

2021 No. 258

ROADS AND BRIDGES

**The A9 Trunk Road (Glen Garry to Dalwhinnie) (Side Roads)
Order 2021**

Made - - - - 1 July 2021
Coming into force - - 30 July 2021

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 12(1), (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 the Act, they are satisfied, as the case requires, that another reasonably convenient route is available or will be provided before any road is stopped up pursuant to this Order.

In accordance with sections 71(3) of that Act, they are satisfied, as the case requires, that no access to the land is reasonably required or another reasonably convenient means of access to the land 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 19 December 2017.

They prepared an environmental statement and published notice of it on 19 December 2017.

This Order is made in compliance with the provisions of Parts I and III of schedule 1 of the Roads (Scotland) Act 1984(c).

(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) O.J. L 26, 28.1.2012, p.1. Directive 2011/92/EU repealed and recast the provisions contained in Council Directive 85/337/EEC, O.J. L 175, 5.7.1985 p.40, as amended by Council Directive 97/11/EC, O.J. L 73, 14.3.1997, p.5 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, p.114. 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.
(c) 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, schedule 2, paragraphs 2 and 3 and schedule 3, paragraph 1 and S.S.I. 1999/1, 2006/614 and 2011/396. Amendments made by the S.S.I. 2017/137 do not apply. Part III of schedule 1 was amended by the New Road and Street Works Act 1991 (c.22), schedule 8, paragraph 96 and the Transport and Works (Scotland) Act 2007 (asp 8), schedule 3, paragraph 1.

Citation and commencement

1. This Order may be cited as the A9 Trunk Road (Glen Garry to Dalwhinnie) (Side Roads) Order 2021 and comes into force on 30 July 2021.

Side Roads and New Means of Access

2. Schedule 1 of this Order has effect.
3. 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 schedule 2;
 - (b) to improve those lengths of road described in schedule 3;
 - (c) to stop up those lengths of road described in schedule 4 where another reasonably convenient route is available or has been provided pursuant to this Order;
 - (d) to stop up those private means of access described in Part 1 of schedule 5 where another reasonably convenient means of access to the affected land is available or has been provided pursuant to this Order;
 - (e) to provide those new means of access described in schedule 6.

Statutory Undertakers

4. 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 schedules 3 and 4 any apparatus belonging to a statutory undertaker, any rights of the statutory undertaker in respect of such apparatus will be preserved.

Transfer of Roads

5. On 1 April next after the date on which a side road opens for the purposes of through traffic, that new side road shall be transferred to Perth and Kinross Council^(a) as the roads authority for those roads and they must enter those roads in their list of public roads^(b).



A member of the staff of the Scottish Ministers

Transport Scotland,
Buchanan House
58 Port Dundas Road
Glasgow
G4 0HF
1 July 2021

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

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

SCHEDULE 1

Article 2

INTERPRETATION

In these schedules—

“the plan folio” means the plan folio entitled “The A9 Trunk Road (Glen Garry to Dalwhinnie) (Side Roads) Order 2021”, signed with reference to this Order and the Order and plan folio will be available for inspection electronically at [https://www.transport.gov.scot/projects/a9-dualling-perth-to-inverness/a9-glen-garry-to-dalwhinnie/](https://www.transport.gov.scot/projects/a9-dualling-perth-to-inverness/a9-glen-garry-to-dalwhinnie/;);

“the A9” means the existing M9/A9 Edinburgh – Stirling – Thurso Trunk Road;

“point 1” means the western-most corner of the property known as The Old Schoolhouse, Dalnaspidal, PH18 5UJ, shown marked “point 1” on plan SR1 and on plan SR1A in the plan folio;

“point 2” means the north-eastern point of the Network Rail underpass located west of the A9, shown marked “point 2” on plan SR2 and on plan SR2A in the plan folio;

“point 3” means the eastern-most point of the railway culvert located west of the A9, shown marked “point 3” on plan SR3 and on plan SR3A in the plan folio;

“point 4” means the north-eastern-most corner of the property known as Balsporran Cottages, Drumochter Pass, Dalwhinnie, PH19 1AF shown marked “point 4” on plan SR4 and on plan SR4A in the plan folio;

“point 5” means the northern-most corner of the property known as Drumochter Lodge, Dalwhinnie, PH19 1AF, shown marked “point 5” on plan SR5 and on plan SR5A in the plan folio.

SCHEDULE 2

Article 3(a)

THE ROUTES OF THE NEW SIDE ROADS

1. From a point 40 metres or thereby north, north-east of point 1 in a generally south, south-westerly direction for a distance of 10 metres or thereby to a point 35 metres or thereby north, north-east of point 1 as shown by stipple and numbered “1” on plan SR1 in the plan folio.
2. From a point 30 metres or thereby north of point 1 in a generally north-easterly direction for a distance of 20 metres or thereby to a point 30 metres or thereby north, north-east of point 1 as shown by stipple and numbered “2” on plan SR1 in the plan folio.
3. From a point 140 metres or thereby north-west of point 1 in a generally west, north-westerly direction for a distance of 15 metres or thereby to a point 155 metres or thereby north-west of point 1 as shown by stipple and numbered “99” on plan SR1 in the plan folio.
4. From a point 145 metres or thereby north-west of point 1 in a generally west, north-westerly direction for a distance of 15 metres or thereby to a point 160 metres or thereby north-west of point 1 as shown by stipple and numbered “100” on plan SR1 in the plan folio.

SCHEDULE 3

Article 3(b)

LENGTHS OF SIDE ROAD TO BE IMPROVED

1. That length of an unnamed road in Perth and Kinross from a point 40 metres or thereby north, north-east of point 1 in a generally south-westerly direction for a distance of 20 metres or thereby to a point 25 metres or thereby north of point 1 as shown by cross hatching and numbered “4” on plan SR1 in the plan folio.

2. That length of an unnamed road in Perth and Kinross from a point 140 metres or thereby north-west of point 1 in a generally west, north-westerly direction for a distance of 45 metres or thereby to a point 180 metres or thereby north-west of point 1 as shown by cross hatching and numbered “5” on plan SR1 in the plan folio.

SCHEDULE 4

Article 3(c)

LENGTHS OF ROAD TO BE STOPPED UP

1. That length of cycle track between Dalnacardoch, Perth and Kinross and Dalnaspidal, Perth and Kinross from a point 1155 metres or thereby east, south-east of point 1 in a generally north-westerly direction for a distance of 990 metres or thereby to a point 160 metres or thereby east, south-east of point 1 as shown by zebra hatching and numbered “6” on plan SR1 in the plan folio.

2. That length of cycle track between Dalnacardoch, Perth and Kinross and Dalnaspidal, Perth and Kinross from a point 145 metres or thereby east, south-east of point 1 in a generally north-westerly direction for a distance of 150 metres or thereby to a point 55 metres or thereby north, north-east of point 1 as shown by zebra hatching and numbered “7” on plan SR1 in the plan folio.

3. That length of an existing unnamed road in Perth and Kinross from a point 50 metres or thereby north, north-east of point 1 in a generally north-westerly direction for a distance of 45 metres or thereby to a point 75 metres or thereby north, north-west of point 1 as shown by zebra hatching and numbered “8” on plan SR1 in the plan folio.

4. That length of the A9 from a point 75 metres or thereby north-east of point 1 in a generally north-westerly direction for a distance of 145 metres or thereby to a point 155 metres or thereby north, north-west of point 1 as shown by zebra hatching and numbered “9” on plan SR1 in the plan folio.

5. That length of an existing unnamed road in Perth and Kinross from a point 110 metres or thereby north, north-west of point 1 in a generally west, south-westerly direction for a distance of 50 metres or thereby to a point 125 metres or thereby north-west of point 1 as shown by zebra hatching and numbered “10” on plan SR1 in the plan folio.

6. That length of an existing unnamed road in Perth and Kinross from a point 75 metres or thereby north, north-west of point 1 in a generally north-westerly direction for a distance of 50 metres or thereby to a point 115 metres or thereby north-west of point 1 as shown by zebra hatching and numbered “11” on plan SR1 in the plan folio.

7. That length of the A9 from a point 160 metres or thereby north, north-west of point 1 in a generally north-westerly direction for a distance of 285 metres or thereby to a point 440 metres or thereby north-west of point 1 as shown by zebra hatching and numbered “12” on plan SR1 in the plan folio.

8. That length of cycle track between Dalnaspidal, Perth and Kinross and Dalwhinnie, Highland from a point 160 metres or thereby north-west of point 1 in a generally north-westerly then north, north-westerly direction for a distance of 2735 metres or thereby to a point 530 metres or thereby north, north-west of point 2 as shown by zebra hatching and numbered “13” on plan SR1 and on plan SR2 in the plan folio.

9. That length of cycle track between Dalnaspidal, Perth and Kinross and Dalwhinnie, Highland from a point 590 metres or thereby north, north-west of point 2 in a generally north, north-westerly direction for a distance of 220 metres or thereby to a point 810 metres or thereby north, north-west of point 2 as shown by zebra hatching and numbered “30” on plan SR2 in the plan folio.

10. That length of cycle track between Dalnaspidal, Perth and Kinross and Dalwhinnie, Highland from a point 875 metres or thereby north, north-west of point 2 in a generally north, north-westerly then northerly then north, north-westerly direction for a distance of 1095 metres or thereby to a point 385 metres or thereby south, south-east of point 3 as shown by zebra hatching and numbered “31” on plan SR2 and on plan SR3 in the plan folio.

11. That length of the A9 from a point 1110 metres or thereby south, south-east of point 3 in a generally north, north-westerly direction for a distance of 215 metres or thereby to a point 880

metres or thereby south, south-east of point 3 as shown by zebra hatching and numbered “40” on plan SR3 in the plan folio.

12. That length of cycle track between Dalnaspidal, Perth and Kinross and Dalwhinnie, Highland from a point 225 metres or thereby south, south-east of point 3 in a generally north, north-westerly then northerly then north, north-easterly direction for a distance of 2465 metres or thereby to a point 370 metres or thereby north-east of point 4 as shown by zebra hatching and numbered “41” on plan SR3 and on plan SR4 in the plan folio.

13. That length of cycle track between Dalnaspidal, Perth and Kinross and Dalwhinnie, Highland from a point 225 metres or thereby north of point 5 in a generally northerly then north, north-easterly direction for a distance of 1925 metres or thereby to a point 2090 metres or thereby north, north-east of point 5 as shown by zebra hatching and numbered “56” on plan SR5 in the plan folio.

SCHEDULE 5

Article 3(d)

PRIVATE MEANS OF ACCESS TO BE STOPPED UP

1. The private means of access on the north side of the A9 at a point 150 metres or thereby north of point 1 as shown by a solid black bar and numbered “14” on plan SR1 in the plan folio.
2. The private means of access on the north side of the A9 at a point 160 metres or thereby north, north-west of point 1 as shown by a solid black bar and numbered “15” on plan SR1 in the plan folio.
3. The private means of access on the east side of the A9 at a point 500 metres or thereby north, north-west of point 2 as shown by a solid black bar and numbered “32” on plan SR2 in the plan folio.
4. The private means of access on the west side of the A9 at a point 525 metres or thereby north, north-west of point 2 as shown by a solid black bar and numbered “33” on plan SR2 in the plan folio.
5. The private means of access on the east side of the A9 at a point 1140 metres or thereby south, south-east of point 3 as shown by a solid black bar and numbered “42” on plan SR3 in the plan folio.
6. The private means of access on the west side of the A9 at a point 880 metres or thereby north, north-west of point 3 as shown by a solid black bar and numbered “60” on plan SR3 in the plan folio.
7. The private means of access on the east side of the A9 at a point 390 metres or thereby south of point 4 as shown by a solid black bar and numbered “48” on plan SR4 in the plan folio.
8. The private means of access on the west side of the A9 at a point 130 metres or thereby east, south-east of point 4 as shown by a solid black bar and numbered “49” on plan SR4 in the plan folio.
9. The private means of access on the east side of the A9 at a point 155 metres or thereby east, south-east of point 4 as shown by a solid black bar and numbered “50” on plan SR4 in the plan folio.
10. The private means of access on the east side of the A9 at a point 65 metres or thereby north, north-west of point 5 as shown by a solid black bar and numbered “57” on plan SR5 in the plan folio.
11. The private means of access on the west side of the A9 at a point 95 metres or thereby north-west of point 5 as shown by a solid black bar and numbered “58” on plan SR5 in the plan folio.
12. The private means of access on the west side of the A9 at a point 130 metres or thereby north-west of point 5 as shown by a solid black bar and numbered “59” on plan SR5 in the plan folio.
13. The private means of access on the west side of the A9 at a point 360 metres or thereby north of point 5 as shown by a solid black bar and numbered “61” on plan SR5 in the plan folio.
14. The private means of access on the east side of the A9 at a point 355 metres or thereby north, north-east of point 5 as shown by a solid black bar and numbered “62” on plan SR5 in the plan folio.
15. The private means of access on the east side of the A9 at a point 1950 metres or thereby north, north-east of point 5 as shown by a solid black bar and numbered “65” on plan SR5 in the plan folio.

16. The private means of access on the west side of the A9 at a point 2240 metres or thereby north, north-east of point 5 as shown by a solid black bar and numbered “66” on plan SR5 in the plan folio.

17. The private means of access on the east side of the A9 at a point 2300 metres or thereby north, north-east of point 5 as shown by a solid black bar and numbered “67” on plan SR5 in the plan folio.

18. The private means of access on the east side of the A9 at a point 1010 metres or thereby north, north-east of point 5 as shown by a solid black bar and numbered “81” on plan SR5 in the plan folio.

19. The private means of access on the east side of the A9 at a point 985 metres or thereby north, north-east of point 5 as shown by a solid black bar and numbered “104” on plan SR5 in the plan folio.

SCHEDULE 6

Article 3(e)

NEW MEANS OF ACCESS TO BE PROVIDED

1. From a point 1135 metres or thereby east, south-east of point 1 in a generally south, south-westerly direction for a distance of 30 metres or thereby to a point 1140 metres or thereby east, south-east of point 1 as shown by single hatching and numbered “17” on plan SR1A in the plan folio.

2. From a point 1010 metres or thereby east, south-east of point 1 in a generally south, south-westerly then east, south-easterly direction for a distance of 60 metres or thereby to a point 1055 metres or thereby east, south-east of point 1 as shown by single hatching and numbered “18” on plan SR1A in the plan folio.

3. From a point 1050 metres or thereby east, south-east of point 1 in a generally south, south-westerly direction for a distance of 10 metres or thereby to a point 1045 metres or thereby east, south-east of point 1 as shown by single hatching and numbered “19” on plan SR1A in the plan folio.

4. From a point 1160 metres or thereby east, south-east of point 1 in a generally west, north-westerly direction for a distance of 1180 metres or thereby to a point 35 metres or thereby west, south-west of point 1 as shown by single hatching and numbered “20” on plan SR1A in the plan folio.

5. From a point 320 metres or thereby south-east of point 1 in a generally northerly then north-westerly direction for a distance of 35 metres or thereby to a point 295 metres or thereby east, south-east of point 1 as shown by single hatching and numbered “21” on plan SR1A in the plan folio.

6. From a point 90 metres or thereby south-east of point 1 in a generally north-easterly direction for a distance of 10 metres or thereby to a point 85 metres or thereby south-east of point 1 as shown by single hatching and numbered “22” on plan SR1A in the plan folio.

7. From a point 50 metres or thereby south, south-east of point 1 in a generally north-easterly direction for a distance of 25 metres or thereby to a point 35 metres or thereby south-east of point 1 as shown by single hatching and numbered “23” on plan SR1A in the plan folio.

8. From a point 65 metres or thereby north, north-west of point 1 in a generally south-westerly direction for a distance of 25 metres or thereby to a point 55 metres or thereby north-west of point 1 as shown by single hatching and numbered “24” on plan SR1 in the plan folio.

9. From a point 150 metres or thereby north of point 1 in a generally north-easterly then north, north-westerly direction for a distance of 70 metres or thereby to a point 215 metres or thereby north of point 1 as shown by single hatching and numbered “25” on plan SR1 in the plan folio.

10. From a point 215 metres or thereby north, north-east of point 1 in a generally north-westerly direction for a distance of 10 metres or thereby to a point 220 metres or thereby north of point 1 as shown by single hatching and numbered “26” on plan SR1 in the plan folio.

11. From a point 215 metres or thereby north, north-west of point 1 in a generally easterly then north, north-easterly then north, north-westerly then northerly then west, north-westerly direction for a distance of 245 metres or thereby to a point 370 metres or thereby north, north-west of point 1 as shown by single hatching and numbered “27” on plan SR1 in the plan folio.

12. From a point 325 metres or thereby north of point 1 in a generally east, south-easterly direction for a distance of 15 metres or thereby to a point 325 metres or thereby north of point 1 as shown by single hatching and numbered “28” on plan SR1 in the plan folio.

13. From a point 155 metres or thereby north-west of point 1 in a generally north-westerly then north, north-westerly then north-westerly then northerly then north-westerly then north-easterly then north, north-westerly then northerly then north, north-easterly then northerly direction for a distance of 6460 metres or thereby to a point 120 metres or thereby east of point 4 as shown by single hatching and numbered “29” on plan SR1A, SR2A, SR3A and SR4A in the plan folio.

14. From a point 710 metres or thereby south, south-east of point 2 in a generally westerly then northerly then north, north-westerly then west, north-westerly direction for a distance of 155 metres or thereby to a point 570 metres or thereby south, south-east of point 2 as shown by single hatching and numbered “34” on plan SR2A in the plan folio.

15. From a point 585 metres or thereby south, south-east of point 2 in a generally east, north-easterly direction for a distance of 10 metres or thereby to a point 580 metres or thereby south, south-east of point 2 as shown by single hatching and numbered “35” on plan SR2A in the plan folio.

16. From a point 5 metres or thereby south-east of point 2 in a generally north-east, then north, north-westerly direction for a distance of 225 metres or thereby to a point 215 metres or thereby north, north-west of point 2 as shown by single hatching and numbered “36” on plan SR2A in the plan folio.

17. From a point 405 metres or thereby north, north-west of point 2 in a generally easterly then north-easterly then north, north-westerly then north, north-easterly direction for a distance of 195 metres or thereby to a point 545 metres or thereby north of point 2 as shown by single hatching and numbered “37” on plan SR2A in the plan folio.

18. From a point 500 metres or thereby north of point 2 in a generally westerly direction for a distance of 15 metres or thereby to a point 505 metres or thereby north of point 2 as shown by single hatching and numbered “38” on plan SR2A in the plan folio.

19. From a point 570 metres or thereby north, north-west of point 2 in a generally west, south-westerly direction for a distance of 30 metres or thereby to a point 575 metres or thereby north, north-west of point 2 as shown by single hatching and numbered “39” on plan SR2A in the plan folio.

20. From a point 1170 metres or thereby south, south-east of point 2 in a generally south-westerly direction for a distance of 15 metres or thereby to a point 1165 metres or thereby south, south-east of point 3 as shown by single hatching and numbered “43” on plan SR2A in the plan folio.

21. From a point 200 metres or thereby east, north-easterly of point 2 in a generally north-westerly direction for a distance of 55 metres or thereby to a point 180 metres or thereby east, north-easterly of point 2 as shown by single hatching and numbered “101” on plan SR2 in the plan folio.

22. From a point 690 metres or thereby north, north-easterly of point 2 in a generally easterly direction for a distance of 10 metres or thereby to a point 685 metres or thereby north, north-easterly of point 2 as shown by single hatching and numbered “102” on plan SR2 in the plan folio.

23. From a point 880 metres or thereby north, north-west of point 3 in a generally westerly direction for a distance of 10 metres or thereby to a point 880 metres or thereby north, north-west of point 3 as shown by single hatching and numbered “45” on plan SR3A in the plan folio

24. From a point 1025 metres or thereby north of point 3 in a generally west, north-westerly then north, north-easterly direction for a distance of 35 metres or thereby to a point 1050 metres or thereby north of point 3 as shown by single hatching and numbered “46” on plan SR3A in the plan folio.

25. From a point 1045 metres or thereby north of point 3 in a generally east, south-easterly direction for a distance of 5 metres or thereby to a point 1040 metres or thereby north of point 3 as shown by single hatching and numbered “47” on plan SR3A in the plan folio.

26. From a point 545 metres or thereby south, south-west of point 4 in a generally west, north-westerly direction for a distance of 15 metres or thereby to a point 540 metres or thereby south, south-west of point 4 as shown by single hatching and numbered "51" on plan SR4A in the plan folio.

27. From a point 445 metres or thereby south of point 4 in a generally west, north-westerly direction for a distance of 15 metres or thereby to a point 440 metres or thereby south, south west of point 4 as shown by single hatching and numbered "52" on plan SR4A in the plan folio.

28. From a point 355 metres or thereby south of point 4 in a generally west, north-westerly direction for a distance of 15 metres or thereby to a point 350 metres or thereby south of point 4 as shown by single hatching and numbered "53" on plan SR4A in the plan folio.

29. From a point 115 metres or thereby east, south-east of point 4 in a generally westerly direction for a distance of 35 metres or thereby to a point 85 metres or thereby east, south-east of point 4 as shown by single hatching and numbered "54" on plan SR4A in the plan folio.

30. From a point 115 metres or thereby east of point 4 in a generally north-easterly then north, north-easterly then north, north-westerly then north, north-easterly direction for a distance of 610 metres or thereby to a point 140 metres or thereby north-west of point 5 as shown by single hatching and numbered "55" on plan SR4A and on plan SR5A in the plan folio.

31. From a point 235 metres or thereby north of point 5 in a generally northerly then north, north-easterly direction for a distance of 1925 metres or thereby to a point 2095 metres or thereby north, north-east of point 5 as shown by single hatching and numbered "73" on plan SR5A in the plan folio.

32. From a point 340 metres or thereby north of point 5 in a generally westerly then northerly direction for a distance of 40 metres or thereby to a point 370 metres or thereby north, north-west of point 5 as shown by single hatching and numbered "74" on plan SR5A in the plan folio.

33. From a point 360 metres or thereby north, north-west of point 5 in a generally westerly direction for a distance of 15 metres or thereby to a point 355 metres or thereby north, north-west of point 5 as shown by single hatching and numbered "75" on plan SR5A in the plan folio.

34. From a point 485 metres or thereby north of point 5 in a generally west, north-westerly then west, south-westerly direction for a distance of 35 metres or thereby to a point 495 metres or thereby north, north-west of point 5 as shown by single hatching and numbered "76" on plan SR5A in the plan folio.

35. From a point 495 metres or thereby north, north-west of point 5 in a generally northerly direction for a distance of 15 metres or thereby to a point 510 metres or thereby north, north-west of point 5 as shown by single hatching and numbered "77" on plan SR5A in the plan folio.

36. From a point 875 metres or thereby north, north-east of point 5 in a generally east, south-easterly direction for a distance of 10 metres or thereby to a point 870 metres or thereby north, north-east of point 5 as shown by single hatching and numbered "78" on plan SR5A in the plan folio.

37. From a point 955 metres or thereby north, north-east of point 5 in a generally south, south-easterly direction for a distance of 10 metres or thereby to a point 950 metres or thereby north, north-east of point 5 as shown by single hatching and numbered "79" on plan SR5A in the plan folio.

38. From a point 1900 metres or thereby north-east of point 5 in a generally north, north-westerly direction for a distance of 60 metres or thereby to a point 1920 metres or thereby north, north-east of point 5 as shown by single hatching and numbered "95" on plan SR5A in the plan folio.

39. From a point 5 metres or thereby north-west of point 5 in a generally north, north-east then north-east then north, north-east then north direction for a distance of 175 metres or thereby to a

point 160 metres or thereby north, north-east of point 5 as shown by single hatching and numbered "68" on plan SR5 in the plan folio.

40. From a point 75 metres or thereby east, north-east of point 5 in a generally northerly direction for a distance of 60 metres or thereby to a point 95 metres or thereby north-east of point 5 as shown by single hatching and numbered "69" on plan SR5 in the plan folio.

41. From a point 85 metres or thereby north-east of point 5 in a generally south-easterly direction for a distance of 65 metres or thereby to a point 110 metres or thereby east of point 5 as shown by single hatching and numbered "70" on plan SR5 in the plan folio.

42. From a point 85 metres or thereby east of point 5 in a generally easterly direction for a distance of 80 metres or thereby to a point 160 metres or thereby east of point 5 as shown by single hatching and numbered "71" on plan SR5 in the plan folio.

43. From a point 190 metres or thereby south-east of point 5 in a generally northerly then north, north-easterly then northerly then north-easterly then north, north-easterly then north-easterly then northerly then north, north-easterly then northerly then north, north-easterly then northerly then north, north-easterly then north-easterly then north, north-easterly direction for a distance of 2965 metres or thereby to a point 2825 metres or thereby north, north-east of point 5 as shown by single hatching and numbered "72" on plan SR5 in the plan folio.

44. From a point 905 metres or thereby north, north-east of point 5 in a generally north, north-westerly direction for a distance of 220 metres or thereby to a point 980 metres or thereby north, north-east of point 5 as shown by single hatching and numbered "80" on plan SR5 in the plan folio.

45. From a point 980 metres or thereby north, north-east of point 5 in a generally south, south-westerly direction for a distance of 10 metres or thereby to a point 970 metres or thereby north, north-east of point 5 as shown by single hatching and numbered "82" on plan SR5 in the plan folio.

46. From a point 745 metres or thereby north, north-east of point 5 in a generally north-westerly direction for a distance of 20 metres or thereby to a point 740 metres or thereby north, north-east of point 5 as shown by single hatching and numbered "83" on plan SR5 in the plan folio.

47. From a point 1170 metres or thereby east, north-east of point 5 in a generally east, south-easterly direction for a distance of 10 metres or thereby to a point 1165 metres or thereby north, north-east of point 5 as shown by single hatching and numbered "84" on plan SR5 in the plan folio.

48. From a point 1170 metres or thereby east, north-east of point 5 in a generally west, north-westerly direction for a distance of 10 metres or thereby to a point 1165 metres or thereby north, north-east of point 5 as shown by single hatching and numbered "85" on plan SR5 in the plan folio.

49. From a point 1560 metres or thereby east, north-east of point 5 in a generally east, south-easterly direction for a distance of 10 metres or thereby to a point 1565 metres or thereby north, north-east of point 5 as shown by single hatching and numbered "86" on plan SR5 in the plan folio.

50. From a point 1560 metres or thereby east, north-east of point 5 in a generally west, north-westerly direction for a distance of 10 metres or thereby to a point 1565 metres or thereby north, north-east of point 5 as shown by single hatching and numbered "87" on plan SR5 in the plan folio.

51. From a point 1965 metres or thereby east, north-east of point 5 in a generally east, south-easterly direction for a distance of 10 metres or thereby to a point 1970 metres or thereby north, north-east of point 5 as shown by single hatching and numbered "88" on plan SR5 in the plan folio.

52. From a point 1965 metres or thereby east, north-east of point 5 in a generally west, north-westerly direction for a distance of 10 metres or thereby to a point 1970 metres or thereby north, north-east of point 5 as shown by single hatching and numbered “89” on plan SR5 in the plan folio.

53. From a point 2330 metres or thereby east, north-east of point 5 in a generally east, south-easterly direction for a distance of 10 metres or thereby to a point 2335 metres or thereby north, north-east of point 5 as shown by single hatching and numbered “90” on plan SR5 in the plan folio.

54. From a point 2330 metres or thereby east, north-east of point 5 in a generally west, north-westerly direction for a distance of 10 metres or thereby to a point 2335 metres or thereby north, north-east of point 5 as shown by single hatching and numbered “91” on plan SR5 in the plan folio.

55. From a point 2675 metres or thereby east, north-east of point 5 in a generally south-easterly direction for a distance of 10 metres or thereby to a point 2670 metres or thereby north, north-east of point 5 as shown by single hatching and numbered “92” on plan SR5 in the plan folio.

56. From a point 2675 metres or thereby east, north-east of point 5 in a generally north-westerly direction for a distance of 10 metres or thereby to a point 2670 metres or thereby north, north-east of point 5 as shown by single hatching and numbered “93” on plan SR5 in the plan folio.

57. From a point 2665 metres or thereby north-east of point 5 in a generally easterly then north, north-easterly then easterly, then north, north-easterly then east, south-easterly direction for a distance of 365 metres or thereby to a point 2820 metres or thereby north, north-east of point 5 as shown by single hatching and numbered “96” on plan SR5 in the plan folio.

58. From a point 350 metres or thereby east, north-east of point 5 in a generally north-westerly direction for a distance of 10 metres or thereby to a point 350 metres or thereby north, north-east of point 5 as shown by single hatching and numbered “97” on plan SR5 in the plan folio.

59. From a point 760 metres or thereby east, north-east of point 5 in a generally south, south-easterly direction for a distance of 15 metres or thereby to a point 765 metres or thereby north, north-east of point 5 as shown by single hatching and numbered “98” on plan SR5 in the plan folio.