STATUTORY INSTRUMENTS

1973 No. 67

HIGHWAYS, ENGLAND AND WALES

The Newmarket By-Pass (Variation and Slip Roads) Order 1973

Made - - - 17*th January* 1973

Coming into Operation 2*nd February* 1973

The Secretary of State for the Environment makes this Order in exercise of his powers under sections 7, 44 and 286(2) 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 London—Norwich and Ipswich—Weedon Trunk Roads (Six Mile Bottom By-Pass Revocation) and (Newmarket By-Pass) Order 1970(**e**) is hereby varied as follows:—

(*a*) the route of the Newmarket By-Pass described in that Order shall be altered—

(i) between the points marked A and B on the deposited plan (points near to Heath Road, Bottisham and Cadenham Road, Swaffham Prior) and

(ii) between the points marked C and D on the deposited plan (points near to Herringswell Road, Kentford and Needham Street, Gazeley)

in the manner shown on the deposited plan where the heavy black lines marked "Variation 1" and "Variation 2" indicate the centre lines of the altered route of the By-Pass between those points;

(*b*) there shall be added to the lengths of trunk roads which by virtue of that Order are to cease to be trunk roads and to be classified as classified road the shorter lengths of trunk road shown by broken black and white lines on the deposited plan; and

(*c*) one of the lengths of trunk roads which by virtue of that Order are to cease to be trunk roads shall be reduced by the removal therefrom of the short length of trunk road shown by narrow striped hatching on the deposited plan and given the reference letter E.

2. The new highways which the Secretary of State proposes to construct along the routes described in the Schedule to this Order shall become trunk roads as from the date when this Order comes into operation.

3. The centre lines of the new trunk roads are indicated by heavy black lines on the deposited plan.

(**a**) 1959 c. 25. (**b**) 1966 c. 42. (**c**) 1971 c. 41.
(**d**) S.I. 1970/1681 (1970 III, p. 5551). (**e**) S.I. 1970/1855.

4. The Secretary of State directs as respects any part of a highway which crosses the route of any of the new trunk roads or of the By-Pass 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.

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 to be classified by the Secretary of State;
"the deposited plan"	means the plan folio numbered HA 7/2 EC 38, marked "The Newmarket By-Pass (Variation and Slip Roads) Order 1973", containing one plan, signed by authority of the Secretary of State and deposited at the Department of the Environment, St. Christopher House, Southwark Street, London, S.E.1, where it is open to inspection free of charge at all reasonable hours;
"the Newmarket By-Pass"	means the trunk road to be constructed in pursuance of the London—Norwich and Ipswich—Weedon Trunk Roads (Six Mile Bottom By-Pass Revocation) and (Newmarket By-Pass) Order 1970 and "By-Pass" shall be construed accordingly;
"the new trunk roads"	means the highways mentioned in Article 2 of this Order and "a new trunk road" means one of those highways;
"slip road"	means a new trunk road to be constructed by the Secretary of State on one of the routes described in paragraphs (2) to (6) of the Schedule to this Order and a reference to a slip road followed by a number is a reference to the one so numbered on the deposited plan;

"the A11 Trunk Road"	means the London—Norwich Trunk Road (A11);
"the A45 Trunk Road"	means the Ipswich—Weedon Trunk Road (A45).

6. This Order shall come into operation on 2nd February 1973 and may be cited as the Newmarket By-Pass (Variation and Slip Roads) Order 1973.

Signed by authority of the Secretary of State

F. J. S. Best,
Director,
Eastern Road Construction Unit,
Department of the Environment.

17th January 1973.

THE SCHEDULE
ROUTES OF THE NEW TRUNK ROADS

The routes of the new trunk roads are as follows:—

(1) *The* A45 *link road*
A route connecting the Newmarket By-Pass with the A45 Trunk Road east of Bottisham.

(2) *Slip roads Nos.* 1 & 2
Two routes in the vicinity of the southern junction of the Newmarket By-Pass with the A11 Trunk Road.

(3) *Slip roads Nos.* 3 & 4
Two routes in the vicinity of the junction of the A45 link road mentioned above with the A45 Trunk Road.

(4) *Slip roads Nos.* 5, 6, 7 & 8
Four routes connecting the Newmarket By-Pass with the Fordham Road (A142).

(5) *Slip roads Nos.* 9, 10 & 11
Three routes in the vicinity of the point where the Newmarket By-Pass crosses the A11 Trunk Road north-east of Newmarket.

(6) *Slip road No.* 12
A route near to the point where the Newmarket By-Pass joins the A45 Trunk Road east of Kentford.