

## ROADS (SCOTLAND) ACT 1984

### THE ARGYLL AND BUTE COUNCIL (DUNBEG VILLAGE ROADS, DUNSTAFFNAGE CASTLE ROAD) (SIDE ROADS) ORDER 2017

Argyll and Bute Council in exercise of the powers conferred on it by Section 12(1)(a) of the Roads (Scotland) Act 1984 and of all other enabling powers hereby make the following Order:-

1. This order may be cited as “The Argyll and Bute Council (Dunbeg Village Roads, Dunstaffnage Castle Road) (Side Roads) Order 2017” and shall come into operation on the Twenty Third day of October Two Thousand and Seventeen

2. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:-

“**the 1984 Act**” means the Roads (Scotland) Act 1984;

“**The Council**” means Argyll and Bute Council, the roads authority for the Main Road;

“**Improvement**” in relation to a road, means the doing of anything for the benefit of road users, or any class of road users, beyond that which is essential to placing the road in a proper state of repair, and ‘improve’ shall be construed accordingly;

“**Main Road**” means the public Dunbeg Village Roads, Dunstaffnage Castle Road from its junction with Lorn Road near the Roman Catholic Church, to the cattle grid at the Housing Estate Boundary a distance of 345 yards, being 0.3Km in length;

“**Plan**” means the plan numbered 00006-03/216 and marked ‘The Argyll and Bute Council (Dunbeg Village Roads, Dunstaffnage Castle Road) (Side Roads) Order 2017’ signed and sealed with reference to this Order;

“**Road**” has the same meaning as in Section 151 of the Roads (Scotland) Act 1984, and for the avoidance of doubt, a road includes part of a road; and

“**Side Road**” means that private Road extending from the point marked ‘A’ on the Plan to the point marked ‘B’ on the Plan being 195 metres or thereby in length, as shown shaded red on the Plan, which Road crosses or enters the route of the Main Road or will otherwise be affected by the construction or improvement of the Main Road.

3. The Council are authorised in relation to the Main Road to:-

Improve or otherwise alter the Side Road

4. Where immediately before the date this Order comes into force there is under, in, on, over, along or across the Side Road any apparatus of a statutory undertaker, any rights of the statutory undertaker in respect of such apparatus shall be reserved.

Sealed with the Common Seal of the Argyll and Bute Council and subscribed for them and on their behalf by Donald Kelly, Legal Services Manager at Lochgilphead on the Sixteenth day of October Two Thousand and Seventeen.