

2012 No. 298

ROAD TRAFFIC

**The A85 Trunk Road (Oban) (Temporary Prohibitions) Order
2012**

Made - - - - *1st November 2012*

Coming into force - - *11th November 2012*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 2(1) and (2), 4(1) and 14(1)(a) and (4) of the Road Traffic Regulation Act 1984^(a) and all other powers enabling them to do so.

In accordance with section 14(1)(a) of that Act, they are satisfied that traffic on the lengths of road specified in the Schedule should be restricted or prohibited because works are being or are proposed to be executed on or near those lengths of road.

In accordance with section 14(3) of that Act, they have had regard to the existence of alternative routes suitable for the traffic which will be affected by this Order.

Citation, commencement and cessation

1. This Order may be cited as the A85 Trunk Road (Oban) (Temporary Prohibitions) Order 2012, comes into force on 11th November 2012 and ceases to have effect on 31st December 2012.

Temporary prohibition on use of a road

2. No person may use, or permit the use of, any vehicle on a length of road, or a part or parts of a length of road, specified in the Schedule to this Order when such a prohibition is identified as applying to that length of road, or a part or parts of that length of road, by means of one or more of the traffic signs prescribed in Diagram 7010.1 and 7105 of the Traffic Signs Regulations 2002^(b).

Temporary prohibition on overtaking

3.—(1) No person may use, or permit the use of, any vehicle in such a way that it overtakes any other moving vehicle on a length of road, or a part or parts of a length of road, specified in the Schedule when such a prohibition is identified as applying to that length of road, or a part or parts

^(a) 1984 c.27; section 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, paragraph 18 and section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), Schedule 1. The Scottish Ministers are the traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (inserted by the New Roads and Street Works Act 1991, Schedule 8, paragraph 70 and amended by S.I. 2001/1400) as read with section 151(1) of the Roads (Scotland) Act 1984 (c.54). The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c.46).

^(b) Part 1 of S.I. 2002/3113.

of that length of road, by means of a traffic sign prescribed in Diagram 632 of the Traffic Signs Regulations 2002.

(2) “Other moving vehicle” does not include a cycle, motor cycle, tricycle or any other vehicle not being a motor vehicle in accordance with section 140 of the Road Traffic Regulation Act 1984(a).

Temporary prohibition on waiting and loading

4. No person may use, or permit the use of, any vehicle to wait, load or unload on a length of road, or a part or parts of a length of road, specified in the Schedule when such a prohibition is identified as applying to that length of road, or a part or parts of that length of road, by means of one or more of the traffic signs prescribed in Diagrams 636 and 636.1 of the Traffic Signs Regulations 2002.

Temporary prohibition of pedestrians

5. Pedestrians are prohibited from using a length of road, or a part or parts of a length road, specified in the Schedule when such a prohibition is identified as applying to that length of road, or a part or parts of that length of road, by means of one or more of the traffic signs prescribed in Diagrams 7010.1 and 625.1 of the Traffic Signs Regulations 2002.

Exemptions

6. No prohibition imposed by this Order applies to:

- (a) a vehicle being used in an emergency for fire brigade, ambulance, police or coastguard purposes;
- (b) a vehicle being used for carrying out the works; or
- (c) anything done with the permission or upon the direction of a police constable in uniform.

A R T ANDERSON

A member of the staff of the Scottish Ministers

Buchanan House,
Glasgow
1st November 2012

(a) Section 140 was amended by the Road Traffic (Consequential Provisions) Act 1988 (c.54), Schedule 3, paragraph 25(9).

SCHEDULE

Articles 2, 3, 4 and 5

1. That length of the A85 Tyndrum – Oban Trunk Road, known as George Street, from its junction with Airds Place, Oban, northwards to its junction with Breadalbane Street, Oban, a distance of 534 metres or thereby.

2. That length of the A85 Tyndrum – Oban Trunk Road, known as Corran Esplanade, from its junction with George Street, Oban, northwards to its junction with Dunollie Road west Roundabout, Oban, a distance of 463 metres or thereby.

3. That length of the A85 Tyndrum – Oban Trunk Road, known as Stafford Street, from its junction with George Street, Oban, westwards to its junction with Corran esplanade, Oban, a distance of 54 metres or thereby.

4. That length of the A85 Tyndrum – Oban Trunk Road, known as Dunollie Road, from its junction with Breadalbane Street, Oban, northwards to its junction with Dunollie Road East Roundabout, Oban, a distance of 205 metres or thereby.