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STATUTORY INSTRUMENTS

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1995 No. 3111  
ROADS AND BRIDGES, SCOTLAND  
THE A96 TRUNK ROAD (KINTORE BYPASS)  
(SIDE ROADS) ORDER 1995

Made  
Coming into force

29th November 1995  
8th December 1995

The Secretary of State, in exercise of the powers conferred on him by section 12(1), as read with sections 70(1) and 143(1) of the Roads (Scotland) Act 1984(a), and of all other powers enabling him in that behalf, having been satisfied in accordance with sections 12(3) and 71(3) of the said Act, having determined in accordance with sections 20A1(b) and 55A(c) of the said Act that the project does not fall within Annex I or Annex II to Council Directive No 85/337/EEC(d) on the assessment of the effect of certain public and private projects on the environment, and having complied with the provisions of Part I of Schedule 1(e) of the said Act, hereby makes the following Order:

1. This Order may be cited as "The A96 Trunk Road (Kintore Bypass) (Side Roads) Order 1995", and shall come into force on 8th December 1995.
2. The Secretary of State is hereby authorised:
  - i. to construct those lengths of road (hereinafter referred to as "the new side roads") along the routes described in Schedule 1 to this Order;
  - ii. to improve those lengths of road described in Schedule 2 to this Order;

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(a) 1984 c.54.

(b) Section 20A was inserted by regulation 70 of the Environmental Assessment (Scotland) Regulations 1988 (S.I.1988/1221) and was amended by the New Roads and Street Works Act 1991 (c.22) Section 42(2).

(c) Section 55A was inserted by regulation 71 of S.I.1988/1221 was amended by the New Roads and Street Works Act 1991 (c.22) Section 42(2).

(d) O.J. No.L175, 5.7.85, p.40.

(e) Part 1 of Schedule 1 was amended by regulation 73 of S.I. 1988/1221

- iii. to stop up those lengths of road described in Schedule 3 to this Order when the new side roads are open for the purposes of through traffic;
  - iv. to provide those lengths of new access described in Schedule 4 to this Order;
  - v. to stop up those private means of access described in Schedule 5 to this Order when the new means of access described in Schedule 4 to this Order have been provided.
3. Where, immediately before the date of this Order there is under, in, on, over, along or across any of the lengths of road, any apparatus of a statutory undertaker, any rights of the statutory undertaker in respect of such apparatus shall be preserved.
  4. On 1st April next after the date on which notice is given by the Secretary of State to Grampian Regional Council that the new side roads are open for the purpose of through traffic, the new side roads shall be transferred to that Council as roads authority therefor.



Deputy Chief Engineer  
National Roads Directorate

The Scottish Office Development Department  
Victoria Quay  
Edinburgh

29th November 1995

**SCHEDULE 1**  
**ROUTES OF NEW SIDE ROADS**

1. From a point to the north-east of the existing A96 Trunk Road (hereinafter referred to as "the existing trunk road") 5 metres or thereby south-east of its junction with the access to the property known as Hill View in a north westerly direction for a distance of 432 metres or thereby to join the existing trunk road as shown by stippling and marked '1' on the plan numbered SR1 in the plan folio numbered RYC/G7/3 entitled "The A96 Trunk Road (Kintore Bypass) (Side Roads) Order 1995" signed with reference to this Order and deposited at the offices of The Scottish Office Development Department, Victoria Quay, Edinburgh.
2. From a point 26 metres or thereby to the south-west of the existing trunk road at its junction with the access to the property known as Heatherbank in a north-westerly direction for a distance of 430 metres or thereby as shown by stippling and numbered '2' on plan SR1 in the said plan folio.
3. From a point on the existing trunk road 60 metres or thereby south of its junction with the access to the property known as Denhead in a westerly direction for a distance of 30 metres or thereby and then in a northerly direction for a distance of 70 metres or thereby as shown by stippling and numbered '3' on plan SR1 in the said plan folio.
4. From a point on the unclassified road known as Castle Road 130 metres or thereby west of the south west corner of the house known as Sunnybank in a general southerly direction for a distance of 10 metres or thereby as shown by stippling and numbered '4' on plan SR2 in the said plan folio.
5. From a point on the unclassified road known as Castle Road 50 metres or thereby west of the south west corner of the house known as Sunnybank in a generally northerly direction for a distance of 10 metres or thereby as shown by stippling and numbered '5' on plan SR2 in the said plan folio.
6. From a point on the existing trunk road 110 metres or thereby north-west of its junction with the access to the property known as Bridgend in a north-westerly direction for a distance of 120 metres or thereby to the centre point of a roundabout to the east of the new trunk road and then for a distance of 90 metres or thereby passing under the new trunk road in a westerly direction to the centre point of a second roundabout to the west of the new trunk road and then in a north-westerly direction for a distance of 210 metres or thereby as shown by stippling and numbered '6' on plan SR2 in the said plan folio.
7. From a point on the existing trunk road 100 metres or thereby south-east of its junction with Quarry Road in a south-westerly direction for a distance of 10 metres or thereby as shown by stippling and numbered '7' on plan SR2 in the said plan folio.
8. From a point on the existing trunk road adjacent to the south-eastern corner of the cemetery in a southerly direction for a distance of 230 metres or thereby as shown by stippling and numbered '8' on plan SR2 in the said plan folio.

9. From a point on the existing trunk road 35 metres or thereby north-west of the property known as Cairnhall in a north-easterly direction for a distance of 95 metres or thereby as shown by stippling and numbered '37' on plan SR2 in the said plan folio.

10. From a point on the existing road providing access to the properties known as Craig Villa, Parkview, Surrydene and Donu Cott in a south easterly direction for a distance of 15 metres or thereby as shown by stippling and numbered '38' on plan SR2 in the said plan folio.

**SCHEDULE 2**  
**ROADS TO BE IMPROVED**

1. That length of the existing A96 Trunk Road (hereinafter referred to as "the existing trunk road") from a point 60 metres or thereby north-west of its junction with the access to the property known as Coolgardie in a northerly direction for a distance of 40 metres or thereby as shown by cross-hatching and numbered '9' on the plan SR1 in the plan folio referred to in Schedule 1.
2. That length of the existing trunk road from a point 50 metres or thereby south of its junction with the access to the property known as Denhead in a southerly direction for a distance of 20 metres or thereby as shown by cross-hatching and numbered '10' on plan SR1 in the said plan folio.
3. That length of the existing trunk road from a point 15 metres or thereby south of its junction with the access to the property known as Denhead in a northerly direction for a distance of 55 metres or thereby as shown by cross-hatching and numbered '11' on plan SR1 in the said plan folio.
4. That length of the classified road (B994) from a point 190 metres or thereby east of the south east corner of the garden ground of the property known as Idlewilde in a westerly direction for a distance of 440 metres or thereby as shown by cross-hatching and numbered '12' on plan SR1 in the said plan folio.
5. That length of the classified road (B977) from a point 30 metres or thereby south-west of its junction with the access to the property known as Castle View in a south-westerly direction for a distance of 215 metres or thereby as shown by cross-hatching and numbered '13' on plan SR1 in the said plan folio.
6. From a point on the unclassified road known as Castle Road 20 metres or thereby west of the south west corner of the house known as Sunnybank in a westerly direction for a distance of 140 metres or thereby as shown by cross-hatching and numbered '14' on plan SR2 in the said plan folio.
7. That length of the unclassified road known as Forest Road from a point 12 metres or thereby from the south east corner of the garden ground known as Rosebank in a westerly direction for a distance of 80 metres or thereby as shown by cross-hatching and numbered '16' on plan SR2 in the said plan folio.
8. That length of the existing trunk road from a point 80 metres or thereby north-west of its junction with the access to the property known as Bridgend in a north-westerly direction for a distance of 50 metres or thereby as shown by cross-hatching and numbered '17' on plan SR2 in the said plan folio.
9. That length of the existing trunk road from a point 165 metres or thereby north-west of its junction with the access to the property known as Bridgend in a north-westerly direction for a distance of 85 metres or thereby as shown by cross-hatching and numbered '18' on plan SR2 in the said plan folio.

10. That length of the existing trunk road from a point 25 metres or thereby south-east of the easterly corner of the cemetery ground in a north-westerly direction for a distance of 80 metres or thereby as shown by cross-hatching and numbered '19' on plan SR2 in the said plan folio.

11. That length of the existing access road leading to the Cairnhall Industrial Estate from a point 100 metres or thereby north east of the existing trunk road in a north easterly direction for a distance of 30 metres or thereby as shown by cross hatching and numbered '20' on plan SR2 in the said plan folio.

**SCHEDULE 3**  
**LENGTHS OF ROAD TO BE STOPPED UP**

1. That length of the existing A96 Trunk Road (hereinafter referred to as "the existing trunk road") from a point at the junction with the access to the property known as Denhead in a southerly direction for a distance of 55 metres or thereby as shown by zebra hatching and numbered '21' on plan SR1 in the plan folio referred to in Schedule 1.
2. That length of the existing trunk road from a point 90 metres or thereby north-west of its junction with the access to the property known as Bridgend in a north-westerly direction for a distance of 90 metres or thereby as shown by zebra hatching and numbered '24' on plan SR2 in the said plan folio.
3. That length of the existing trunk road from a point 10 metres or thereby north-west of its junction with the access leading to the property known as Tavelty in a north-westerly direction for a distance of 20 metres or thereby as shown by zebra hatching and numbered '25' on plan SR2 in the said plan folio.
4. That length of the existing trunk road from a point 35 metres or thereby south-east of the eastern most corner of the cemetery ground in a northerly direction for a distance of 55 metres or thereby as shown by zebra hatching and numbered '26' on plan SR2 in the said plan folio.
5. That length of the existing trunk road from a point 5 metres or thereby to the north-west of its access to the property known as Cairnhall in a north-westerly direction for a distance of 65 metres or thereby as shown by zebra hatching and numbered '27' on plan SR2 in the said plan folio.

**SCHEDULE 4**  
**NEW MEANS OF ACCESS TO BE PROVIDED**

1. From a point on the existing private access 50 metres or thereby from the north-east corner of the property known as the Steading in a south-easterly direction for a distance of 150 metres or thereby to join the new side road as shown by hatching and numbered '28' on plan SR1 in the said plan folio.
2. From a point on the classified road (B994) 15 metres or thereby south-east of the south-east corner of the garden ground of the property known as Idlewilde in a north-westerly direction for a distance of 20 metres or thereby to the property known as Idlewilde as shown by hatching and numbered '29' on plan SR1 in the said plan folio.
3. From a point on the classified road (B997) 4 metres or thereby north east of the entrance to the property known as Heathbank in a north-westerly direction for a distance of 160 metres or thereby as shown by hatching and numbered '40' on plan SR1 in the said plan folio.
4. From a point on the unclassified road known as Castle Road 5 metres or thereby west of the property known as Sunnybank in a south-easterly direction for a distance of 140 metres or thereby as shown by hatching and numbered '41' on plan SR1 in the said plan folio.
5. From a point on the unclassified road known as Forest Road 10 metres or thereby east of number 44 Forest Road in a southerly direction for a distance of 40 metres or thereby and then in a westerly direction for a distance of 70 metres or thereby and then again in a southerly direction for a distance of 390 metres or thereby as shown by hatching and numbered '42' on plan SR2 in the said plan folio.
6. From a point on the unclassified road known as Quarry Road 10 metres or thereby east of the weigh bridge in a southerly direction for a distance of 120 metres or thereby as shown by hatching and numbered '43' on plan SR2 in the said plan folio.
7. From a point at the intersection of the existing trunk road and the access road leading to Tavelty in a northerly direction for a distance of 210 metres or thereby as shown by hatching and numbered '44' on plan SR2 in the said plan folio.



**SCHEDULE 5**  
**PRIVATE MEANS OF ACCESS TO BE STOPPED UP**

1. The existing private means of access to the builders yard at the north-eastern boundary of the new trunk road as shown by solid black bars and marked '31' on the plan numbered SR1 in the plan folio referred to in Schedule 1.
2. The existing private means of access to the area known as Broomhill at the south-western and north-eastern boundaries of the new trunk road and at the western boundary of the new side road to the west of the existing trunk road as shown by solid black bars and marked '32' on the plan numbered SR1 in the said plan folio.
3. The existing private means of access to the area known as Broomhill from the property known as Broomfield via the property known as The Bungalow at the south-western and north-eastern boundaries of the new trunk road as shown by solid black bars and numbered '33' on plan SR1 in the said plan folio.
4. The existing private means of access to the property known as Idlewilde at the northern boundary of the existing classified road (B994) as shown by solid black bars and numbered '34' on plan SR1 in the said plan folio.
5. The existing private means of access to the farm field leading from the existing access road at the properties known as Springburn and Springbank Cottages at the north-west and south-east boundaries of the new trunk road as shown by solid black bars and numbered '35' on plan SR2 in the said plan folio.
6. The existing private access road known as Quarry Road at the west and east boundaries of the new side road and at the west and east boundaries of the new trunk road as shown by solid black bars and numbered '36' on plan SR2 in the said plan folio.
7. The existing private road providing access to Cairnhall Industrial Estate at the north-west boundary of the new trunk road and to the west of Duna Cott as shown by black bars and numbered '39' on plan SR2 in the said plan folio.

