STATUTORY INSTRUMENTS

1973 No. 291

HIGHWAYS, ENGLAND AND WALES

The London—Fishguard Trunk Road (Witney By-Pass and Slip Roads) Order 1973

Made - - - *23rd February* 1973

Coming into Operation *23rd March* 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 highways which the Secretary of State proposes to construct—

(*a*) along the route described in Schedule 1 to this Order (the highway along this route being in this Order referred to as "the main new trunk road"), and

(*b*) along the routes described in Schedule 2 to this Order which connect the main new trunk road with other highways at the places stated in that Schedule (the highways along these routes being in this Order referred to as "the slip roads"),

shall become trunk roads as from the date when this Order comes into operation.

2. The centre lines of the new trunk roads are indicated by heavy black lines 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 roads 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 3 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 described in that Schedule as from the date on which the Secretary of State notifies the County Council of Oxford that the new trunk roads are 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 11224]

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 HA 7/2 EC40, marked "The London—Fishguard Trunk Road (Witney By-Pass and Slip Roads) 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 OTE, where it is open to inspection free of charge at all reasonable hours;
"the main new trunk road" and "the slip roads"	have the meanings given in Article 1 of this Order;
"the new trunk roads"	means the highways mentioned in Article 1 of this Order and "a new trunk road" means one of those highways;
"principal road"	as a classification for a highway, means that the highway is a principal road for the purpose of advances under section 235 of the Highways Act 1959 and is also classified for the purpose of every enactment or instrument which refers to highways classified by the Secretary of State;
"the Trunk Road"	means the London—Fishguard Trunk Road (A40).

6. This Order shall come into operation on 23rd March 1973 and may be cited as the London—Fishguard Trunk Road (Witney By-Pass and Slip Roads) Order 1973.

Signed by authority of the Secretary of State

F. J. S. Best,

23rd February 1973.

Director,
Eastern Road Construction Unit,
Department of the Environment.

SCHEDULE 1

ROUTE OF THE MAIN NEW TRUNK ROAD

The route of the main new trunk road is a route, about 9·65 kilometres (about 6 miles) in length, starting at a roundabout to be constructed on the existing A40 about 120 metres (about 130 yards) to the north-west of Asthall Barrow and going for about 7·2 kilometres (about 4½ miles) in a south-easterly direction, then 2·45 kilometres (about 1½ miles) in a north-easterly direction to rejoin the existing A40 about 170 metres (about 177 yards) to the east of its junction with the Witney—South Leigh road.

SCHEDULE 2

THE ROUTES OF THE SLIP ROADS

The routes of the slip roads are the following:—

1. *Junction with the Brize Norton road to the south of Charterville Allotments*
   Two routes to connect the westbound and eastbound carriageways of the main new trunk road with the Brize Norton road (the new trunk roads along these routes being respectively given the reference numbers 1 and 2 on the deposited plan).

2. *Junction with Ducklington Lane* (A415) *to the south of Witney*

   Four routes to connect the westbound and eastbound carriageways of the main new trunk road with Ducklington Lane (A415) (the new trunk roads along these routes being respectively given the reference numbers 3, 4, 5 and 6 on the deposited plan).

3. *Junction with the Witney—South Leigh road at Shores Green*

   A route to connect the westbound carriageway of the main new trunk road with the diverted Witney—South Leigh road (the new trunk road along this route being given the reference number 7 on the deposited plan).

SCHEDULE 3

LENGTH OF TRUNK ROAD CEASING TO BE A TRUNK ROAD

The length of trunk road ceasing to be a trunk road, shown by broad striped hatching on the deposited plan, is that length of the Trunk Road between the roundabout referred to in Schedule 1 to this Order and a point about 140 metres (about 150 yards) west of the termination point of the route of the main new trunk road and shall be classified as follows:—

1. that length from the said roundabout to its junction with the A415 at Tower Hill to be classified as a classified road,

2. that length from High Street/Mill Street junction to its junction with the B4022 to be classified as a principal road, and

3. that length from its junction with the B4022 to a point about 140 metres (about 150 yards) west of the termination point of the route of the main new trunk road to be classified as a classified road.