

2017 No. 32

ROADS AND BRIDGES

**The A96 Trunk Road (Dyce Drive to Haudagain Roundabout)
Detrunking (Variation) Order 2017**

Made - - - - - *6th February 2017*

Coming into force - - - - - *17th February 2017*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 5(2) and 145 of the Roads (Scotland) Act 1984(a) and all other powers enabling them to do so.

In accordance with section 5(2) of that Act, they have taken into consideration the requirements of local and national planning, including the requirement of agriculture and industry, and are satisfied as to expediency.

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 as amended by Directive 2014/52/EU of the European Parliament and of the Council(c), and have published notice of that determination on 26 June 2015.

This Order is made in compliance with the provisions of Part I and III of schedule 1(d) of that Act.

Citation and commencement

1. This Order may be cited as the A96 Trunk Road (Dyce Drive to Haudagain Roundabout) Detrunking (Variation) Order 2017 and comes into force on 17th February 2017.

Variation of the A96 Trunk Road (Dyce Drive to Haudagain) Detrunking Order 2010

2. In the A96 Trunk Road (Dyce Drive to Haudagain) Detrunking Order 2010(e) the schedule is varied as follows:

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- (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) OJ L 26, 28.1.2012, p.1. Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC, OJ L 175, 5.7.1985, p.40, as amended by Council Directive 97/11/EC, OJ L 73, 14.3.1997, p.5, Directive 2003/35/EC of the European Parliament and of the Council, OJ L 156, 25.6.2003, p.17 and Directive 2009/31/EC of the European Parliament and of the Council, OJ L 140, 5.6.2009, p.114.
- (c) OJ L 124, 25.4.2014 p.1.
- (d) Part I of schedule 1 was relevantly 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, 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.
- (e) S.S.I. 2010/102.

- (a) For “the plan” means the plan numbered RYC/G109/13/0722 and entitled “The A96 Trunk Road (Dyce Drive to Haudagain Roundabout) Detrunking Order 2010” and signed with reference to this Order” substitute “the plan” means the plan entitled “The A96 Trunk Road (Dyce Drive to Haudagain Roundabout) Detrunking (Variation) Order 2017 and signed with reference to the A96 Trunk Road (Dyce Drive to Haudagain Roundabout) Detrunking (Variation) Order 2017”;
- (b) For “3. That length of the existing A96 Trunk Road from a point 2.00 kilometres or thereby west, north-west of point 2 in a generally south, south-easterly then easterly then east, south-easterly then easterly direction for a distance of 2.06 kilometres or thereby to a point 20 metres or thereby west of point 2 as shown by black and white hatching between the points marked “point C” and “point D” on the plan.” substitute “3. That length of the existing A96 Trunk Road from a point 2.00 kilometres or thereby west, north-west of point 2 in a generally south, south-easterly then easterly then east, south-easterly then easterly direction for a distance of 1.51 kilometres or thereby to a point 570 metres or thereby west, north-west of point 2 as shown by black and white hatching between the points marked “point C” and “point D” on the plan.”.



A member of the staff of the Scottish Ministers

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6th February 2017