

ROADS (SCOTLAND) ACT 1984

SCOTTISH BORDERS COUNCIL
(MARKET PLACE, SELKIRK)
(REDETERMINATION OF MEANS OF EXERCISE OF
PUBLIC RIGHT OF PASSAGE) ORDER 2017

The Scottish Borders Council, in exercise of the powers conferred on them by Section 152(2) 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 Scottish Borders Council (Market Place, Selkirk) (Redetermination of Means of Exercise of Public Right of Passage) Order 2017 and shall come into operation on _____ 2017.
2. The Interpretation Act 1978 shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.
3.
 - (a) the lengths of road specified in Schedule 2 to this Order currently a carriageway shall become a footway the right of passage exercisable by pedal cycle and foot only.
 - (b) the lengths of road specified in Schedule 3 to this Order currently a footway shall become a carriageway the right of passage exercisable by vehicles only.
 - (c) the lengths of road specified in Schedule 4 to this Order currently a footway shall become shared use (parking permitted) the right of passage exercisable by vehicles, pedal cycle and foot.
 - (d) the lengths of road specified in Schedule 5 to this Order currently a carriageway shall become shared use (footway and parking permitted) the right of passage exercisable by vehicles, pedal cycle and foot.
4. Nothing in Article 3 of this Order shall prevent the use of the road for emergency service vehicles

Made and confirmed by the Scottish Borders Council at Newtown St. Boswells this _____ day of
Two Thousand and Seventeen.

NUALA MCKINLAY
Chief Legal Officer

SCHEDULE 1

In the following Schedules reference point "A" means the east corner of the building known as 1 Ettrick Terrace;

The said lengths of road in Schedules 2 to 5 are shown on the plan numbered DS12.106/8070 annexed and executed as relative to this Order.

SCHEDULE 2

ROAD OVER WHICH THE MEANS OF EXERCISE OF PUBLIC RIGHT OF PASSAGE IS TO BE REDETERMINED.

FROM CARRIAGEWAY TO FOOTWAY

1. That length of the existing A7 High Street from a point 48 metres or thereby, north east of reference point "A", in a generally north easterly direction for a distance of 18 metres or thereby, as shown by zig-zag hatching and numbered "1" on the said plan.
2. That length of the existing A7 High Street from a point 53 metres or thereby, north east of reference point "A", in a generally north easterly direction for a distance of 14 metres or thereby, as shown by zig-zag hatching and numbered "2" on the said plan.
3. That length of the existing Market Place from a point 44 metres or thereby, north east of reference point "A", in a generally south westerly direction for a distance of 54 metres or thereby, as shown by zig-zag hatching and numbered "5" on the said plan.
4. That length of the existing A707 Market Place from a point 18 metres or thereby, south of reference point "A", in a generally westerly direction for a distance of 7 metres or thereby, as shown by zig-zag hatching and numbered "7" on the said plan.
5. That length of the existing Market Place from a point 43 metres or thereby, south east of reference point "A", in a generally south easterly direction for a distance of 7 metres or thereby, as shown by zig-zag hatching and numbered "9" on the said plan.
6. That length of the existing Market Place from a point 28 metres or thereby, south east of reference point "A", in a generally south easterly direction for a distance of 12 metres or thereby, as shown by zig-zag hatching and numbered "12" on the said plan.
7. That length of the existing Market Place from a point 32 metres or thereby, south of reference point "A", in a generally south easterly direction for a distance of 27 metres or thereby, as shown by zig-zag hatching and numbered "14" on the said plan.

SCHEDULE 3

ROAD OVER WHICH THE MEANS OF EXERCISE OF PUBLIC RIGHT OF PASSAGE IS TO BE REDETERMINED.

FROM FOOTWAY TO CARRIAGEWAY

1. That length of the existing A7 Market Place from a point 44 metres or thereby, north east of reference point "A", in a generally north easterly direction for a distance of 12 metres or thereby, as shown by zig-zag hatching and numbered "3" on the said plan.
2. That length of the existing A7 Market Place from a point 37 metres or thereby, north of reference point "A", in a generally north easterly direction for a distance of 10 metres or thereby, as shown by zig-zag hatching and numbered "4" on the said plan.
3. That length of the existing Market Place from a point 22 metres or thereby, south of reference point "A", in a generally south easterly direction for a distance of 23 metres or thereby, as shown by zig-zag hatching and numbered "10" on the said plan.

SCHEDULE 4

ROAD OVER WHICH THE MEANS OF EXERCISE OF PUBLIC RIGHT OF PASSAGE IS TO BE REDETERMINED.

FROM FOOTWAY TO SHARED USE (PARKING PERMITTED)

1. That length of the existing Market Place from a point 23 metres or thereby, south east of reference point "A", in a generally south westerly direction for a distance of 5 metres or thereby, as shown by zig-zag hatching and numbered "8" on the said plan.
2. That length of the existing Market Place from a point 39 metres or thereby, south east of reference point "A", in a generally south easterly direction for a distance of 5 metres or thereby, as shown by zig-zag hatching and numbered "11" on the said plan.

SCHEDULE 5

ROAD OVER WHICH THE MEANS OF EXERCISE OF PUBLIC RIGHT OF PASSAGE IS TO BE REDETERMINED.

FROM CARRIAGEWAY TO SHARED USE (FOOTWAY AND PARKING PERMITTED)

1. That length of the existing Market Place from a point 5 metres or thereby, south east of reference point "A", in a generally south easterly direction for a distance of 22 metres or thereby, as shown by zig-zag hatching and numbered "6" on the said plan.
2. That length of the existing Market Place from a point 40 metres or thereby, south of reference point "A", in a generally south easterly direction for a distance of 3 metres or thereby, as shown by zig-zag hatching and numbered "13" on the said plan.

SCOTTISH BORDERS COUNCIL

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PLACE, SELKIRK) (REDETERMINATION OF
MEANS OF EXERCISE OF PUBLIC RIGHT OF
PASSAGE) ORDER 2017**

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2017

Scottish Borders Council,
Council Headquarters
Newtown St. Boswells
MELROSE
TD6 0SA