STATUTORY INSTRUMENTS

1989 No. 1556

HIGHWAYS, ENGLAND AND WALES

The A35 Trunk Road (Yellowham Hill, Troy Town Improvement) Order 1989

Made - - - -	*24th August 1989*
Coming into force	*15th September 1989*

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 force.

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 the 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 new trunk road is open 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 as from the date on which the Secretary of State notifies the County Council of Dorset that the new trunk road is open for through traffic.

5. In this Order–

(1) all measurements of distances are measured along the route of the relevant highway;

(**a**) 1980 c.66. (**b**) S.I. 1981/238.

(2) (i) "the deposited plan" means the plan numbered HA 10/1 SWM 57 marked "The A35 Trunk Road (Yellowham Hill, Troy Town Improvement) Order 1989" signed by authority of the Secretary of State and deposited at the Department of Transport, 43 Marsham Street, Lodnon SW1P 3PY;

(ii) "the new trunk road" means the highway mentioned in article 1 of this Order;

(iii) "the trunk road" means the A35 Trunk Road;

(iv) "by-way" means a by-way open to all traffic within the meaning given to that expression by section 66(1) of the Wildlife and Countryside Act 1981(a).

6. This Order shall come into force on 15th September 1989, and may be cited as the A35 Trunk Road (Yellowham Hill, Troy Town Improvement) Order 1989.

Signed by authority of the Secretary of State

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

24th August 1989

SCHEDULE 1

ROUTE OF THE NEW TRUNK ROAD

The route of the new trunk road is at Yellowham Hill in the District of West Dorset in the County of Dorset and is about 2.27 kilometres in length starting at the junction of the trunk road and the unclassified road known as Cuckoo Lane, proceeding in a generally north-easterly direction and ending at the junction of the trunk road and the by-way known as Two Droves.

SCHEDULE 2

LENGTH OF THE TRUNK ROAD CEASING TO BE A TRUNK ROAD

The length of the trunk road ceasing to be a trunk road is the length between its junction with the unclassified road known as Cuckoo Lane and its junction with the by-way known as Two Droves, at Yellowham Hill in the Parishes of Stinsford and Puddletown in the District of West Dorset in the County of Dorset and is about 2.35 kilometres in length.

(a) 1981 c.69.

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