STATUTORY INSTRUMENTS

1973 No. 677

HIGHWAYS, ENGLAND AND WALES

The London–Penzance Trunk Road (South Treviddo Diversion) Order 1973

Made - - - 22*nd March* 1973

Coming into Operation 12*th May* 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) and section 68 of the Highways Act 1971(b) and now vested in him(c) 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 lengths of trunk road described in Schedule 2 to this Order and shown by broad striped hatching on the deposited plan shall cease to be trunk road as from the date on which the Secretary of State notifies the County Council of Cornwall that the new trunk road is open for through traffic.

5. In this Order:—

"the deposited plan" means the plan numbered HA 7/2-SW 81 marked "The London–Penzance Trunk Road (South Treviddo Diversion) 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 may be inspected 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–Penzance Trunk Road (A38).

(a) 1959 c. 25. (b) 1971 c. 41. (c) S.I. 1970/1681 (1970 III, p. 5551).

[DOE 10984]

6. This Order shall come into operation on 12th May 1973 and may be cited as the London–Penzance Trunk Road (South Treviddo Diversion) Order 1973.

Signed by authority of the Secretary of State.

T. D. Wilson,
A Deputy Chief Engineer in the Department of the Environment.

22nd March 1973.

SCHEDULE 1

Route of the New Trunk Road

The route of the new trunk road is a route about 1,820 yards in length, starting at a point on the Trunk Road about 110 yards south-east of Trethawle Railway Bridge then going south-eastwards to a point about 200 yards south-east of the junction of the Trunk Road with Classified Road No. 241.

SCHEDULE 2

Lengths of Trunk Road Ceasing to be Trunk Road

The lengths of trunk road ceasing to be trunk road are:—

(1) that length of the Trunk Road which extends from a point 290 yards south-east of Trethawle Railway Bridge, south-eastwards for a distance of 580 yards.

(2) that length of the Trunk Road which extends from a point 970 yards south-east of Trethawle Railway Bridge, south-eastwards for a distance of 420 yards.

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