
STATUTORY INSTRUMENTS

1989 No. 746

HIGHWAYS, ENGLAND AND WALES

**The A38 Trunk Road (Marsh Mills
Junction Improvement) Order 1989**

Made - - - - - *26th April 1989*

Coming into force - - - - - *19th May 1989*

The Secretary of State for Transport makes this Order in exercise of powers conferred by sections 10 and 41 of the Highways Act 1980(1), and now vested in him(2), and of all other enabling powers:

1. The new highways which the Secretary of State proposes to construct along the routes described in the Schedule to this Order shall become trunk roads as from the date when this Order comes into force.

2. The centre lines of the new trunk roads are 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 either of the new trunk roads 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. In this Order:—

- (1) all measurements of distance are measured along the route of the relevant highway;
- (i) “the deposited plan” means the plan numbered HA10/2-SWM 55 marked “The A38 Trunk Road (Marsh Mills Junction Improvement) Order 1989” signed by authority of the Secretary of State and deposited at the Department of Transport, Romney House, 43 Marsham Street, London SW1P 3PY;
- (ii) “the new trunk roads” means the highways mentioned in article 1 of this Order; and

(1) 1980 c. 66.
(2) S.I.1981/238.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(iii) “the trunk road” means the A38 Trunk Road.

5. This Order shall come into force on 19th May 1989 and may be cited as the A38 Trunk Road (Marsh Mills Junction Improvement) Order 1989.

Signed by authority of the Secretary of State

26th April 1989

G. M. Wedd
Regional Director South West Region
Department of Transport

SCHEDULE

ROUTES OF THE NEW TRUNK ROADS

The routes of the new trunk roads are routes at Marsh Mills in the County of Devon and are as follows:—

(1) a route about 1,390 metres in length, starting at a point about 580 metres south-east of the south-eastern side of the existing roundabout at Marsh Mills and proceeding in a north-westerly direction on a flyover across that roundabout to a point about 665 metres north-west of the north-western side of that roundabout, and given the reference number “1” on the deposited plan; and

(2) a route starting at the junction of the eastbound carriageway of the trunk road with the south-eastern side of the existing roundabout at Marsh Mills and proceeding in a north-westerly direction for about 32 metres, and given the reference number “2” on the deposited plan.