

2010 No. 453

ROADS AND BRIDGES

SPECIAL ROADS

**The M74 Special Road (Junction 5, Raith)
Appropriation Order 2010**

Made 13 December 2010

Coming into force 11 January 2011

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

In accordance with section 9(4) of that Act, they are satisfied that no other route for traffic other than traffic of the class authorised by the scheme is reasonably required.

In accordance with sections 20A(b) and 55A(c) of that Act, they have determined that the project falls within Annex I to Council Directive No 85/337/EEC(d) on the assessment of the effects of certain public and private projects on the environment.

In accordance with sections 20A and 55A of that Act, they have prepared an environmental statement and published notice of it on 23 March 2007 and have complied with all other provisions of the said sections 20A and 55A of that Act.

This Order is made in accordance with the provisions of Parts I and III of Schedule 1(e) to, that Act, hereby make the following Order.

(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) Section 20A was substituted by S.S.I. 1999/1 and was amended by S.S.I. 2006/614.

(c) Section 55A was substituted by S.S.I. 1999/1 and was amended by S.S.I. 2006/614.

(d) O.J. LDN: 175, 5.7. 1985, p.40 as amended by Council Directive 97/11/EC (O.J. LDN: 73, 14.3. DN: 1997 p.5), and Council Directive 2003/35/ec (O.J. LDN: 156, 25.6.2003, p.17)

(e) Part I of Schedule 1 was relevantly amended 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, paragraph 3 and schedule 3, and by S.S.I. 1999/1 and 2006/614.

Citation and commencement

1. This Order may be cited as the M74 Special Road (Junction 5, Raith) Appropriation Order 2010 and comes into force on 11 January 2011.

Appropriated road

2. The Scottish Ministers specify that the lengths of trunk road referred to in the Schedule, being lengths comprised in the route of the special road prescribed by the M74 Special Road (Junction 5, Raith) Special Road Scheme 2010(a), shall be appropriated by them as special road authority on the date of opening of that special road for use as a special road.

A C McLaughlin
A member of the staff of the Scottish Ministers

Transport Scotland
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF

13 December 2010

(a) S.S.I. 2010/454

SCHEDULE

Article 2

INTERPRETATION

In this Schedule: -

“the plan” means the plan numbered OTG/1554/1002 and entitled The M74 Special Road (Junction 5, Raith) Appropriation Order 2010, signed with reference to this Order and deposited at the offices of Transport Scotland, Buchanan House, 58 Port Dundas Road, Glasgow.

“the existing A725 Bellshill Trunk Road” means that length of the existing A725/A726 Shawhead – East Kilbride – Phillipshill Roundabout trunk road between the existing A8 and East Kilbride.

“the existing Raith Junction Roundabout” means the existing A725 Bellshill Trunk Road Roundabout.

“the existing Whistleberry Toll Roundabout” means the existing roundabout to the south-west of the existing Raith Junction Roundabout.

“point A” means the intersection of the centrelines of the existing B7071 Bothwell Road and the existing A725 Bellshill Trunk Road.

LENGTHS OF ROAD TO BE APPROPRIATED

1. From a point on the existing Whistleberry Toll Roundabout 440 metres or thereby north of point A, to a point 760 metres or thereby north of point ‘A’, generally in a northerly then north-easterly direction for a distance of 340 metres or thereby as shown by the double-hatched line and numbered ‘1’ on the plan.
2. From a point on the existing A725 Bellshill Trunk Road 740 metres or thereby north of point A, to a point 790 metres or thereby north of point ‘A’, generally in a north-easterly direction for a distance of 50 metres or thereby as shown by the double-hatched line and numbered ‘2’ on the plan.
3. From a point on the existing Raith Junction Roundabout 770 metres or thereby north of point A, to a point 800 metres or thereby north of point ‘A’, generally in a north-westerly direction for a distance of 30 metres or thereby as shown by the double-hatched line and numbered ‘3’ on the plan.
4. From a point on the existing A725 Bellshill Trunk Road 960 metres or thereby north of point A, to a point 1270 metres or thereby north-east of point ‘A’, generally in a north-easterly direction for a distance of 350 metres or thereby as shown by the double-hatched line and numbered ‘4’ on the plan.