

**THE M90/A90/A9000 TRUNK ROAD
(A90/A937 LAURENCEKIRK JUNCTION IMPROVEMENT)
COMPULSORY PURCHASE ORDER (No. 2) 202[]**

Made [] 202[]

The Roads (Scotland) Act 1984 and the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947.

The Scottish Ministers (hereinafter referred to as “the acquiring authority”) in exercise of the powers conferred by sections 103 to 108 inclusive as read with section 110(2) of the Roads (Scotland) Act 1984 hereby make the following compulsory purchase order-

1. This Order may be cited as the M90/A90/A9000 Trunk Road (A90/A937 Laurencekirk Junction Improvement) Compulsory Purchase (No. 2) Order 202[].
2. Subject to the provisions of this Order, the acquiring authority are hereby authorised to purchase compulsorily for the purpose of improving and constructing a new grade separated junction of the M90/A90/A9000 Edinburgh – Fraserburgh Trunk Road in the vicinity of Laurencekirk, Aberdeenshire, the land and rights which are described in the Schedule hereto and are delineated in red and coloured pink and blue respectively, on the map signed with reference to this Order and marked “Map referred to in the M90/A90/A9000 Trunk Road (A90/A937 Laurencekirk Junction Improvement) Compulsory Purchase Order (No. 2) 202[]”
3. In relation to the foregoing purchase section 70 of the Railways Clauses Consolidation (Scotland) Act 1845 and sections 71 to 78 of that Act as originally enacted and not as amended for certain purposes by section 15 of the Mines (Working Facilities and Support) Act 1923 are hereby incorporated with the enactment under which the said purchase is authorised, subject to the modifications that references in the said sections to the company shall be construed as references to the acquiring authority and references to the railway or works shall be construed as references to the land authorised to be purchased and any building or works constructed or to be constructed thereon.
4. For the purpose of the said section 71 of the Railways Clauses Consolidation (Scotland) Act 1845, as incorporated in this Order, the prescribed distance in relation to any seam of minerals lying under land adjoining the works to be constructed upon the land described in the Schedule hereto shall be such a lateral distance from the said works on every side thereof as is equal at every point along the said works to one half of the depth of the seam below the natural surface of the ground at that point or 37 metres (40 yards), whichever is the greater.

Subscribed by *INSERT NAME, INSERT DESIGNATION*, being an officer of the Scottish Ministers at *BLANK* on the *INSERT DATE* day of *INSERT MONTH* Two Thousand and *INSERT YEAR*, before the witness *INSERT NAME*, Civil Servant, *INSERT ADDRESS*

INSERT NAME

Witness

This is the Schedule referred to in the foregoing M90/A90/A9000 Trunk Road (A90/A937 Laurencekirk Junction Improvement) Compulsory Purchase Order (No. 2) 202[].

SCHEDULE

In this Schedule: -

1. All the land described is situated in the County of Kincardine;
2. “the trunk road” means the part of the existing M90/A90/A9000 Edinburgh – Fraserburgh Trunk Road in the vicinity of Laurencekirk, Aberdeenshire;
3. “the U91K” means the part of the existing U91K Oatyhill to Laurencekirk Road in the vicinity of Laurencekirk, Aberdeenshire;
4. Where all or part of a plot forms part of a title or titles registered in the Land Register of Scotland, the Land Register of Scotland Title Number is given at the end of the description.
5. The individual sheet (here in after referred to as “CPO Sheet 1”) within the said map on which the plot is shown is given at the end of the description.

Number on Map	Description of the land or servitude right	Owners	Lessees and Occupiers
1001	<p>549 square metres or thereby of the <i>solum</i> of the unnamed access track to the southwest of Denlethen Wood and northwest of the Perth and Aberdeen railway line and the trunk road.</p> <p>CPO Sheet 1</p>	Unknown	<p>Benefitted Proprietors</p> <p>1. Kevin Alexander Masson and Ericka May Blackie-Masson, Denlethen Cottage, Laurencekirk, AB30 1AT</p> <p>Land Register of Scotland Title Number KNC22965</p> <p>2. Forestry and Land Scotland, National Office, Great Glen House, Leachkin Road, Inverness, IV3 8NW</p> <p>Land Register of Scotland Title Number KNC3570</p>
1002	<p>7,496 square metres or thereby of arable land lying to the southwest of Denlethen Wood, west of the Perth and Aberdeen railway line and north of the old trunk road.</p> <p>Land Register of Scotland Title Number KNC8402.</p> <p>CPO Sheet 1</p>	<p>Kincardine Investment Company LTD Incorporated under the Companies Act (Company Number 198237), Registered Office Kincardine House, Aberargie, Perth, PH2 9LX</p>	Owner

1003	2,622 square metres or thereby of the <i>solum</i> of the old trunk road lying to the west of Perth and Aberdeen railway line and north of the trunk road. CPO Sheet 1	Unknown	Occupied by Aberdeenshire Council as roads authority. Interest not being acquired
1004	958 square metres or thereby of arable land lying to the southwest of Denlethen Wood lying to the west of Perth and Aberdeen railway line and north of the trunk road. CPO Sheet 1	Kincardine Investment Company LTD Incorporated under the Companies Act (Company Number 198237), Registered Office at Kincardine House, Aberargie, Perth, PH2 9LX	Owner
1005	4,439 square metres or thereby of arable land lying to the east of Perth and Aberdeen railway line, southeast of Denlethen Wood and north of the trunk road. Land Register of Scotland Title Number KNC5739. CPO Sheet 1	1. Claire Marie Reid, 196 North Deeside Road, Milltimber, Aberdeen, AB13 0HJ 2. Robert David Kerr, Meiklehall Farm, Fettercairn AB30 1YQ 3. James Stewart Jamieson, Romornie, 27 Craigs Road, Ellon AB41 9BG as Executors of the Estate of Alexander John Stirling Reid	Owner

1006	<p>1,475 square metres or thereby of the <i>solum</i> of the old trunk road lying to the east of Perth and Aberdeen railway line, southeast of Denlethen Wood and north of the trunk road.</p> <p>CPO Sheet 1</p>	Unknown	<p>Occupied by Aberdeenshire Council as roads authority. Interest not being acquired</p>
1007	<p>651 square metres or thereby of grassland lying to the southeast of Denlethen Wood, east of the Perth and Aberdeen railway line and north of the trunk road.</p> <p>Land Register of Scotland Title Number KNC8402.</p> <p>CPO Sheet 1</p>	<p>Kincardine Investment Company LTD Incorporated under the Companies Act (Company Number 198237), Registered Office at Kincardine House, Aberargie, Perth, PH2 9LX</p>	Owner

1008	<p>A heritable and irredeemable servitude right:</p> <p>(a) to construct, retain, maintain, repair and renew a bridge structure carrying a road over the airspace of 693 square metres or thereby of operational railway land comprising the Perth and Aberdeen Railway Line lying a distance of 14m or thereby south of the southern extents of the existing Oatyhill Bridge and to the north of the M90/A90/A9000 Edinburgh to Fraserburgh Trunk Road (which subjects are, for the purposes of the servitude rights affecting Plot 1008, identified as and hereinafter in this description referred to as the “burdened property”), to connect the subjects being acquired, by the acquiring authority for the purposes connected with constructing a new road in the vicinity of Laurencekirk, Aberdeenshire lying on either side of and adjoining the burdened property, being the subjects numbered plots 1001, 1002, 1003, 1004, 1005, and 1006, more particularly described in this schedule and shown on the map, (which subjects are for the purposes of the servitude rights affecting Plot 1008 hereby nominated and identified as, and hereinafter in this description referred to as the “benefited property”), together with a servitude right of vehicular and pedestrian way to, from and between the benefited property and over the road formed on the said bridge structure, including for the avoidance of doubt public rights of access over the said road, and for the installing on, laying through and in or attaching to the said bridge structure of all necessary lighting apparatus, road signs, pipes, cables, equipment and apparatus for all necessary services as may be required by the owner for the time being of the benefited property, with power to the acquiring authority and their successors as the proprietors of the benefited property, and those authorised by them, their employees and contractors to enter on the burdened property for the purpose of constructing a new bridge and road, and thereafter inspecting, maintaining, improving, repairing and renewing the same; and</p> <p>(b) of laying down and maintaining drainage apparatus within the bridge to convey road and other drainage from the benefited property and the bridge carrying the road in and through the burdened property to discharge into Oatyhill Tributary,</p>	<p>Network Rail Infrastructure Ltd (Company No. 02904587) Kings Place, 90 York Way, London, N1 9AG</p>	<p>Owner</p>
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	<p>Aberdeenshire and that on a line at the discretion of the acquiring authority or their successors as proprietors of the benefited property, with power to the acquiring authority and their successors as aforesaid and those authorised by them, their employees and contractors, to enter on the burdened property for the purpose of laying down said drainage apparatus and thereafter inspecting, maintaining, improving, repairing and renewing same.</p> <p>CPO Sheet 1</p>		
1009	<p>A heritable and irredeemable servitude right over 805 square metres or thereby of arable land lying to the southwest of Denlethen Wood, the south-east of the Perth and Aberdeen Railway Line, and to the north of the M90/A90/A9000 Edinburgh to Fraserburgh Trunk Road (which subjects are, for the purposes of this servitude right hereby nominated and identified as the “burdened property”), of laying down and maintaining drainage apparatus to convey road and other drainage from the benefited property in and through the burdened property to discharge into Oatychill Tributary, Aberdeenshire and that on a line at the discretion of the acquiring authority or their successors as proprietors of the benefited property, with power to the acquiring authority and their successors as aforesaid and those authorised by them, their employees and contractors, to enter on the burdened property for the purpose of laying down said drainage apparatus and thereafter inspecting, maintaining, improving, repairing and renewing same.</p> <p>For the purposes of this servitude right the following subjects are hereby nominated and identified as, and in the foregoing description referred to as, the benefited property: The plots numbered 1005, 1006 and 1007 more particularly described in this schedule and shown on the said map.</p> <p>Land Register of Scotland Title Number KNC5739.</p> <p>CPO Sheet 1</p>	<p>1. Claire Marie Reid, 196 North Deeside Road, Milltimber, Aberdeen, AB13 0HJ</p> <p>2. Robert David Kerr, Meiklehall Farm, Fettercairn AB30 1YQ</p> <p>3. James Stewart Jamieson, Romornie, 27 Craigs Road, Ellon AB41 9BG</p> <p>as Executors of the Estate of Alexander John Stirling Reid</p>	Owner

1010	<p>A heritable and irredeemable servitude right over 644 square metres or thereby of arable land lying to the southwest of Denlethen Wood, the south-east of the Perth and Aberdeen Railway Line, and to the north of the M90/A90/A9000 Edinburgh to Fraserburgh Trunk Road (which subjects are, for the purposes of this servitude right hereby nominated and identified as the “burdened property”), of laying down and maintaining drainage apparatus to convey road and other drainage from the benefited property in and through the burdened property to discharge into Oatychill Tributary, Aberdeenshire and that on a line at the discretion of the acquiring authority or their successors as proprietors of the benefited property, with power to the acquiring authority and their successors as aforesaid and those authorised by them, their employees and contractors, to enter on the burdened property for the purpose of laying down said drainage apparatus and thereafter inspecting, maintaining, improving, repairing and renewing same.</p> <p>For the purposes of this servitude right the following subjects are hereby nominated and identified as, and in the foregoing description referred to as, the benefited property: The plots numbered 1001, 1002, 1003, and 1004 more particularly described in this schedule and shown on the said map.</p> <p>CPO Sheet 1</p>	<p>Kincardine Investment Company LTD Incorporated under the Companies Act (Company Number 198237), Registered Office at Kincardine House, Aberargie, Perth, PH2 9LX</p>	Owner
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1011	<p>A heritable and irredeemable servitude right over 132 square metres or thereby of arable land lying to the southwest of Denlethen Wood, the south-east of the Perth and Aberdeen Railway Line, and to the north of the M90/A90/A9000 Edinburgh to Fraserburgh Trunk Road (which subjects are, for the purposes of this servitude right hereby nominated and identified as the “burdened property”), of laying down and maintaining drainage apparatus to convey road and other drainage from the benefited property in and through the burdened property to discharge into Oatychill Tributary, Aberdeenshire and that on a line at the discretion of the acquiring authority or their successors as proprietors of the benefited property, with power to the acquiring authority and their successors as aforesaid and those authorised by them, their employees and contractors, to enter on the burdened property for the purpose of laying down said drainage apparatus and thereafter inspecting, maintaining, improving, repairing and renewing same.</p> <p>For the purposes of this servitude right the following subjects are hereby nominated and identified as, and in the foregoing description referred to as, the benefited property: The plots numbered 1001, 1002, 1003, and 1004 more particularly described in this schedule and shown on the said map.</p> <p>CPO Sheet 1</p>	Unknown	<p>Occupied by Aberdeenshire Council as roads authority. Interest not being acquired</p>
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1012	<p>A heritable and irredeemable servitude right over 462 square metres or thereby of arable land lying to the southwest of Denlethen Wood, the south-east of the Perth and Aberdeen Railway Line, and to the north of the M90/A90/A9000 Edinburgh to Fraserburgh Trunk Road (which subjects are, for the purposes of this servitude right hereby nominated and identified as the “burdened property”), of laying down and maintaining drainage apparatus to convey road and other drainage from the benefited property in and through the burdened property to discharge into Oatychill Tributary, Aberdeenshire and that on a line at the discretion of the acquiring authority or their successors as proprietors of the benefited property, with power to the acquiring authority and their successors as aforesaid and those authorised by them, their employees and contractors, to enter on the burdened property for the purpose of laying down said drainage apparatus and thereafter inspecting, maintaining, improving, repairing and renewing same.</p> <p>For the purposes of this servitude right the following subjects are hereby nominated and identified as, and in the foregoing description referred to as, the benefited property: The plots numbered 1001, 1002, 1003, and 1004 more particularly described in this schedule and shown on the said map.</p> <p>CPO Sheet 1</p>	<p>Kincardine Investment Company LTD Incorporated under the Companies Act (Company Number 198237), Registered Office at Kincardine House, Aberargie, Perth, PH2 9LX</p>	Owner
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1013	<p>A heritable and irredeemable servitude right over 366 square metres or thereby of arable land lying to the southwest of Denlethen Wood, the south-east of the Perth and Aberdeen Railway Line, and to the north of the M90/A90/A9000 Edinburgh to Fraserburgh Trunk Road (which subjects are, for the purposes of this servitude right hereby nominated and identified as the “burdened property”), of laying down and maintaining drainage apparatus to convey road and other drainage from the benefited property in and through the burdened property to discharge into Oatyhill Tributary, Aberdeenshire and that on a line at the discretion of the acquiring authority or their successors as proprietors of the benefited property, with power to the acquiring authority and their successors as aforesaid and those authorised by them, their employees and contractors, to enter on the burdened property for the purpose of laying down said drainage apparatus and thereafter inspecting, maintaining, improving, repairing and renewing same.</p> <p>For the purposes of this servitude right the following subjects are hereby nominated and identified as, and in the foregoing description referred to as, the benefited property: The plots numbered 1001, 1002, 1003, and 1004 more particularly described in this schedule and shown on the said map.</p> <p>CPO Sheet 1</p>	Unknown	Unknown
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1014	<p>A heritable and irredeemable servitude right over 147 square metres or thereby of arable land lying to the southwest of Denlethen Wood, the south-east of the Perth and Aberdeen Railway Line, and to the north of the M90/A90/A9000 Edinburgh to Fraserburgh Trunk Road (which subjects are, for the purposes of this servitude right hereby nominated and identified as the “burdened property”), of laying down and maintaining drainage apparatus to convey road and other drainage from the benefited property in and through the burdened property to discharge into Oatychill Tributary, Aberdeenshire and that on a line at the discretion of the acquiring authority or their successors as proprietors of the benefited property, with power to the acquiring authority and their successors as aforesaid and those authorised by them, their employees and contractors, to enter on the burdened property for the purpose of laying down said drainage apparatus and thereafter inspecting, maintaining, improving, repairing and renewing same.</p> <p>For the purposes of this servitude right the following subjects are hereby nominated and identified as, and in the foregoing description referred to as, the benefited property: The plots numbered 1001, 1002, 1003, and 1004 more particularly described in this schedule and shown on the said map.</p> <p>Land Register of Scotland Title Number KNC8402..</p> <p>CPO Sheet 1</p>	Kincardine Investment Company LTD Incorporated under the Companies Act (Company Number 198237), Registered Office at Kincardine House, Aberargie, Perth, PH2 9LX	Owner
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Roads (Scotland) Act 1984

Acquisition of Land (Authorisation Procedure)

(Scotland) Act 1947

The M90/A90/A9000 Trunk Road

(A90/A937 Laurencekirk Junction

Improvement)

Compulsory Purchase Order (No. 2) 202[]

Scottish Government Legal Directorate

Victoria Quay

Edinburgh

EH6 6QQ

Transport Scotland Ref:

A90/A937 Laurencekirk Junction Improvement:

Orders: