

1982 No. 457

HIGHWAYS, ENGLAND AND WALES

**The London-Fishguard Trunk Road (Northleach Bypass)
Order 1982**

*Made - - - - -
Coming into Operation*

*25th March 1982
15th April 1982*

The Secretary of State for Transport makes this order in exercise of powers conferred by sections 10, 12 and 41 of the Highways Act 1980(a) and now vested in him(b), and of all other enabling powers:—

1. The new highway which the Secretary of State proposes to construct along the route described in Schedule 1 to this order shall become a trunk road as from the date when this order comes into operation.

2. The centre line of the new trunk road is indicated by a heavy black line on the deposited plan.

3. The Secretary of State directs as respects any part of a highway which crosses the route of the new trunk road that:—

(a) where the highway is a highway maintainable at the public expense by a local highway authority, the part in question shall be maintained by that authority, and

(b) where the highway is not a highway so maintainable and is not maintainable under a special enactment or by reason of tenure, enclosure or prescription, the Secretary of State shall be under no duty to maintain the part in question,

until, in either case, a date to be specified in a notice given by the Secretary of State to the highway authority for that highway. The date specified will not be later than the date on which the relevant route is opened for the purposes of through traffic.

4. The length of trunk road described in Schedule 2 to this order and shown by broad striped hatching on the deposited plan shall cease to be a trunk road and shall be classified as a classified road as from the date on which the Secretary of State notifies the County Council of Gloucestershire that the new trunk road is open for through traffic.

(a) 1980 c. 66.

(b) S.I. 1981/238.

5. In this order:—

- (1) all measurements of distance are measured along the route of the relevant highway;
- (2) (i) “classified road”—as a classification for a highway, means that the highway is not a principal road for the purposes of enactments or instruments which refer to highways classified as principal roads but is a classified road for the purpose of every enactment and instrument which refers to highways classified by the Secretary of State and which does not specifically refer to their classification as principal roads;
- (ii) “the deposited plan”—means the plan numbered HA10/2-SW230, marked “The London–Fishguard Trunk Road (Northleach Bypass) Order 1982” signed by authority of the Secretary of State and deposited at the Department of Transport, Romney House, 43 Marsham Street, London SW1P 3PY;
- (iii) “the new trunk road”—means the highway mentioned in Article 1 of this order;
- (iv) “the trunk road”—means the London–Fishguard Trunk Road (A40).

6. This order shall come into operation on 15th April 1982 and may be cited as the London–Fishguard Trunk Road (Northleach Bypass) Order 1982.

Signed by authority of
the Secretary of State
25th March 1982.

F. P. Davis
Regional Director
South West Region
Department of Transport.

SCHEDULE 1

ROUTE OF THE NEW TRUNK ROAD

The route of the new trunk road is a route about 6.8 kilometres (4.2 miles) in length at Northleach in the County of Gloucestershire, starting at a point on the trunk road about 60 metres (66 yards) south east of the junction between the trunk road and Green Lane (KHN 9) at Puesdown and then going in a generally easterly direction to rejoin the trunk road at a point on the trunk road about 530 metres (580 yards) east of its junction with the County Road No. 40674.

SCHEDULE 2

LENGTH OF TRUNK ROAD CEASING TO BE A TRUNK ROAD

The length of trunk road ceasing to be a trunk road is that length of the trunk road which is situated between the starting and termination points of the route of the new trunk road described in Schedule 1 above.

EXPLANATORY NOTE

(This Note is not part of the order.)

This order reproduces the substance of the London–Fishguard Trunk Road (Northleach Bypass) Order 1979 (S.I. 1979/89) which was quashed by Order of the High Court on the 12th day of October 1979.