STATUTORY INSTRUMENTS

1973 No. 1457

HIGHWAYS, ENGLAND AND WALES

The London-Canterbury-Dover Trunk Road (Upper Harbledown By-Pass) Order 1973

Made - - -	15*th August* 1973
Coming into Operation	14*th September* 1973

The Secretary of State for the Environment makes this Order in exercise of powers conferred by sections 7 and 44 of the Highways Act 1959(**a**), section 27 of the Local Government Act 1966(**b**) and section 68 of the Highways Act 1971(**c**) and now vested in him (**d**), 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 any 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 Secretary of State notifies the County Council of Kent that the new trunk road is open for through traffic.

(**a**) 1959 c. 25.

(**b**) 1966 c. 42.

(**c**) 1971 c. 41.

(**d**) S.I. 1970/1681 (1970 III, p. 5551).

[DOE 12518]

5. In this Order:—

"classified road" as a classification for a highway, means that the highway is not a principal road for the purposes of advances under section 235 of the Highways Act 1959 but is a classified road for the purpose of every enactment or instrument which refers to highways classified by the Secretary of State;

"the deposited plan" means the plan numbered HA7/2 SE45, marked "The London–Canterbury–Dover Trunk Road (Upper Harbledown By-Pass) Order 1973", signed by authority of the Secretary of State and deposited at the Department of the Environment, St. Christopher House, Southwark Street, London SE1 0TE, where it is open to inspection free of charge at all reasonable hours;

"the new trunk road" means the highway mentioned in Article 1 of this Order;

"the Trunk Road" means the London–Canterbury–Dover Trunk Road (A2).

6. This Order shall come into operation on 14th September 1973 and may be cited as the London–Canterbury–Dover Trunk Road (Upper Harbledown By-Pass) Order 1973.

Signed by authority of the Secretary of State

L. S. Mills,
A Deputy Director General in the Department of the Environment.

15th August 1973.

SCHEDULE 1

Route of the new trunk road

The route of the new trunk road is about 2.43 kilometres in length, starting at a point 770 metres west of Plough Lane then going south-eastwards and eastwards to connect at a point about 420 metres east of Palmars Cross Hill with the western end of the route of the Harbledown By-Pass prescribed by the London–Canterbury–Dover Trunk Road (Harbledown By-Pass) Order 1958(a).

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 the western terminal point of the route of the new trunk road described in Schedule 1 above and a point about 289 metres east of its junction with Palmars Cross Hill.

(a) S.I. 1958/1423.

Printed in England by St. Clements Fosh & Cross Ltd., and published by Her Majesty's Stationery Office
150/5074 Q.67 K7 8/73

3p net

SBN 11 031457 3