ ]

*Coming into force* - - 202[ ]

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 12(1) and (5) and 70(1) of the Roads (Scotland) Act 1984(a) and all other powers enabling them to do so.

In accordance with section 12(3) of that Act, they are satisfied that another reasonably convenient route will be provided before the roads are stopped up.

In accordance with sections 71(3) of that Act, they are satisfied that another reasonably convenient means of access is available or will be provided in pursuance of this Order before the accesses are stopped up pursuant to this Order.

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 and have published notice of that determination on 6 December 2024.

They prepared an environmental impact assessment report and published notice of it on 6 December 2024. This Order is made in compliance with the provisions of Parts I and III of Schedule 1(c) to the Roads (Scotland) Act 1984.

**Citation and commencement**

1. This Order may be cited as the M90/A90/A9000 Trunk Road (A90/A937 Laurencekirk Junction Improvement) (Side Roads) Order (No. 2) 202[ ] and comes into force on [ ] 202[ ].

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(b) 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).

(c) O.J. L 26, 28.1.2012, p1. Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC, O.J. L 175, 5.7.1985, p40, as amended by Council Directive 97/11/EC, O.J. L 73, 14.3.1997, p5, 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, p114. 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.

(a) Part 1 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 (4)(a), schedule 2, paragraphs 2 and 3 and schedule 3, paragraph 1 and 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.

## **Side roads, stopping up 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 2 of the schedule,
  - (b) to improve those lengths of road described in Part 3 of the schedule,
  - (c) to stop up those lengths of road described in Part 4 of the schedule when the new side roads are open for the purposes of through traffic,
  - (d) to stop up the private means of access described in Part 5 of the schedule when the new means of access described in Part 6 have been provided, and
  - (e) to provide those 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 3 and 4 of the schedule any apparatus belonging to a statutory undertaker, any rights of the statutory undertaker in respect of such apparatus shall be preserved.

## **Transfer of Roads**

4. On 1<sup>st</sup> April next after the date on which the new side roads are all open for the purposes of through traffic, the new side roads will be transferred to Aberdeenshire Council(**a**) as the roads authority for those roads and they must enter those roads in their list of public roads(**b**).

*L SHACKMAN*

A member of the staff of the Scottish Ministers

Transport Scotland  
Major Projects  
George House  
36 North Hanover  
Glasgow  
G1 2AD  
6 December 2024

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

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

# SCHEDULE

Articles 2 and 3

## PART 1

### INTERPRETATION

1. In this schedule—

“the trunk road” means the existing M90/A90/A9000 Edinburgh - Fraserburgh Trunk Road in the vicinity of Laurencekirk, Aberdeenshire,

“the U91K” means the part of the existing U91K Oatyhill to Laurencekirk Road in the vicinity of Laurencekirk, Aberdeenshire;

“plan SRO/1” means the plan numbered SRO/1 and entitled “The M90/A90/A9000 Trunk Road (A90/A937 Laurencekirk Junction Improvement) (Side Roads) Order (No. 2) 202[ ]”, signed with reference to this Order and deposited at the offices of Transport Scotland, Major Projects, George House, 36 North Hanover Street, Glasgow, G1 2AD,

point “1” means the intersection of the existing centrelines of the U91K Oatyhill to Laurencekirk Road and access track to Denlethen Wood, Laurencekirk as shown on plan, SRO/1.

## PART 2

### THE ROUTES OF THE NEW SIDE ROADS

- 1) From a point 94 metres or thereby northeast of point 1, in a southern direction for a distance of 35 metres, followed by a south westerly direction of 48 metres, followed by a westerly distance of 70 metres or thereby, as shown by stipple and numbered “A1” on plan SRO/1.
- 2) From a point 42 metres or thereby southwest of point 1, in a westerly direction for a distance of 39 metres or thereby, as shown by stipple and numbered “A2” on plan SRO/1.
- 3) From a point 113metres or thereby southwest of point 1, in a northerly direction for a distance of 128 metres or thereby, as shown by stipple and numbered “A3” on plan SRO/1.
- 4) From a point 65 metres or thereby west of point 1, in an easterly direction for a distance of 12 metres or thereby, as shown by stipple and numbered “A4” on plan SRO/1.

## PART 3

### ROADS TO BE IMPROVED

- 1) From a point 133 metres or thereby northeast of point 1, in a south westerly direction for a distance of 45 metres or thereby, as shown by cross hatching and numbered “B1” on plan SRO/1.
- 2) From a point 86 metres or thereby east of point 1, in a south westerly direction for a distance of 22 metres or thereby as shown by diagonal line hatching and numbered “B2” on plan SRO/1.
- 3) From a point 36 metres or thereby southwest of point 1, in a westerly direction for a distance of 9 metres or thereby, as shown by cross hatching and numbered “B3” on plan SRO/1.
- 4) From a point 172 metres or thereby southwest of point 1, in a north easterly direction for a distance of 59 metres or thereby, as shown by cross hatching and numbered “B4” on plan SRO/1.

## PART 4

### LENGTHS OF ROAD TO BE STOPPED UP

- 1) From a point 132 metres or thereby northeast of point 1, in a south westerly direction for a distance of 73 metres or thereby, as shown by zebra hatching and numbered “C1” on plan SRO/1.
- 2) From a point 9 metres or thereby south of point 1, in a south westerly direction for a distance of 28 metres or thereby, as shown by zebra hatching and numbered “C2” on plan SRO/1.
- 3) From a point 43 metres or thereby southwest of point 1, in a south westerly direction for a distance of 74 metres or thereby, as shown by zebra hatching and numbered “C3” on plan SRO/1.

## PART 5

### PRIVATE MEANS OF ACCESS TO BE STOPPED UP

- 1) The private means of access to a field laying on the south side of the U91K from a point 84 metres or thereby east of point 1, as shown by a solid black bar and numbered “D1” on plan SRO/1.
- 2) The private means of access to Denlethen Wood, Laurencekirk from a point 2 metres or thereby south of point 1, as shown by a solid black bar and numbered “D2” on plan SRO/2.
- 3) The private means of access to a field laying on the northwestern side of the U91K from a point 86 metres or thereby southwest of point 1, as shown by a solid black bar and numbered “D3” on plan SRO/1.

## PART 6

### NEW MEANS OF ACCESS TO BE PROVIDED

- 1) From a point 142 metres or thereby northeast of point 1, in a north westerly direction for a distance of 2 metres or thereby as shown by diagonal line hatching and numbered “E1” on plan SRO/1.
- 2) From a point 144 metres or thereby northeast of point 1, in a south easterly direction for a distance of 2 metres or thereby as shown by diagonal line hatching and numbered “E2” on plan SRO/1.
- 3) From a point 15 metres or thereby northwest of point 1, in a south westerly direction for a distance of 11 metres or thereby as shown by diagonal line hatching and numbered “E3” on plan SRO/1.
- 4) From a point 176 metres or thereby southwest of point 1, in a north westerly direction for a distance of 15 metres or thereby as shown by diagonal line hatching and numbered “E4” on plan SRO/1.