CHAPTER 32.

Special Roads Act, 1949

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An Act to provide for the construction of roads reserved for special classes of traffic; to amend the law relating to trunk roads; and for purposes connected with the matters aforesaid. [11th May 1949.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Schemes for provision of special roads.

1.—(1) Any highway authority may be authorised by means of a scheme under this section to provide, along a route prescribed by the scheme, a special road for the use of traffic of any class so prescribed.

(2) A special road authorised by a scheme under this section may be provided—

(*a*) by means of the construction by the highway authority (in this Act referred to as the special road authority) of a new road along the route prescribed by the scheme or any part thereof;

(*b*) by means of the appropriation under the following provisions of this Act of any road comprised in that route for which the special road authority are the highway authority;

(*c*) by means of the transfer to that authority under the following provisions of this Act of any road comprised in that route for which they are not the highway authority.

(3) A scheme under this section authorising the provision of a special road shall—

(*a*) in the case of a road to be provided by the Minister, be made by the Minister; and

(*b*) in the case of a road to be provided by a local highway authority, be made by that authority and confirmed by the Minister,

in accordance with the provisions of Part I of the First Schedule to this Act.

(4) Before making or confirming a scheme under this section, the Minister shall give due consideration to the requirements of local and national planning, including the requirements of agriculture.

(5) Part III of the said First Schedule shall have effect for the purposes of the application to schemes under this section of the Statutory Orders (Special Procedure) Act, 1945; and Part IV of that Schedule shall have effect with respect to the validity and date of operation of such schemes.

(6) A scheme under this section may be submitted to the Minister jointly by any two or more local highway authorities, and any such scheme may determine which of those authorities shall be the special road authority for the special road or any part thereof, and may provide—

(*a*) for the performance by that authority, in relation to the road or that part thereof, of any of the highway functions of any other authority who are party to the application; and

(*b*) for the making of contributions by that other authority to the special road authority in respect of expenditure incurred in the performance of those functions.

Classification of traffic for purposes of special roads.

2.—(1) Different classes of traffic may be prescribed by a scheme under section one of this Act in relation to different parts of the special road to which the scheme relates.

(2) The classes of traffic prescribed by any such scheme shall be prescribed by reference to the classes set out in the Second Schedule to this Act.

(3) The Minister may by order vary the composition of any class of traffic specified in the said Second Schedule; and where any such order has come into operation, any reference in a scheme in force under the said section one, whether made or confirmed before or after the date on which the order comes into operation, to any class of traffic to which the order relates shall be construed as a reference to that class as varied by the order.

Supplementary orders relating to special roads.

3.—(1) At any time after a scheme under this Act authorising the provision of a special road has come into operation, provision may be made by an order under this section for any of the following purposes, that is to say:—

(*a*) for appropriating as part of the special road, as from such date as may be specified in the order, any road comprised in the route prescribed by the scheme for which the special road authority are the highway authority;

(*b*) for transferring to the special road authority, as from such date as may be specified in the order, any road comprised in that route for which they are not the highway authority;

(*c*) for authorising that authority—

(i) to stop up, divert, improve, raise, lower or otherwise alter any road which crosses or enters the route of the special road or is or will be otherwise affected by the construction or improvement of the special road;

(ii) to construct any new road for purposes connected with any such alteration as aforesaid or for any other purpose connected with the special road or its construction, and to close after such period as may be specified in the order any new road so constructed for temporary purposes;

(*d*) for transferring to such highway authority as may be specified in the order, as from such date as may be so specified, any road constructed by the special road authority in pursuance of the order or any previous order made under this section;

(*e*) for authorising or requiring the special road authority to exercise, either concurrently with or to the exclusion of any local authority, any functions which, apart from the order, would be exercisable by that local authority in relation to the special road or any part thereof other than functions of that authority as local

planning authority within the meaning of the Town and Country Planning Act, 1947, or the Town and Country Planning (Scotland) Act, 1947;

(*f*) for any other purpose incidental to the purposes aforesaid or otherwise incidental to the construction or maintenance of, or other dealing with, the special road.

(2) An order under this section making provision in connection with a special road shall—

(*a*) in the case of a special road to be provided by the Minister, be made by the Minister; and

(*b*) in the case of a special road to be provided by a local highway authority, be made by that authority and confirmed by the Minister,

in accordance with the provisions of Part II of the First Schedule to this Act; and Part IV of that Schedule shall have effect with respect to the validity and date of operation of any such order.

(3) No order authorising the stopping up of a highway shall be made or confirmed by the Minister under this section unless the Minister is satisfied that another reasonably convenient route is available or will be provided in pursuance of an order under this section before the highway is stopped up; and no order providing for the appropriation by or transfer to the special road authority of an existing road comprised in the route prescribed by a scheme under this Act shall be made or confirmed as aforesaid unless the Minister is satisfied that another reasonably convenient route is available for traffic other than traffic of the class authorised by the scheme, or will be provided in pursuance of an order under this section before the date on which the appropriation or transfer takes effect, or unless in the case of any such traffic he is satisfied that such a route is not reasonably required.

(4) Where provision is made by an order under this section—

(*a*) for transferring any road from one highway authority to another;

(*b*) for enabling a highway authority to alter any road vested in another; or

(*c*) for authorising or requiring any functions of a local authority to be exercised by a highway authority,

the order may transfer to the highway authority to whom the road is transferred, or in whom it is vested, or by whom those functions are to be exercised, any property, rights or liabilities (other than loans or loan charges) vested in or incurred by the other authority in connection with the road or the alteration, or for the purposes of those functions, as the case may be; and may for that purpose (whether or not the road in question is

a trunk road) apply any of the provisions of section seven of the Trunk Roads Act, 1936, or any of the transitional provisions contained in the Fifth Schedule to that Act, subject to such modifications as may be specified in the order:

Provided that no such order shall provide for transferring to any authority (except by agreement with that authority) the fabric of any bridge over or tunnel under the special road, as distinct from any road carried by the bridge or through the tunnel, and from any approaches to the bridge or tunnel.

(5) An order under this section may provide for the payment of contributions—

(*a*) by the special road authority to any other highway authority in respect of any additional liabilities imposed on that other authority in consequence of the provisions of the order or of any previous order made under this section;

(*b*) to the special road authority by any other authority in respect of any liabilities so imposed on the special road authority, being liabilities which would otherwise have fallen to be discharged by the other authority;

and may also provide for the determination by arbitration of disputes as to the payment of such contributions.

Restriction on laying of mains, etc., in special roads.

4.—(1) Subject to the provisions of this section, the powers conferred on statutory undertakers by or under any enactment to lay down or erect any apparatus on, under or over any land shall not be exercisable in relation to any land comprised in the route of a special road except with the consent of the special road authority:

Provided that the consent of the special road authority shall not be required under this section for the laying down or erection by statutory undertakers of any apparatus by way of renewal of any apparatus for the time being vested in or belonging to them.

(2) The consent of a special road authority under this section may be given subject to conditions, but those conditions shall not include a condition requiring any payment to be made by the undertakers to the special road authority in respect of the exercise of the powers to the exercise of which the consent is given.

(3) Where any apparatus in respect of which the consent of a special road authority is required under this section is to be laid down or erected along a line crossing the route of the special road but not running along that route, that authority—

(*a*) shall not withhold their consent under this section unless there are special reasons for doing so; and

(*b*) may, if they give their consent subject to conditions, make contributions to the statutory undertakers in respect of any expenses incurred by them in complying therewith.

(4) Any dispute between a special road authority and any statutory undertakers in respect of—

(*a*) the withholding of the consent of that authority in respect of apparatus to be laid down or erected as mentioned in the last foregoing subsection; or

(*b*) the imposition of any condition on the grant of such consent; or

(*c*) the making of any contributions under paragraph (*b*) of the last foregoing subsection,

shall be determined by arbitration; and where the Minister is the special road authority, the arbitrator shall be a single arbitrator to be appointed, in default of agreement, by the President of the Institution of Civil Engineers.

(5) Where the consent of a special road authority is required under this section in respect of apparatus to be laid down or erected otherwise than as mentioned in subsection (3) of this section, and the special road authority are a local highway authority, then—

(*a*) if the apparatus is to be laid under the carriageway of the road, the authority shall not give their consent except with the approval of the Minister;

(*b*) if the consent of the authority is refused (otherwise than in consequence of the withholding of the Minister's approval under the foregoing paragraph) or is granted subject to conditions (other than conditions approved by the Minister under that paragraph) the statutory undertakers may appeal to the Minister, and the Minister may make such order as he thinks fit.

(6) The provisions of this section shall have effect in addition to and not in substitution for the provisions of any other enactment restricting or regulating the powers of any statutory undertakers to break open streets or enter upon land for the purpose of laying down or erecting apparatus.

(7) In the application of this section to Scotland, in subsection (4) for the words from "by arbitration" to the end of that subsection there shall be substituted the words "by a single arbiter appointed, in default of agreement, by any sheriff having jurisdiction; and at any stage of the proceedings in any such arbitration the arbiter may, and shall if so directed by the Court of Session, state a case for the opinion of that Court on any question of law arising in the arbitration".

Application of Town and Country Planning Act, 1944, s. 25, etc.

5.—(1) Without prejudice to the provisions of the last foregoing section, section twenty-five of the Town and Country Planning Act, 1944 (which, as incorporated with Part IV of the Town and Country Planning Act, 1947, provides for the extinguishment of certain subsisting rights of statutory undertakers over land acquired under the said Part IV) shall apply—

(*a*) in relation to land acquired or appropriated by a special road authority for the purpose of carrying out any works in pursuance of a scheme or order under this Act; and

(*b*) in relation to land forming the site of any part of an existing road which is appropriated or transferred to a special road authority under this Act,

as it applies in relation to land acquired under the said Part IV; and sections twenty-six and twenty-seven of the said Act of 1944 (which contain provisions consequential upon the extinguishment of any right under the said section twenty-five) shall have effect accordingly.

(2) In the application of the foregoing subsection to Scotland, for references to the Town and Country Planning Act, 1944, and to sections twenty-five, twenty-six and twenty-seven of that Act, there shall be substituted respectively references to the Town and Country Planning (Scotland) Act, 1945, and to sections twenty-four, twenty-five and twenty-six of that Act, and for references to Part IV of the Town and Country Planning Act, 1947, there shall be substituted references to Part III of the Town and Country Planning (Scotland) Act, 1947.

(3) The enactments mentioned in subsection (1) and subsection (2) of this section shall have effect, as applied for the purposes of this section, subject to the following modifications, that is to say—

(*a*) for references therein to the purchasing authority there shall be substituted references to the special road authority;

(*b*) for references therein to the Minister of Town and Country Planning, or to the Secretary of State, as the case may be, there shall be substituted references to the Minister.

(4) Where any apparatus of any statutory undertakers supplying electricity, gas, hydraulic power or water is removed in pursuance of a notice or order given or made under section twenty-five of the Town and Country Planning Act, 1944, or section twenty-four of the Town and Country Planning (Scotland) Act, 1945, as applied for the purposes of this section, any person being the owner or occupier of premises to which a supply was given from that apparatus shall be entitled to recover from the special road authority compensation in respect of expendi-

ture reasonably incurred by him, in consequence of the removal, for the purpose of effecting a connection between the premises and any other apparatus from which a supply is given.

Restriction of powers of sewerage authorities.

6.—(1) The provisions of sections four and five of this Act (including the enactments applied by the said section five) shall, so far as applicable, apply in relation to the sewers and sewage disposal works of any sewerage authority as they apply in relation to the apparatus of statutory undertakers, and references in those provisions to statutory undertakers and statutory undertakings shall be construed accordingly.

(2) In the enactments specified in subsection (1) and subsection (2) of the said section five as applied for the purposes of this section, references to the appropriate Minister shall be construed, in relation to a sewerage authority, as references to the Minister of Health or the Secretary of State, as the case may be.

(3) Where a public sewer is removed in pursuance of a notice or order given or made under section twenty-five of the Town and Country Planning Act, 1944, or section twenty-four of the Town and Country Planning (Scotland) Act, 1945, as applied for the purposes of this section, any person being the owner or occupier of any premises the drains of which communicated with that sewer, or the owner of any private sewer which communicated with that sewer, shall be entitled to recover from the special road authority compensation in respect of expenditure reasonably incurred by him, in consequence of the removal, for the purpose of making his drain or sewer communicate with any other public sewer or with a private sewage disposal plant.

Private rights of access.

7.—(1) An order under section three of this Act may authorise the special road authority—

(*a*) to stop up any private means of access to premises abutting on or adjacent to land comprised in the route of the special road or forming the site of any works authorised by the order or any previous order made under the said section three;

(*b*) to provide new means of access to any such premises as aforesaid:

Provided that no order authorising the stopping-up of any private means of access to premises shall be made or confirmed by the Minister by virtue of paragraph (*a*) of this subsection unless the Minister is satisfied either that no access to the premises is reasonably required or that other reasonably convenient means of access to the premises are available or will be provided in pursuance of an order made by virtue of paragraph (*b*) of this subsection.

(2) Where access to any premises has been stopped up in pursuance of an order made by virtue of this section or is limited by virtue of the restrictions imposed under this Act on the use of the special road, and any person has suffered damage in consequence thereof by the depreciation of any interest in the premises to which he is entitled or by being disturbed in his enjoyment of the premises, he shall be entitled to recover from the special road authority compensation in respect of that damage:

Provided that in assessing such compensation regard shall be had to any new means of access provided by the special road authority.

(3) Any expenses incurred under this section by a local highway authority shall be deemed for the purposes of the Development and Road Improvement Funds Act, 1909, to be incurred in the construction of the road.

Bridges and tunnels.

8.—(1) Where the route prescribed by a scheme under this Act authorising the provision of a special road by a local highway authority includes any road carried by a bridge which, if the special road were a trunk road, would be transferred to the Minister by virtue of section seven of the Trunk Roads Act, 1946 (which relates to private bridges), any order under section three of this Act by which that road is appropriated or transferred to the special road authority may provide for the transfer of the bridge to that authority.

(2) Where any bridge is so transferred, subsections (2) to (8) of the said section seven shall apply as they apply in relation to a bridge transferred under that section, and accordingly shall have effect—

(*a*) as if for references therein to the Minister and to the trunk road there were substituted references to the special road authority and the special road; and

(*b*) as if in subsection (6) the words "as applied in relation to trunk roads by section four of the principal Act" were omitted;

and no order shall be made by virtue of subsection (4) of section three of this Act in respect of liabilities of the owners of the bridge.

(3) Provision may be made by a scheme under section one of this Act for the construction as part of a special road of a bridge over any navigable waters specified in the scheme, or of a tunnel under any such waters:

Provided that before making or confirming a scheme providing for the construction of any such bridge or tunnel, the Minister shall take into consideration the reasonable requirements of navigation over the waters affected by the scheme.

(4) A scheme which provides for the construction of any such bridge as is mentioned in subsection (3) of this section shall

include such plans and specifications as may be necessary to indicate the position and dimensions of the proposed bridge including the spans, headways and waterways thereof, and in the case of a swing bridge (including any opening bridge operated by mechanical means) shall contain such provisions as the Minister considers expedient for regulating its operation.

(5) A scheme which provides for the construction of any such tunnel as is mentioned in subsection (3) of this section shall include such plans and specifications as may be necessary to indicate the position and dimensions of the proposed tunnel, including the depth thereof below the bed of the sea, river or other navigable waters, as the case may be.

(6) In this section the expression "owners" has the same meaning as in section seven of the Trunk Roads Act, 1946.

Status of special roads, etc.

9.—(1) A special road to be provided by the Minister in accordance with a scheme under this Act shall, except so far as it is provided by means of the appropriation or transfer of any existing road, become a trunk road on such date as may be specified in the scheme, and any road transferred to the Minister under this Act shall become a trunk road on the date on which it is so transferred; and the provisions of the Trunk Roads Acts, 1936 and 1946, shall apply to any road which becomes a trunk road by virtue of this subsection as they apply to a road which becomes a trunk road by virtue of an order under section one of the Trunk Roads Act, 1946.

(2) Subsection (3) of section fourteen of the Town and Country Planning Act, 1947, or subsection (3) of section twelve of the Town and Country Planning (Scotland) Act, 1947 (which enable the Minister to restrict the grant of planning permission in respect of development affecting trunk roads in England and Wales and in Scotland respectively) shall apply to any road—

(*a*) which is comprised in the route of a special road to be provided by the Minister in accordance with a scheme under this Act, but has not for the time being been transferred to him;

(*b*) which is or is to be provided by the Minister in pursuance of any order under this Act, and has not for the time being been transferred to any other highway authority,

as if it were a trunk road.

(3) Without prejudice to the provisions of section ten of the Development and Road Improvement Funds Act, 1909, a special road constructed by the council of a county or county borough in England or Wales in accordance with a scheme under this Act, and any road (not being a county road) which is transferred to such a council by means of an order under this Act, shall be deemed, when so constructed or transferred, as the case may be, to

be a county road, and any enactment with respect to county roads, shall apply thereto accordingly:

Provided that—

(*a*) section thirty-two of the Local Government Act, 1929 (which entitles the councils of certain boroughs and urban districts to claim the functions of maintenance and repair of county roads) shall not apply in relation to any part of a special road; and

(*b*) where an order under this Act provides for the transfer to the council of a county of a road not forming part of a special road, the said section thirty-two shall have effect as if the road had become a county road on the date on which the order takes effect, but any functions of maintenance and repair claimed under the said section thirty-two shall not be exercisable until the date specified in the order as the date on which the road is to be transferred as aforesaid.

(4) Section eight of the Town and Country Planning Act, 1947, and section six of the Town and Country Planning (Scotland) Act, 1947 (which provide for the incorporation in development plans of orders made in accordance with the Second Schedule to the Trunk Roads Act, 1946, and of the lines of trunk roads to be constructed in accordance with such orders) shall apply to any scheme or order made or confirmed by the Minister under this Act and to any road (whether or not being a trunk road) to be constructed or altered in accordance therewith.

(5) Except as otherwise expressly provided by or under this Act, the enactments relating to roads shall apply in relation to special roads as they apply in relation to roads other than special roads, and any road to be constructed in pursuance of a scheme or order under this Act shall be deemed to be a proposed road within the meaning of the Restriction of Ribbon Development Act, 1935, or the Trunk Roads Acts, 1936 and 1946, as the case may be.

Additional powers of acquiring land for special roads.

10.—(1) Subject to the provisions of this section, the power of a special road authority to acquire land under section thirteen of the Restriction of Ribbon Development Act, 1935, shall include power to acquire any land which in the opinion of the authority is required—

(*a*) for the improvement of an existing road which is included in the route of the special road but has not been transferred to the authority by an order under this Act;

(*b*) for the purposes of any order made in relation to the special road under section three of this Act; or

(*c*) for the provision of service stations or other buildings or facilities to be used in connection with the construction of the special road or the use or maintenance thereof.

(2) A special road authority shall not be enabled by virtue of this section to acquire otherwise than by agreement any land lying more than two hundred and twenty yards from the middle of the special road or, where the land is required for the construction, improvement or alteration of any other road, from the middle of that other road.

(3) In relation to land acquired by virtue of this section by a special road authority being a local highway authority, section one hundred and sixty-four of the Local Government Act, 1933 (which enables local authorities to let land, subject, in certain cases, to the consent of the Minister of Health) shall have effect as if for references therein to the Minister of Health there were substituted references to the Minister.

(4) In relation to a special road provided or to be provided by the Minister under this Act, the reference in this section to section thirteen of the Restriction of Ribbon Development Act, 1935, shall be construed as a reference to that section as modified in relation to trunk roads by the Trunk Roads Acts, 1936 and 1946.

Powers of entry.

11.—(1) Any person duly authorised in writing by a highway authority may enter on any land—

(*a*) for the purpose of surveying it in connection with the making of a scheme or order under this Act;

(*b*) where an order under section three of this Act so provides, for purposes connected with the carrying out of any works in pursuance of the scheme or of any order under that section, or the removal of any temporary works so carried out.

(2) Subsections (4), (5), (6) and (9) of section one hundred and three of the Town and Country Planning Act, 1947 (which contain supplementary provisions relating to the power of entry conferred by that section) shall apply in relation to the powers conferred by this section as they apply in relation to the powers conferred by that section.

(3) Where in the exercise of a power of entering land conferred by this section (including the carrying out or removal of any such works as aforesaid), any damage has been caused to land or to chattels, any person interested in the land or chattels may recover compensation in respect of that damage from the authority by whom or on whose behalf the power was exercised; and where in consequence of the exercise of such a power any person is disturbed in his enjoyment of any land or chattels, he may recover from that authority compensation in respect of the disturbance.

(4) In the application of this section to Scotland, for the reference to subsections (4), (5), (6) and (9) of section one hundred

and three of the Town and Country Planning Act, 1947, there shall be substituted a reference to subsections (4), (5), (6) and (9) of section ninety-nine of the Town and Country Planning (Scotland) Act, 1947, and the expression "chattels" means corporeal moveables.

Provisions as to use of special roads.

12.—(1) A special road shall not be used, except as provided by or under regulations made under this section, by any traffic other than traffic of the class authorised in that behalf by a scheme under section one of this Act.

(2) The Minister may make regulations with respect to the use of special roads, and such regulations may, in particular—

(*a*) regulate the manner in which and the conditions subject to which such roads may be used by traffic of the classes authorised in that behalf by a scheme under section one of this Act;

(*b*) authorise, or enable such authority as may be specified in the regulations to authorise, the use of such roads, on occasion or in emergency or for the purpose of crossing, or for the purpose of securing access to premises abutting on or adjacent to the roads, by traffic other than such traffic as aforesaid, or relax or enable any such authority as aforesaid to relax any prohibition or restriction imposed by the regulations.

(3) Regulations made under this section may make provision with respect to special roads generally, or may make different provision with respect to special roads provided for the use of different classes of traffic, or may make provision with respect to any particular special road.

(4) If any person uses a special road in contravention of this section or of any such regulations as aforesaid, he shall be liable on summary conviction to a fine not exceeding twenty pounds, or in the case of a second or subsequent conviction, to a fine not exceeding fifty pounds, or to imprisonment for a term not exceeding three months.

(5) Notwithstanding anything in section one of the Road Traffic Act, 1934, no part of a special road shall be deemed to be in a built-up area within the meaning of that Act.

(6) The power of the Minister under subsection (4) of section ten of the Road Traffic Act, 1930, to make regulations varying the provisions of the First Schedule to that Act (which prescribes the maximum speeds at which motor vehicles of the classes or descriptions specified therein shall be driven) shall include power to make special regulations varying those provisions in relation to vehicles when driven on special roads.

(7) Section forty-six of the Road Traffic Act, 1930, and section twenty-nine of the Road and Rail Traffic Act, 1933 (which confer power on the Minister and certain local authorities to restrict the use of vehicles on specified roads or classes of roads) and section ten of the London Traffic Act, 1924 (which confers power on the Minister to make regulations with respect to road traffic generally in the London Traffic Area) shall not apply in relation to any special road.

(8) The provisions of this section, and of any regulations made thereunder, shall not apply to any part of a special road until such date as may be declared by a notice published in the prescribed manner by the highway authority to be the date on which it is open for use as a special road:

Provided that nothing in this subsection shall be construed as preventing the making of regulations under subsection (1) of this section so as to come into force, in relation to any such road, on the said date.

Determination of disputes as to compensation.

13.—(1) Any question of disputed compensation under subsection (4) of section five, subsection (3) of section six, section seven or section eleven of this Act shall be determined in the same manner as compensation for the acquisition of land falls to be determined under the Acquisition of Land (Assessment of Compensation) Act, 1919, and sections one, three, five, six and eight of that Act shall have effect accordingly subject to any necessary modifications.

(2) Paragraphs 1 and 3 of the Fourth Schedule to the Town and Country Planning Act, 1947 (which relate to the assessment of compensation for the purposes of Part III of that Act) shall apply in relation to the assessment of any such compensation as aforesaid, being compensation in respect of the depreciation in value of any interest in land, as they apply in relation to the assessment of compensation payable under the said Part III.

(3) In the application of this section to Scotland, for the references to paragraphs 1 and 3 of the Fourth Schedule to the Town and Country Planning Act, 1947, and to Part III of that Act, there shall be substituted references to paragraphs 1 and 3 of the Fourth Schedule to the Town and Country Planning (Scotland) Act, 1947, and to Part II of that Act.

Amendments of law relating to trunk roads.

14.—(1) In relation to a trunk road not being a special road the Minister may, by order made in accordance with the provisions of the Second Schedule to the Trunk Roads Act, 1946, make provision for any purpose specified in paragraph (*c*) or (*d*) of subsection (1) of section three of this Act, or for any purpose incidental to those purposes; and references in subsections (3) to (5) of the said section three to an order under that section, to a special road and to a special road authority, shall be construed accordingly.

(2) The power of the Minister under section thirteen of the Restriction of Ribbon Development Act, 1935, as modified by the Trunk Roads Acts, 1936 and 1946, to acquire land for the purposes of a trunk road shall include power to acquire any land which in his opinion is required—

(*a*) for the carrying out of any works authorised by any order under the last foregoing subsection;

(*b*) for the provision of buildings or facilities to be used in connection with the construction or maintenance of the trunk road:

Provided that the Minister shall not be enabled by virtue of this section to acquire otherwise than by agreement any land lying more than two hundred and twenty yards from the middle of the trunk road or, where the land is required for the construction, improvement or alteration of any other road, from the middle of that other road.

(3) The provisions of section eleven of this Act shall apply in relation to trunk roads, not being special roads as they apply in relation to special roads with the substitution for any reference to a scheme or order under this Act, or to an order under section three of this Act, of a reference to an order under section one of the Trunk Roads Act, 1946, or under subsection (1) of this section.

(4) Part IV of the First Schedule to this Act shall have effect with respect to the validity and date of operation of any order made under section one of the Trunk Roads Act, 1946, or under subsection (2) of section thirteen of the Trunk Roads Act, 1936, or under subsection (1) of this section.

(5) Any order made by the Minister under subsection (2) of section one of the Trunk Roads Act, 1946, directing that a road proposed to be constructed by him shall become a trunk road may direct that any part of an existing road which crosses the route of the road to be so constructed, or any existing road which becomes a trunk road by virtue of the order, shall, notwithstanding anything in section three of the Trunk Roads Act, 1936, be maintained by the former highway authority until such date, not being later than the date on which the new route is opened for the purposes of through traffic, as may be specified in a notice given by the Minister to that authority.

(6) Subsection (3) of section six of the Trunk Roads Act, 1936 (which empowers the Minister to construct bridges under or over trunk roads), subsection (2) of section two of the Trunk Roads Act, 1946 (which regulates the date on which a road may become or cease to be a trunk road under that Act) and section four of the said Act of 1946 (which confers powers on the Minister relating to side roads connected with trunk roads) shall cease to have effect:

Provided that, without prejudice to the provisions of section thirty-eight of the Interpretation Act, 1889 (which relates to the

effect of repeals) any order made before the commencement of this Act under the said section four shall continue in force and may be revoked or varied, and the provisions of the said section four shall apply thereto, as if this subsection had not been enacted.

(7) Any order made under subsection (3) of section one of the Trunks Roads Act, 1936, (which enables the Minister to direct that a road shall become a trunk road or a county road) may, notwithstanding the repeal of the said subsection (3) by the Trunk Roads Act, 1946, be revoked or varied as if that subsection had not been repealed.

(8) Section six of the Trunk Roads Act, 1946 (which enables orders to be made for the construction of bridges over navigable waters as part of trunk roads) shall have effect as if in subsection (1) after the words " an order under section one of this Act " there were inserted the words " or by an order under this section made in accordance with the provisions of the Second Schedule to this Act ".

Adaptation of certain trunk road orders.

15.—(1) The provisions of this Act (except subsections (1) and (2) of section nine) shall apply in relation to the roads described in the Third Schedule to this Act (being roads which are trunk roads by virtue of orders made under section one of the Trunk Roads Act, 1946) as if they were special roads to be provided by the Minister in pursuance of schemes made under section one of this Act for the use of traffic of the classes specified in the third column of that Schedule.

(2) Where, at any time before the commencement of this Act, the Minister has given notice in accordance with the provisions of the Second Schedule to the Trunk Roads Act, 1946, that he proposes to make an order under section one of that Act directing that any road shall become a trunk road, then if such an order is made within one year after the commencement of this Act, the order may direct that the road shall be provided by the Minister as a special road for the use of traffic of such classes as may be specified in the order; and the provisions of this Act (except subsections (1) and (2) of section nine) shall apply in relation to the order as they apply in relation to schemes under this Act.

(3) Without prejudice to the generality of the foregoing provisions, the power conferred by this Act to revoke or vary schemes or orders made thereunder shall include power to revoke or vary any such order as is mentioned in subsection (1) or subsection (2) of this section, and to vary the provisions of the third column of the Third Schedule to this Act.

Supplementary provisions as to procedure.

16.—(1) Subject to the provisions of the First Schedule to this Act, the Minister may make regulations for prescribing the procedure to be followed in connection with the making and

confirmation of schemes and orders under this Act (including the service of notices in connection therewith) and for prescribing anything which, under this Act, is authorised to be prescribed.

(2) Regulations made under this section may provide for securing—

(*a*) that proceedings required to be taken for the purposes of an order under section three of this Act relating to a special road may be taken concurrently (so far as practicable) with proceedings required to be taken for the purposes of a scheme under section one of this Act relating to that road;

(*b*) that proceedings required by the First Schedule to the Acquisition of Land (Authorisation Procedure) Act, 1946, or, as the case may be, by the First Schedule to the Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947, to be taken in respect of the compulsory acquisition of any land for purposes connected with a special road, may be taken concurrently (so far as practicable) with proceedings required to be taken for the purposes of a scheme or order under this Act relating to that road.

(3) Regulations made under this section shall provide for securing that the centre line of the special road authorised by any scheme under section one of this Act shall be indicated on a map on such scale as may be prescribed by the regulations.

Revocation and variation of schemes and orders.

17.—(1) Any scheme or order made or confirmed by the Minister under this Act may be revoked or varied by a subsequent scheme or order so made or confirmed; and subject to the provisions of this section any such revoking or varying scheme or order may make such consequential provisions as appear to the Minister to be expedient.

(2) Where a scheme under this Act is revoked by a subsequent scheme, any part of the special road which has been constructed before the date on which the revoking scheme comes into operation, and any road appropriated by or transferred to the special road authority before that date, shall cease on that date to be a special road within the meaning of this Act, but shall, where the special road is a trunk road or a county road, continue to be a trunk road or a county road, as the case may be.

(3) Where a scheme under this Act is varied by a subsequent scheme, the provisions of the last foregoing subsection shall apply in relation to any part of the special road which ceases to form part of the route of that road in consequence of the variation.

(4) Subject to the foregoing provisions of this section, the revocation or variation of a scheme under this Act shall not affect the validity of anything done in pursuance of the scheme before the date on which the revoking or varying scheme comes

into force, or the validity of any order made under this Act before that date in connection with the special road to be provided under the scheme.

Provisions as to schemes, orders and regulations.

18.—(1) Any power of the Minister to make or confirm schemes or to make regulations under this Act or orders under section two thereof shall be exercisable by statutory instrument.

(2) An order made under section two of this Act shall be of no effect unless it is approved by resolution of each House of Parliament.

(3) Any statutory instrument containing regulations made under this Act shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Financial provisions.

19.—(1) There shall be defrayed out of the Road Fund—

(*a*) all expenses incurred by the Minister with the approval of the Treasury under this Act in the construction, maintenance, repair or improvement of roads;

(*b*) any sums required by the Minister for making advances in respect of special roads under section eight of the Development and Road Improvement Funds Act, 1909;

(*c*) such other expenses of the Minister under this Act (not being administrative expenses) as may be determined by the Minister with the consent of the Treasury.

(2) There shall be defrayed out of moneys provided by Parliament—

(*a*) any expenses of the Minister under this Act, other than those which are to be defrayed out of the Road Fund, to such amount as may be approved by the Treasury;

(*b*) any increase in the Exchequer Equalisation Grant payable under Part I or Part II of the Local Government Act, 1948, attributable to any expenditure of a local authority under this Act.

(3) All fines imposed in respect of offences under this Act shall be dealt with in the manner specified in section one hundred and seventeen of the Road Traffic Act, 1930, in relation to the fines therein mentioned, and the provisions of that section shall apply accordingly.

Saving for Postmaster-General.

20.—(1) Subject to the provisions of this section, nothing in this Act or in any scheme or order made thereunder shall affect any powers or duties of the Postmaster-General under the provisions of the Telegraph Acts, 1863 to 1943, or apply to any telegraphic lines placed or maintained by virtue of any of those provisions.

(2) Where in pursuance of an order under section three of this Act any road is stopped up or diverted and, immediately before that order comes into force, there is under, in, upon, over, along or across the road any telegraphic line belonging to or used by the Postmaster-General, the Postmaster-General shall have the same powers in respect of that line as if the order had not come into force:

Provided that if any person entitled to land over which the road subsisted requires that the telegraphic line shall be altered, paragraphs (1) to (8) of section seven of the Telegraph Act, 1878, shall apply to the alteration, and accordingly shall have effect, subject to any necessary modifications, as if references therein to undertakers included references to the person so requiring the line to be altered.

(3) Where an order under the said section three provides for the alteration of any road, not being a trunk road, and, immediately before the date on which the order comes into force, there is under, in, upon, over, along or across the road any telegraphic line belonging to or used by the Postmaster-General, then if the highway authority require that that line should be altered, paragraphs (1) to (8) of the said section seven shall apply to the alteration, and accordingly shall have effect, subject to any necessary modifications, as if references therein to undertakers included references to the highway authority.

(4) In this section the expressions "alter" and "telegraphic line" have the same meanings as in the Telegraph Act, 1878.

Interpretation.

21.—(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say—

"approaches," in relation to a bridge or tunnel, includes the facings of any embankment or cutting adjacent thereto;

"catchment board" has the same meaning as in the Land Drainage Act, 1930;

"enactment" includes a local or private Act and an order having the force of an Act;

"improvement" has the same meaning as in Part II of the Development and Road Improvement Funds Act, 1909;

"large burgh" has the same meaning as in the Local Government (Scotland) Act, 1947;

"local authority," in relation to England and Wales, means the council of a county, the common council of the City of London, and the council of a county borough, metropolitan borough, county district or rural parish, and includes the parish meeting of a rural parish not having a separate council; and in relation to Scotland, has the same meaning as in the Local Government (Scotland) Act, 1947;

" local highway authority " means a highway authority other than the Minister ;

" Minister " means the Minister of Transport ;

" navigation authority " means any person or body of persons, whether incorporated or not, having powers under any enactment to work, maintain, conserve, improve or control any canal or other inland navigation, navigable river, estuary, harbour or dock ;

" owner ", in relation to any premises in England or Wales, means a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the fee simple in the premises, whether in possession or in reversion, and includes also a person holding or entitled to the rents and profits of the premises under a lease or agreement the unexpired term whereof exceeds three years ; and in relation to any premises in Scotland includes any person who under the Lands Clauses Acts would be enabled to sell and convey the premises to the promoters of an undertaking, and includes also a lessee under a lease the unexpired period of which exceeds three years ;

" sewerage authority ", in relation to England and Wales, has the meaning assigned to it by section ninety of the Public Health Act, 1936, and in relation to Scotland means the council of a county or burgh ;

" special road " means a road provided or to be provided in accordance with a scheme under section one of this Act, and includes any part of such a road ;

" special road authority " has the meaning assigned to it by section one of this Act ;

" statutory undertakers " has the same meaning as in the Town and Country Planning Act, 1947, or, as respects Scotland, the Town and Country Planning (Scotland) Act, 1947 ;

" use ", in relation to a road, includes crossing ;

and the expressions " functions ", " land ", and " road " have the same meanings as in the Trunk Roads Act, 1936.

(2) Except where the context otherwise requires, references in this Act to any enactment shall be construed as references to that enactment as amended by any subsequent enactment.

Special provisions as to London.

22.—(1) The provisions of this Act shall, in relation to the Administrative County of London, have effect subject to the provisions of this section.

(2) For the purposes of this Act, the London County Council shall be deemed to be a highway authority, and references in this Act to a highway authority and to a local highway authority shall be construed accordingly.

(3) In relation to a special road for which the London County Council are the special road authority—

(*a*) section one hundred and thirty of the Metropolis Management Act, 1855 (which provides for the lighting of certain streets) shall not apply;

(*b*) subject to the provisions of the next following subsection, all other functions with respect to the paving, lighting, cleansing, watering and improving of streets exercisable by any authority under the said Act of 1855 or under the Public Health (London) Act, 1936, shall be exercisable by the London County Council to the exclusion of that other authority.

(4) Subsection (2) of section six of the London Government Act, 1899 (which provides for the maintenance and repair by the councils of metropolitan boroughs of highways vested in the London County Council) shall apply in relation to the paving, lighting, cleansing, watering and improving of a special road for which the London County Council are the special road authority, and generally in relation to the maintenance and repair of such a road as they apply to the maintenance and repair of a highway vested in the London County Council.

(5) Except in the case of a special road for which the Minister is the special road authority, section six of this Act shall not apply in relation to any sewer or sewage disposal works of the London County Council within the Administrative County of London.

(6) Notwithstanding anything in section twenty of the Restriction of Ribbon Development Act, 1935, the following sections of that Act, that is to say, section four (which provides for the fencing of roads) and sections thirteen and fourteen (which provide for the acquisition of land and rights in connection with land) shall apply in relation to special roads in the Administrative County of London, not being trunk roads, and for the purposes of the said sections thirteen and fourteen as so applied the Acquisition of Land (Authorisation Procedure) Act, 1946, shall have effect as if this subsection had been in force immediately before the commencement of that Act.

(7) In relation to any land acquired under the said section thirteen as extended by section ten of this Act by a local authority within the meaning of the London Government Act, 1939, subsection (2) of the said section ten shall have effect as if for the reference to section one hundred and sixty-four of the Local Government Act, 1933, there were substituted a reference to section one hundred and seven of the London Government Act, 1939.

(8) For the purposes of subsection (3) of section nine of this Act, the expression "the council of a county" shall not include the London County Council and the proviso to subsection (2) of section ten of the Development and Road Improvement Funds Act, 1909 (which imposes on the councils of metropolitan boroughs the responsibility for maintaining a road in respect of which a grant under that Act is made to the London County Council) shall not apply to any road provided by that Council in pursuance of a scheme or order under this Act.

(9) In its application to the Administrative County of London, the First Schedule to this Act shall have effect—

(*a*) as if in paragraph 4 thereof for the reference to section two hundred and ninety of the Local Government Act, 1933, there were substituted a reference to section one hundred and eighty-nine of the London Government Act, 1939; and

(*b*) as if in relation to any part of the route of a special road which is situated, or any works authorised by the proposed order which are to be carried out, in the City of London or a metropolitan borough the references in paragraphs 2 and 8 to the council of a county, county borough and county district included references to the Common Council of the City of London and to the council of a metropolitan borough respectively.

(10) Nothing in this Act or any scheme or order made thereunder shall relieve the council of a metropolitan borough from the requirement to obtain the consent of the London County Council under section seventy-two of the Metropolis Management Amendment Act, 1862, in respect of the carrying out of any such works as are mentioned in that section.

23.—(1) This Act may be cited as the Special Roads Act, 1949. **Short title and extent.**

(2) This Act shall not extend to Northern Ireland.

SCHEDULES

FIRST SCHEDULE.

Sections 1, 3, 14, 16, 22.

PROVISIONS AS TO SCHEMES AND ORDERS.

PART I.

SCHEMES UNDER SECTION ONE.

1. Where the Minister proposes to make a scheme under section one of this Act, or where a scheme under that section is submitted to the Minister by a local highway authority, the Minister or that authority, as the case may be, shall publish in at least one newspaper circulating in the area in which the road to which the scheme relates is situated,

1ST SCH. —*cont.*

and in the London Gazette or the Edinburgh Gazette, or in both those Gazettes, according as the scheme affects England or Scotland or both, a notice—

(*a*) stating the general effect of the proposed scheme;

(*b*) specifying a place in the said area where copies of a draft of the scheme, or of the scheme as submitted to the Minister, as the case may be, and of any relevant map or plan may be inspected by any person free of charge at all reasonable hours during a period of three months from the date of the publication of the notice; and

(*c*) stating that, within the said period, any person may by notice to the Minister object to the making or confirmation of the scheme.

2. Not later than the date on which the said notice is published as aforesaid, the Minister or the local highway authority, as the case may be, shall serve a copy thereof (together with a copy of the draft scheme or of the scheme, as the case may be, and of any relevant map or plan)—

(*a*) on the council of every county, county borough and county district or, in Scotland, on the council of every county, burgh and district, in which any part of the route of the special road is situated; and

(*b*) where the scheme provides for the construction of a bridge over or tunnel under any navigable waters, on every navigation authority, catchment board or river board concerned with or having jurisdiction over the waters affected or the area comprising those waters.

3. If before the expiration of the said period of three months an objection is received by the Minister from any council, authority or board on whom a copy of the notice is required to be served under paragraph 2 of this Schedule, or from any other person affected by the proposed scheme, and the objection is not withdrawn, the Minister shall cause a local inquiry to be held:

Provided that except where the objection is made by any such council, authority or board as aforesaid, the Minister may dispense with such an inquiry if he is satisfied that in the circumstances of the case the holding of such an inquiry is unnecessary.

4. In relation to any inquiry held in England under the last foregoing paragraph the provisions of subsections (2), (3), (4) and (5) of section two hundred and ninety of the Local Government Act, 1933, shall apply as they apply in relation to local inquiries held under that section with the substitution for references to a department of references to the Minister.

5. In relation to any inquiry held in Scotland under paragraph 3 of this Schedule, the provisions of subsections (3) to (9) of section three hundred and fifty-five of the Local Government (Scotland) Act, 1947, shall apply as they apply in relation to local inquiries under that section, but without prejudice to the provisions of paragraph 12 of this Schedule.

6. After considering any objections to the proposed scheme which are not withdrawn and, where a local inquiry is held, the report of the person who held the inquiry, the Minister may make or confirm the scheme either without modification or subject to such modifications as he thinks fit.

PART II.

ORDERS UNDER SECTION THREE.

7. Where the Minister proposes to make an order under section three of this Act, or where an order is submitted to the Minister under that section by a local highway authority, the Minister or that authority, as the case may be, shall publish in at least one newspaper circulating in the area in which any road to which the order relates is situated, and in the London Gazette or the Edinburgh Gazette, or in both those Gazettes, according as the order affects England or Scotland or both, a notice—

(*a*) stating the general effect of the proposed order;

(*b*) specifying a place in the said area where copies of a draft of the order, or of the order as submitted to the Minister, as the case may be, and of any relevant map or plan, may be inspected by any person free of charge at all reasonable hours during a period of three months from the date of the publication of the notice; and

(*c*) stating that, within the said period, any person may by notice to the Minister object to the making or confirmation of the order.

8. Not later than the date on which the said notice is published as aforesaid, the Minister or the local highway authority, as the case may be, shall serve a copy thereof (together with a copy of the draft order or of the order, as the case may be, and of any relevant map or plan)—

(*a*) on any highway authority to or from whom any road is to be transferred by the proposed order;

(*b*) on the council of every county, county borough and county district or, in Scotland, on the council of every county, burgh and district, in which any works authorised by the proposed order are to be carried out;

(*c*) where the proposed order authorises the stopping up of any private means of access to any premises, on the owner and occupier of those premises;

(*d*) where the proposed order provides for entry by the special road authority on any land, on the occupier of that land.

9. Where the proposed order authorises the stopping up or diversion of any road, the Minister or the local highway authority, as the case may be, shall, not later than the date on which the notice is published as aforesaid, cause a copy thereof to be displayed in a prominent position on that part of the road which is proposed to be so stopped up or diverted, and shall serve a copy of the notice on the parish council (or, in the case of a rural parish not having a separate parish council, on the parish meeting) of any parish in which that part of the road is situated.

1ST SCH. —*cont.*

10. Paragraphs 3 to 6 of this Schedule shall apply in relation to an order under section three of this Act as if for any reference therein to the scheme there were substituted a reference to the order and as if, in the said paragraph 3, for the reference to paragraph 2 of this Schedule there were substituted a reference to paragraph 8 of this Schedule.

PART III.

APPLICATION OF STATUTORY ORDERS (SPECIAL PROCEDURE) ACT, 1945.

11. If objection to a scheme under section one of this Act is duly made in accordance with paragraph 3 of this Schedule—

(*a*) by the highway authority for any road comprised in the route of the special road authorised by the scheme;

(*b*) by any navigation authority, catchment board or river board on whom notice is required to be served under paragraph 2 of this Schedule, on the ground that any bridge or tunnel over or under navigable waters for which provision is made by the scheme is likely to obstruct or impede the performance of their functions under any enactment or to interfere with the reasonable requirements of navigation over the waters affected by the scheme,

and is not withdrawn, the scheme shall be subject to special parliamentary procedure.

12.—(1) Any inquiry required by paragraph 3 of this Schedule in connection with a scheme affecting Scotland only shall, if the Minister so directs, be held by commissioners under the Private Legislation Procedure (Scotland) Act, 1936; and any directions so given shall be deemed to have been given under section two as read with section ten of the Statutory Orders (Special Procedure) Act, 1945.

(2) Where any such directions are given, paragraph 5 of this Schedule shall not apply, and paragraph 6 of this Schedule shall have effect as if for references to a local inquiry and to the person who held the inquiry there were substituted references to an inquiry by the commissioners and to the commissioners.

(3) The publication of a notice in accordance with the provisions of paragraph 1 of this Schedule in connection with any such scheme as aforesaid shall be deemed to be sufficient compliance with the requirements of the Statutory Orders (Special Procedure) Act, 1945, with regard to the giving of notice by advertisement.

PART IV.

VALIDITY AND DATE OF OPERATION OF SCHEMES AND ORDERS.

13. After a scheme or order to which this Part of this Schedule applies has been made or confirmed by the Minister, the Minister shall publish in the London Gazette or the Edinburgh Gazette, or in both those Gazettes, according as the scheme or order affects England or Scotland or both, and in such other manner as he thinks best adapted for informing persons affected, a notice stating that the scheme or order has been made or confirmed, and naming a place where a copy thereof may be seen at all reasonable hours.

14. If any person aggrieved by the scheme or order desires to question the validity thereof, or of any provision contained therein, on the grounds that it is not within the powers of this Act or on the ground that any requirement of this Act or of regulations made thereunder have not been complied with in relation thereto, he may, within six weeks from the date on which the notice required by the last foregoing paragraph is first published, make an application for the purpose to the High Court or the Court of Session, as the case may be.

15. On any such application as aforesaid, the court—

(*a*) may by interim order suspend the operation of the scheme or order or of any provision contained therein, either generally or in so far as it affects any property of the applicant, until the final determination of the proceedings; and

(*b*) if satisfied that the scheme or order or any provision contained therein is not within the powers of this Act or that the interests of the applicant have been substantially prejudiced by failure to comply with any such requirement as aforesaid, may quash the scheme or order or any provision contained therein, either generally or in so far as it affects any property of the applicant.

16. Subject to the provisions of the last foregoing paragraph, a scheme or order to which this Part of this Schedule applies shall not, either before or after it has been made or confirmed, be questioned in any legal proceedings whatever, and shall become operative on the date on which the notice required by paragraph 13 of this Schedule is first published, or on such later date, if any, as may be specified in the scheme or order.

17. In relation to a scheme under this Act which is subject to special parliamentary procedure, the foregoing provisions of this Part of this Schedule shall have effect subject to the following modifications—

(*a*) if the scheme is confirmed by Act of Parliament, under section six of the Statutory Orders (Special Procedure) Act, 1945, or under subsection (4) of section two, as read with section ten, of that Act, paragraphs 14 to 16 shall not apply; and

(*b*) in any other case, paragraph 14 shall have effect as if for the reference therein to the date on which the notice required by paragraph 13 is first published, there were substituted a reference to the date on which the scheme becomes operative under the said Act of 1945, and paragraph 16 shall have effect as if the words from "and shall become operative" to the end of the paragraph were omitted.

18. In relation to any order to which this Part of this Schedule applies by virtue of subsection (4) of section fourteen of this Act, paragraphs 14 and 15 of this Schedule shall have effect as if for references therein to this Act there were substituted references to the enactment under which the order is made.

Section 2.

SECOND SCHEDULE.

CLASSES OF TRAFFIC FOR PURPOSES OF SPECIAL ROADS.

Class I: Motor tractors, heavy motor cars, motor cars and motor cycles, and trailers drawn thereby, which comply with general regulations as to construction and use made under section thirty of the Road Traffic Act, 1930, and in the case of which the following conditions are satisfied, that is to say :—

(i) that the whole weight of the vehicle is transmitted to the road surface by means of wheels ;

(ii) that all wheels of the vehicle are equipped with pneumatic tyres ;

(iii) that the vehicle is not controlled by a pedestrian ;

(iv) that the maximum speed at which the vehicle may be driven under section ten of the Road Traffic Act, 1930, on roads which are not special roads is not less than twenty miles per hour.

Class II: Motor vehicles and trailers the use of which for or in connection with the conveyance of abnormal indivisible loads is authorised by order made by the Minister under paragraph (*b*) of the proviso to subsection (1) of section three of the Road Traffic Act, 1930.

Heavy and light locomotives when being used for or in connection with the conveyance of abnormal indivisible loads.

Motor vehicles and trailers constructed for naval, military, air force or other defence purposes, the use of which is authorised by order made by the Minister under paragraph (*b*) of the proviso to subsection (1) of section three of the Road Traffic Act, 1930.

Class III: Motor vehicles controlled by pedestrians.

Class IV: All motor vehicles not comprised in Class I, Class II or Class III.

Class V: Vehicles drawn by animals.

Class VI: Vehicles (other than pedal cycles) drawn or propelled by pedestrians.

Class VII: Pedal cycles.

Class VIII: Animals ridden, led or driven.

Class IX: Pedestrians.

In this Schedule any expression defined for the purposes of the Road Traffic Act, 1930, has the same meaning as in that Act and the expression " abnormal indivisible load " has the same meaning as in the Transport Act, 1947.

THIRD SCHEDULE.

Section 15.

ORDERS UNDER TRUNK ROADS ACT, 1946, TO BE TREATED AS SCHEMES UNDER THIS ACT.

Registered Number of Order.	Description of Road.	Class of Traffic (as described in Second Schedule).
S.R. & O., 1947, No. 2248.	The south of Pottersheath—North of Graveley Trunk Road (Stevenage By-pass, County of Hertford).	Classes I and II.
S.R. & O., 1947, No. 1562.	The north of Almondsbury—South of Haysgate Trunk Road (Severn Bridge, Counties of Gloucester and Monmouth)—	
	(*a*) from the junction of Redhill Lane in the Parish of Aust to the junction with Thornhill Road in the Parish of Chepstow;	Classes I, II, III, IV, V, VI, VII and IX.
	(*b*) any other part of the road.	Classes I and II.
S.I., 1948, No. 924	The south of Haysgate—East of Crick Trunk Road (Haysgate to Crick, County of Monmouth).	Classes I and II.
S.I., 1948, No. 62	The east of Christchurch—Tredegar Park Trunk Road (Newport By-pass, County of Monmouth).	Classes I and II.

Table of Statutes Referred to in this Act.

Short Title	Session and Chapter
Metropolis Management Act, 1855 ...	18 & 19 Vict. c. 120.
Metropolis Management Amendment Act, 1862.	25 & 26 Vict. c. 102.
Telegraph Act, 1878	41 & 42 Vict. c. 76.
Interpretation Act, 1889	52 & 53 Vict. c. 63.
London Government Act, 1899	62 & 63 Vict. c. 14.
Development and Road Improvement Funds Act, 1909.	9 Edw. 7. c. 47.
Acquisition of Land (Assessment of Compensation) Act, 1919.	9 & 10 Geo. 5. c. 57.
London Traffic Act, 1924	14 & 15 Geo. 5. c. 34.
Local Government Act, 1929	19 & 20 Geo. 5. c. 17.
Road Traffic Act, 1930	20 & 21 Geo. 5. c. 43.
Land Drainage Act, 1930	20 & 21 Geo. 5. c. 44.

3RD SCH. —*cont.*

Short Title.	Session and Chapter.
Local Government Act, 1933	23 & 24 Geo. 5. c. 51.
Road and Rail Traffic Act, 1933	23 & 24 Geo. 5. c. 53.
Road Traffic Act, 1934	24 & 25 Geo. 5. c. 50.
Restriction of Ribbon Development Act, 1935.	25 & 26 Geo. 5. c. 47.
Public Health Act, 1936	26 Geo. 5. & 1 Edw. 8. c. 49.
Public Health (London) Act, 1936 ...	26 Geo. 5. & 1 Edw. 8. c. 50.
Private Legislation Procedure (Scotland) Act, 1936.	26 Geo. 5. & 1 Edw, 8. c. 52.
Trunk Roads Act, 1936	1 Edw. 8. & 1 Geo. 6. c. 5.
London Government Act, 1939	2 & 3 Geo. 6. c. 40.
Town and Country Planning Act, 1944 ...	7 & 8 Geo. 6. c. 47.
Town and Country Planning (Scotland) Act, 1945.	8 & 9 Geo. 6. c. 33.
Statutory Orders (Special Procedure) Act, 1945.	9 & 10 Geo. 6. c. 18.
Trunk Roads Act, 1946	9 & 10 Geo. 6. c. 30.
Acquisition of Land (Authorisation Procedure) Act, 1946.	9 & 10 Geo. 6. c. 49.
Acquisition of Land (Authorisation Procedure) (Scotland) Act, 1947.	10 & 11 Geo. 6. c. 42.
Local Government (Scotland) Act, 1947 ...	10 & 11 Geo. 6. c. 43.
Transport Act, 1947	10 & 11 Geo. 6. c. 49.
Town and Country Planning Act, 1947 ...	10 & 11 Geo. 6. c. 51.
Town and Country Planning (Scotland) Act, 1947.	10 & 11 Geo. 6. c. 53.
Local Government Act, 1948	11 & 12 Geo. 6. c. 26.

CHAPTER 33

An Act to facilitate the preparation of Bills for the purpose of consolidating the enactments relating to any subject. [31st May 1949.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Procedure for making corrections and minor improvements

1.—(1) If at any time it appears to the Lord Chancellor to be expedient that a Bill should be prepared for the purpose of consolidating the enactments relating to any subject, but that, in order to facilitate the consolidation of those enactments, corrections and minor improvements ought to be made in such