

MORAY COUNCIL

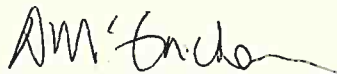
ROADS (SCOTLAND) ACT 1984

**MORAY COUNCIL
(C54H CROOKSMILL TO MULDEARIE ROAD (AT ROSARIE LEVEL
CROSSING) - STOPPING UP) ORDER 2023**

Moray Council in exercise of its powers conferred upon them by Section 68(1) of the Roads (Scotland) Act 1984, in accordance with approval granted by the Council's Economic Development and Infrastructure Services Committee on 5th September 2023 and of all other powers enabling them in that behalf, and having agreed to the request of Network Rail that the road specified in the Schedule to this Order be Stopped Up and removed from the List of Public Roads hereby make the following order:-

1. This Order may be cited as "Moray Council (C54H Crooksmill to Muldearie Road (at Rosarie Level Crossing) – Stopping Up) Order 2023" and will come into operation on (date to be inserted).
2. The Stopping Up of the C54H Crooksmill to Muldearie Road at the Rosarie Level Crossing in the Moray Council area of Keith, specified in the Schedule and shown coloured purple on the plan number 1 and plan number 2 annexed and signed as relative to this Order is hereby ordered.
3. Where there is, immediately before the date on which the said road is stopped up under this Order, any apparatus belonging to any statutory undertakers under, in, on, over, along or across that road for the purpose of carrying on their undertaking, the said statutory undertakers shall after the commencement of this Order, continue to have all rights in respect of the said apparatus as they had immediately before that date.

Given under the Seal of Moray Council on 1st May 2024.



Head of Governance, Strategy and Performance

MORAY COUNCIL

ROADS (SCOTLAND) ACT 1984


**MORAY COUNCIL
(C54H CROOKSMILL TO MULDEARIE ROAD (AT ROSARIE LEVEL
CROSSING) - STOPPING UP) ORDER 2023**

SCHEDULE

ROAD TO BE STOPPED UP

| ROAD | |
|--|--|
| C54H Crooksmill to Muldearie Road, Keith | At Rosarie Level Crossing from a point 263 metres or thereby in a north westerly direction from its junction with the A95 Mulben to Keith Road for a distance of 8 metres or thereby in a northerly direction. |

This is the Schedule referred to in the foregoing Moray Council (C54H Crooksmill to Muldearie Road (at Rosarie Level Crossing) – Stopping Up) Order 2023



Head of Governance, Strategy and Performance



STATEMENT OF REASONS

The "Stopping Up" Order is being promoted at the request of Network Rail.

Rosarie level crossing is of the Automatic Open Crossing Remotely Monitored (AOCR) type, and is the last such crossing on the national rail network.

All others were removed or upgraded after a serious accident at the AOCR crossing at Lockington in 1986. The protective measures at AOCRs are road traffic signals and audible warnings activated by the approaching train, signs and carriageway markings. There are no crossing barriers, and once the crossing is activated, a train is unlikely to be able to stop before reaching it.

The Office of Rail and Road has instructed Network Rail to either improve the crossing or remove it. Due to the existing layout of the crossing and connecting road network, any improvements are not deemed to be reasonably practicable as an alternative route already exists.

Over the years, there have been a number of incidents at Rosarie level crossing that have only served to highlight the risks of this type of crossing.

Historically, the creation of two optional alternative routes have been explored by Moray Council but neither was suitable.

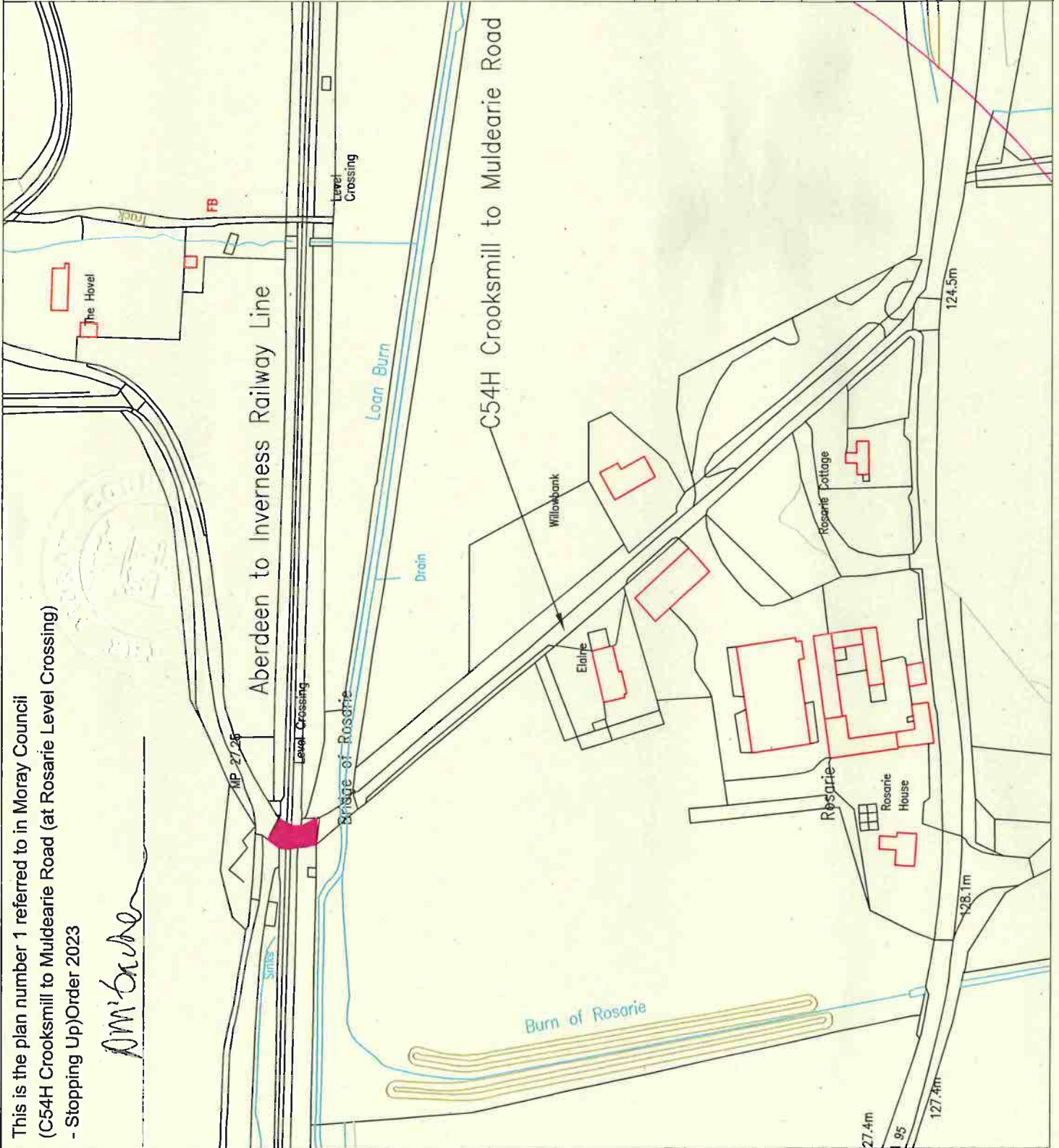
Due to the layout of Rosarie level crossing, some ScotRail drivers, following intervention of the rail unions, are reducing the speed of the trains in its vicinity to reduce the likelihood of conflicts with motor vehicles and this is having a direct effect on the reliability of the Inverness to Aberdeen train service.

This is the plan number 1 referred to in Moray Council
 (C54H Crooksmill to Muldearie Road (at Rosarie Level Crossing)
 - Stopping Up) Order 2023

AM'Crane



C54H Crooksmill to Muldearie
 Road – Proposed Stopping up
 at Rosarie Level Crossing



| REV | AMENDMENTS | DATE | BY | CHECKED | DATE |
|-----|------------|------|-----|---------|----------|
| | DESIGNED | | KMP | | Feb 2016 |
| | DRAFTED | | KMP | | Feb 2018 |
| | CHECKED | | | | |

SCALES: NTS



 THE MORAY COUNCIL
 DIRECT SERVICES - TRANSPORTATION
 COUNCIL OFFICE
 ACADEMY STREET
 ELGIN DD9 1LL



 ISO 9001:2000
 FS 3374

 DRAWING NO.
 ROSARIED01

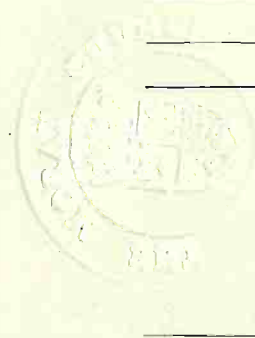
THE MORAY COUNCIL
 C54H Crooksmill to Muldearie Road
 Proposed Stopping Up at Rosarie Level Crossing
 General Layout
 1 of 2



C54H Crooksmill to Muldearie Road - Proposed Stopping up at Rosarie Level Crossing

This is plan number 2 referred to in Moray Council (C54H Crooksmill to Muldearie Road (at Rosarie Level Crossing) - Stopping Up) Order 2023

Amable



| REV | AMENDMENTS | DATE | BY | CHECKED | DATE |
|-----|------------|------|-----|---------|----------|
| | DESIGNED | | KMP | | Feb 2018 |
| | DRAFTED | | KMP | | Feb 2018 |
| | CHECKED | | | | |

SCALES: NTS



THE MORAY COUNCIL
DIRECT SERVICES - TRANSPORTATION
COUNCIL OFFICE
ACADEMY STREET
ELGIN N20 1LL



ISC 8001, 2000
FS 23724

DRAWING NO.
ROSARIE01

THE MORAY COUNCIL
C54H Crooksmill to Muldearie Road
Proposed Stopping Up at Rosarie Level Crossing
General Layout
2 of 2

