STATUTORY INSTRUMENTS

1986 No. 190

HIGHWAYS, ENGLAND AND WALES

The A12 London-Great Yarmouth Trunk Road (Martlesham Bypass) Order 1986

Made - - - - -	31*st January* 1986
Coming into Operation	17*th February* 1986

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

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

Secretary of State notifies the County Council of Suffolk that the new trunk road is open for through traffic.

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 purposes 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 HA10/2E 216 marked "The A12 London—Great Yarmouth Trunk Road (Martlesham Bypass) Order 1986" signed by authority of the Secretary of State and deposited at the Department of Transport, Romney House, Marsham Street, London SW1P 3PY;
(iii) "the new trunk road"	means the highway mentioned in article 1 of this Order;
(iv) "principal road"	as a classification for a highway, means that the highway is a principal road for the purposes of enactments and instruments which refer to highways classified as principal roads and is also classified for the purpose of every other enactment and instrument which refers to highways classified by the Secretary of State;
(v) "the trunk road"	means the A12 London—Great Yarmouth Trunk Road.

6. This Order shall come into operation on 17th February 1986 and may be cited as the A12 London—Great Yarmouth Trunk Road (Martlesham Bypass) Order 1986.

G. D. Crane,
Regional Director,
Eastern Region,
Department of Transport.

Signed by authority of
the Secretary of State.
31st January 1986.

SCHEDULE 1

ROUTE OF THE NEW TRUNK ROAD

The route of the new trunk road is a route at Martlesham in the County of Suffolk as follows:—

a route about 2.90 kilometres (about 1.80 miles) in length, starting at a point 100 metres (about 110 yards) east of the dwelling known as Woodman's Place on the northern boundary of A12 trunk road, Martlesham and then going in a generally northerly direction before turning in a generally north easterly direction to a point 188 metres (about 205 yards) north of the junction of A12 trunk road with Ipswich Road (B1438).

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 a point 140 metres (about 153 yards) east of the dwelling known as Woodman's Place on the northern boundary of A12 trunk road Martlesham and a point 188 metres (about 205 yards) north of the junction of A12 trunk road with Ipswich Road (B1438).

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(*b*) in paragraph (4), for the words "a person's average remuneration" there shall be substituted the words "the average remuneration of a person to whom regulation 3 applies";

(*c*) in paragraph (5), for the words "a person's remuneration" there shall be substituted the words "the remuneration of a person to whom regulation 3 applies";

(*d*) in paragraph (6), after the words "a person", there shall be inserted the words "to whom regulation 3 applies".

Retrospective effect of these regulations

3. Regulation 2 shall have effect from 1st April 1974.

Signed by authority of the Secretary of State for Social Services

Trumpington,
Parliamentary Under-Secretary of State,
Department of Health and Social Security.

4th February 1986.

We consent to the making of these regulations.

Donald Thompson,
Tim Sainsbury,
Lords Commissioners of Her Majesty's Treasury.

6th February 1986.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These regulations correct an error in, and modify the drafting of, the National Health Service (Superannuation – Special Provisions) Regulations 1985, in such a way as to make it clear that the persons referred to in regulation 5(2)(*a*) and (3)(*a*) and 6 of those regulations are not necessarily persons to whom regulation 3 applies.

In accordance with section 12(1) of the Superannuation Act 1972, regulation 2 has retrospective effect as from 1st April 1974 (regulation 3).

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