

**THE A985 TRUNK ROAD (KINCARDINE BRIDGE SOUTHERN PILED VIADUCT
REFURBISHMENT)
COMPULSORY PURCHASE ORDER 2021**

Made

29 July 2021

The Roads (Scotland) Act 1984 and the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947.

The Scottish Ministers (hereinafter referred to as “the acquiring authority”) in exercise of the powers conferred by sections 103 to 108 inclusive as read with section 110(2) of the Roads (Scotland) Act 1984 hereby make the following compulsory purchase order–

1. This Order may be cited as the A985 Trunk Road (Kincardine Bridge Southern Piled Viaduct Refurbishment) Compulsory Purchase Order 2021.

2. Subject to the provisions of this Order, the acquiring authority are hereby authorised to purchase compulsorily for the purpose of facilitating the demolition and reconstruction of the southern piled viaduct on that length of the A985 Kincardine to Rosyth Trunk Road on the Kincardine Bridge, the land which is described in the schedule hereto and is delineated in red and coloured pink on the map signed with reference to this Order and marked “Map referred to in the A985 Trunk Road (Kincardine Bridge Southern Piled Viaduct Refurbishment) Compulsory Purchase Order 2021”.

3. In relation to the foregoing purchase section 70 of the Railways Clauses Consolidation (Scotland) Act 1845 and sections 71 to 78 of that Act as originally enacted and not as amended for certain purposes by section 15 of the Mines (Working Facilities and Support) Act 1923 are hereby incorporated with the enactment under which the said purchase is authorised, subject to the modifications that references in the said sections to the company shall be construed as references to the acquiring authority and references to the railway or works shall be construed as references to the land authorised to be purchased and any buildings or works constructed or to be constructed thereon.

4...

4. For the purpose of the said section 71 of the Railways Clauses Consolidation (Scotland) Act 1845, as incorporated in this Order, the prescribed distance in relation to any seam of minerals lying under land adjoining the works to be constructed upon the land described in the schedule hereto shall be such a lateral distance from the said works on every side thereof as is equal at every point along the said works to one half of the depth of the seam below the natural surface of the ground at that point or 37 metres (40 yards), whichever is the greater.

Subscribed by Hugh Dunlop Gillies, Director of Roads, being an officer of the Scottish Ministers at Glasgow on the Twenty-ninth day of July Two Thousand and Twenty-one, before the witness Shannon Wilson, Civil Servant, Transport Scotland, 58 Port Dundas Road, Glasgow

Hugh Gillies
INSERT NAME

Shannon Wilson
Witness

This is the schedule referred to in the foregoing A985 Trunk Road (Kincardine Bridge Southern Piled Viaduct Refurbishment) Compulsory Purchase Order 2021

SCHEDULE

In this schedule:-

1. All the land described lies in the County of Stirling.
2. The "A985" means the A985 Kincardine - Rosyth Trunk Road on Kincardine Bridge.

Number on Map	Description of the land or servitude right	Owners	Lessees and Occupiers
1	668 square metres or thereby of saltmarsh south of the A985, Kincardine Bridge, 314 metres or thereby south-west of the Kincardine Bridge mid-span.	Unknown	Unknown

Hugh Cuthbert

Roads (Scotland) Act 1984

Acquisition of Land (Authorisation Procedure)

(Scotland) Act 1947

The A985 Trunk Road (Kincardine Bridge
Southern Piled Viaduct Refurbishment)
Compulsory Purchase Order 2021

2021

Solicitor to the Scottish Government
Scottish Government Legal Directorate
Victoria Quay
Edinburgh
EH6 6QQ

Transport Scotland Ref:
SE/A985/Kincardine Bridge CPO/SW