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STATUTORY INSTRUMENTS

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**1993 No. 169**

**HIGHWAYS, ENGLAND AND WALES**

**The Special Road Schemes and Highways  
Orders (Procedure) Regulations 1993**

*Made* - - - - - *26th January 1993*  
*Laid before Parliament* *5th February 1993*  
*Coming into force* - - - *1st March 1993*

The Secretary of State in exercise of the powers under section 324(1) and (2) of the Highways Act 1980<sup>(1)</sup> conferred on or now vested in him<sup>(2)</sup> and of all other powers enabling him in that behalf, hereby makes the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Special Road Schemes and Highways Orders (Procedure) Regulations 1993 and shall come into force on 1st March 1993.

(2) In these Regulations—

- (a) a reference to a section or a Schedule followed by a number is a reference to the section of, or Schedule to, the Highways Act 1980 bearing that number;
- (b) a reference to a road, highway or private means of access includes where appropriate a reference to any length, or part of a road, highway or private means of access, as the case may be; and
- (c) “special road” includes a proposed highway which is the subject of a scheme made by a local authority under section 16 and which would be a special road if the scheme were confirmed.

**Revocation**

2. The Special Roads and Trunk Roads (Procedure) Regulations 1962<sup>(3)</sup> and the Special and Other Roads (Maps etc.) Regulations 1971<sup>(4)</sup> are hereby revoked.

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(1) 1980 c. 66. The expression “the Minister” is defined in section 329(1).

(2) See S.I. 1981/238, article 2(2), by which the powers of the Minister of Transport under section 324(1) and (2) of the Highways Act 1980 were transferred to the Secretary of State.

(3) S.I. 1962/1319.

(4) S.I. 1971/1706.

### **Orders under section 18 to be made by reference to plans**

3. An order under section 18 shall be made by reference to a plan on a scale of not less than 1/2500, containing a key of symbols and showing up-to-date details within the area of the proposals and—

- (a) the route of any new highway to be constructed or new private means of access to be provided,
- (b) any highway or private means of access to be stopped up,
- (c) the diverted or realigned route of any highway to be diverted or realigned, and
- (d) the route of any other highway to which the order relates.

### **Centre lines**

4.—(1) The centre line of—

- (a) a special road authorised by a scheme under section 16, or
- (b) a proposed highway directed by an order under section 10 to become a trunk road,

shall be indicated by a black band not more than 1.5 millimetres wide on a plan on a scale of not less than 1/10,000 showing up-to-date details of the area within 67 metres each side of the centre line.

(2) The centre line of a new highway to be constructed in pursuance of an order under section 14 or 18 shall be indicated on a plan on a scale of not less than 1/2500.

### **Limits of deviation**

5. The limits of deviation in relation to any road or highway referred to in Regulation 4 above shall be shown either—

- (a) by broken lines suitably marked on the plan on which the centre line of the road or highway is indicated, and placed at the appropriate distance on each side of that centre line, or
- (b) by a statement of the limits of deviation written on or attached to such plan, describing the extent of those limits and identifying the road or highway to which the particular limits relate.

### **Local highway authority schemes and orders**

6. Where a local highway authority apply to the Secretary of State for confirmation of a scheme under section 16 or an order under section 18, they shall send to the Secretary of State—

- (a) the scheme or order in duplicate together with a copy of the scheme or order and three copies of any map or plan referred to in it,
- (b) a statement containing the particulars specified in relation to such a scheme or order in Part I of the Schedule to these Regulations, and
- (c) the documents specified in relation to such a scheme or order in Part II of that Schedule.

That authority shall also provide the Secretary of State with any further information he may require, including maps, plans, sections and specifications.

### **Schemes and orders already made or published in draft**

7. Regulations 3, 4 and 6 above shall not apply to any scheme or order made by a local highway authority and submitted to the Secretary of State for confirmation, or published in draft by the Secretary of State, before 1st March 1993; and in relation to any such scheme or order Regulations 2 and 3 of the Special Roads and Trunk Roads (Procedure) Regulations 1962 and Regulation 3 of the

Special and Other Roads (Maps etc.) Regulations 1971 shall continue to apply as if those Regulations had not been revoked.

26th January 1993

*John MacGregor*  
Secretary of State for Transport

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*David Hunt*  
Secretary of State for Wales

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

## SCHEDULE

Regulation 6

### PART I

#### PARTICULARS TO BE CONTAINED IN THE STATEMENT

**(a) In relation to a scheme under section 16**

1. Full reasons for the proposal.
2. Suggested name of the special road and general description of its route.
3. Classes of traffic for which the special road is intended, by reference to the classes of traffic in Schedule 4.
4. Precise proposed points of commencement and termination of the special road.
5. Overall length of the special road, including any existing road proposed to become part of the special road (in kilometres, to two places of decimals).
6. If the special road incorporates any existing road—
  - (a) name and classification number (if any) of existing road;
  - (b) precise points of commencement and termination of existing road;
  - (c) length of existing road, in kilometres, to two places of decimals; and
  - (d) name of the highway authority for existing road.
7. Estimate of the cost of special road showing separately the cost of land (including accommodation works), road works and bridge works and the total cost.
8. Particulars of any toll order under section 6 of the New Roads and Street Works Act 1991<sup>(5)</sup> and of any appropriation or transfer order under section 18(1)(a) or (b), made or intended to be made by the local highway authority in relation to the special road.

**(b) In relation to an order under section 18**

1. Full reasons for the proposals.
2. Title of proposed order.
3. Title of any related special road scheme, appropriation or transfer order under section 18, or toll order under section 6 of the New Roads and Street Works Act 1991, or name of the special road to which the scheme or order relates.
4. Reference number of any map, plan or section referred to in any related special road scheme.

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(5) 1991 c. 22.

## PART II

### OTHER DOCUMENTS TO BE SUPPLIED

#### **(a) In relation to a scheme under section 16**

1. If the special road is to be more than 16 kilometres long, a key plan to a scale of not less than 1/50,000 showing the special road by means of a band of red colour not more than 1 millimetre wide, based on the proposed centre line of the road.

2. Two copies of a longitudinal section on the centre line of the special road to scales which should normally be 1/2500 horizontal and 1/250 vertical.

3. Two copies (a) of any toll order under section 6 of the New Roads and Street Works Act 1991 and (b) of any appropriation or transfer order, made or intended to be made by the local highway authority in relation to the special road.

#### **(b) In relation to an order under section 18**

1. An engineering layout plan of the proposals on a scale of not less than 1/250.

2. A longitudinal section to scales of 1/2500 horizontal and 1/250 vertical.

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### EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Where a new road is to be provided pursuant to a scheme or order under the Highways Act 1980, its centre line must be shown on a plan referred to in the scheme or order and available for public inspection; and if the scheme or order allows deviation from that line, the limits of deviation must also be shown on the relevant plan.

These Regulations prescribe the means of indicating such centre lines and limits of deviation, and replace the existing provisions except in relation to schemes and orders where the procedure has already started before these Regulations come into force.

They also require every order under section 18 of that Act to refer to a plan showing any changes authorised by that order to roads and private means of access; they prescribe the procedure to be followed by a local highway authority when submitting a scheme or order made by them to the Secretary of State for confirmation; and they revoke the previous provisions dealing with all these matters.