STATUTORY INSTRUMENTS

1988 No. 608

HIGHWAYS, ENGLAND AND WALES

The (A435) Bath—Lincoln Trunk Road (Sedgeberrow Bypass) Order 1988

Made - - - - *17th March 1988*

Coming into force - *29th April 1988*

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 a local 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 the 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 Hereford and Worcester 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 HA 10/127/1WM, marked "The (A435) Bath—Lincoln Trunk Road (Sedgeberrow Bypass) Order 1988" 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 Bath—Lincoln Trunk Road (A435)

6. This Order shall come into force on 29th April 1988 and may be cited as the (A435) Bath—Lincoln Trunk Road (Sedgeberrow Bypass) Order 1988.

H. F. Ellis-Rees
Regional Director
West Midlands Region
Department of Transport

Signed by the authority of the Secretary of State
17th March 1988

SCHEDULE 1

ROUTE OF THE NEW TRUNK ROAD

The route of the new trunk road is a route at Sedgeberrow in the County of Hereford and Worcester as follows:—

a route about 1·83 kilometres in length, starting at a point 140 metres south-west of the junction between the A435 Cheltenham Road and Sandfield Lane and extending in a north-easterly direction to a point 840 metres north of the junction between the A435 Cheltenham Road and Winchcombe Road.

SCHEDULE 2

LENGTH OF TRUNK ROAD CEASING TO BE A TRUNK ROAD

The length of the trunk road ceasing to be a trunk road is that length of the trunk road which is situated between a point 140 metres south-west of its junction with Sandfield Lane and a point 840 metres north of its junction with Winchcombe Road.

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