

**2017 No. 308**

**ROAD TRAFFIC**

**The A77 Trunk Road (Bennane) (Temporary 30mph and 20mph  
Speed Restrictions and Temporary Prohibition on Use of Road)  
Order 2017**

*Made* - - - - *19th September 2017*

*Coming into force* - - *2nd October 2017*

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 2(1) and (2), 4(1) and 14(1)(b) 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)(b) of that Act, they are satisfied that the traffic on the lengths of road specified in the schedule should be restricted or prohibited because of the likelihood of danger to the public, or of serious damage to the road, which is not attributable to works.

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 A77 Trunk Road (Bennane) (Temporary 30mph and 20mph Speed Restrictions and Temporary Prohibition on Use of Road) Order 2017, comes into force on 2nd October 2017 and ceases to have effect on 7th October 2017.

**Speed restriction**

2. No person may use, or permit the use of, any vehicle on the length of road, or a part or parts of a length of road, specified in paragraph 1 of the schedule of this Order at a speed exceeding 30 miles per hour or 20 miles per hour, as the case may be, when that particular restriction is identified as applying to that length of road, or a part or parts of that length of road, by means of a traffic sign of the type described in item 1 (diagram 670 – maximum speed limit in mph) of the sign table in Part 2 of schedule 10 of the Traffic Signs Regulations and General Directions 2016(b).

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(a) 1984 c.27; section 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (c.22) (“the 1991 Act”), 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 1991 Act, 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) (relevantly amended by S.I. 2001/1400). The functions of the Secretary of State were transferred to the Scottish Ministers by section 53 of the Scotland Act 1998 (c.46).

(b) S.I. 2016/362.

### **Prohibition on Use of Road**

**3.** No person may use, or permit the use of, any vehicle on the length of road, or a part or parts of the length of road, specified in paragraph 2 of the schedule of this Order when a prohibition is identified as applying to that length of road, or a part or parts of that length of road, by means of a traffic sign of the type described in item 8 (diagram 7105 – position of barrier to mark length of road closed or to guide traffic past an obstruction) of the sign table in Part 6 of schedule 13 of the Traffic Signs Regulations and General Directions 2016.

### **Exemptions**

**4.** No speed restriction imposed by this Order applies to—

- (a) vehicles falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011<sup>(a)</sup> when used in accordance with regulation 3(5) of those Regulations; or
- (b) vehicles being used in an emergency for coastguard purposes.

**5.** No prohibition imposed by this Order applies to a vehicle being used in an emergency for fire brigade, ambulance, police or coastguard purposes.

*V ALLAN*

A member of the staff of the Scottish Ministers

Buchanan House,  
Glasgow  
19th September 2017

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<sup>(a)</sup> S.I. 2011/935.

## SCHEDULE

Articles 2 and 3

### SPECIFIED LENGTHS OF ROAD

**1.** That length of the A77 Fenwick – Stranraer Trunk Road from a point (at Ordnance Map coordinates 211193, 588503) 200 metres or thereby southwest of the extended centre line of the junction with the unclassified entrance road to the Bennane Shore Holiday Park, to a point 560 metres or thereby northeast of the extended centre line of that junction (at Ordnance Map coordinates 211809, 588944), a distance of 760 metres or thereby.

**2.** That length of the A77 Fenwick – Stranraer Trunk Road from a point (at Ordnance Map coordinates 211493, 588772) 200 metres or thereby northeast of the extended centre line of the junction with the unclassified entrance road to the Bennane Shore Holiday Park, to a point 360 metres or thereby northeast of the extended centre line of that junction (at Ordnance Map coordinates 211629, 588855), a distance of 160 metres or thereby.