STATUTORY INSTRUMENTS

1962 No. 1319

HIGHWAYS, ENGLAND AND WALES

The Special Roads and Trunk Roads (Procedure) Regulations 1962

Made - - - -	22*nd June* 1962
Laid before Parliament	2*nd July* 1962
Coming into Operation	10*th July* 1962

The Minister of Transport makes these Regulations in exercise of his powers under section 284 of the Highways Act 1959(a) and of all other enabling powers.

1. The centre line of any special road authorised by a scheme shall be indicated on a map on a scale of not less than six inches to the mile.

2. A section 13 order shall be made by reference to a plan on a scale of not less than 1/2500 and the plan shall show:—

(*a*) the route of any new highway or new private means of access to be constructed;

(*b*) any highway or private means of access to be stopped up, or any length of highway or private means of access to be stopped up;

(*c*) the diverted or realigned route of any highway to be diverted or realigned;

(*d*) the route of any other highway to which the order relates.

3. Every application to the Minister of Transport by a local highway authority for confirmation of a scheme or section 13 order shall be accompanied by the prescribed form containing the particulars required by that form and by any maps, plans and sections required by that form. The applicant authority shall also provide that Minister with any further information he may require, including maps, plans, sections and specifications.

4. The associated proceedings mentioned in any one of the following paragraphs of this Regulation may be taken concurrently so far as practicable, provided that no order which depends for its validity upon another order or scheme having previously come into operation shall be made by the Minister of Transport or confirmed by that Minister before that other order or scheme has come into operation:—

(*a*) proceedings under Schedule 1 to the Highways Act 1959 for a section 13 order relating to a special road, and proceedings under Schedule 1 to that Act for a scheme relating to that special road;

(*b*) proceedings under Schedule 1 to the Acquisition of Land (Authorisation Procedure) Act 1946(b) for the compulsory acquisition of land in connection with a special road, and proceedings under Schedule 1 to the Highways Act 1959 for a scheme or section 13 order relating to that special road;

(a) 7 & 8 Eliz. 2. c. 25. (b) 9 & 10 Geo. 6. c. 49.

(*c*) proceedings under Schedule 1 to the Highways Act 1959 for a section 9 order relating to a trunk road, and proceedings under Schedule 1 to that Act for a section 7 order relating to that trunk road;

(*d*) proceedings under Schedule 1 to the Acquisition of Land (Authorisation Procedure) Act 1946 for the compulsory acquisition of land in connection with a trunk road, and proceedings under Schedule 1 to the Highways Act 1959 for a section 7 order or section 9 order relating to that trunk road.

5. The Special Roads (Procedure) Regulations, 1950(**a**) are hereby revoked.

6. The Interpretation Act 1889(**b**) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament, and as if for the purposes of section 38 of that Act these Regulations were an Act of Parliament and the Regulations revoked by Regulation 5 were an Act of Parliament thereby repealed, and in these Regulations:—

"prescribed form" means the appropriate one of the forms set out in the Schedule to these Regulations;

"scheme" means a scheme under section 11 of the Highways Act 1959;

"section 7 order", "section 9 order" and "section 13 order" mean orders under those sections of the Highways Act 1959;

"trunk road" means a trunk road not being a special road.

7. These Regulations shall come into operation on the 10th July 1962 and may be cited as "The Special Roads and Trunk Roads (Procedure) Regulations 1962".

Sealed with the Official Seal of the Minister of Transport on the 22nd June 1962.

(L.S.) *Ernest Marples,*
The Minister of Transport.

THE SCHEDULE

Form relating to a Scheme

Particulars to be furnished

1. Suggested name of special road and general description of route.

2. Class of traffic for which the special road is intended (by reference to Schedule 4 to the Highways Act 1959 as amended by the Special Roads (Classes of Traffic) Order 1961(**c**)).

3. Precise points of:

(*a*) commencement, and

(*b*) termination of the special road.

4. Overall length of the special road, including lengths of existing roads, if any (in miles and to two places of decimals).

5. If the special road incorporates a section of existing road:—

(*a*) name and classification number of the section;

(a) S.I.1950/1850 (1950 II, p. 868). (b) 52 & 53 Vict. c. 63.
(c) S.I. 1961/1210 (1961 II, p. 2408).

(*b*) precise points of:

(i) commencement, and

(ii) termination of the section;

(*c*) length of the section (in miles and to two places of decimals);

(*d*) name of highway authority for the section.

6. Estimate of cost of the special road:

Land (including Accommodation Works)		£
Road Works		£
Bridge Works		£
Total ...		£

7. Full reasons for the proposals.

Maps, plans and section to be supplied

1. A map to a scale of not less than 6 inches to the mile, in triplicate, showing the ultimate centre line of the special road by means of a black band of not more than $\frac{1}{16}$ of an inch in width, the map to be up-to-date so far as detail is concerned within 220 feet of the centre line on each side of the line.

2. Where the special road is to be more than 10 miles long, a Key Plan to a scale of 1 inch to the mile showing the special road by means of a band of red colour $\frac{1}{32}$ of an inch wide, based on the ultimate centre line of the road.

3. A longitudinal section, in duplicate, on the centre line of the special road, to scales which should normally be 1/2500 horizontal and 1/250 vertical.

FORM RELATING TO AN ORDER UNDER SECTION 13

Particulars to be furnished

1. Title of special road scheme or suggested name of special road to which the order relates.

2. Title of the proposed order.

3. Reference number of any map, plan or section referred to in the scheme to which the order relates.

4. Full reasons for the proposals.

Plans and section to be supplied

1. An engineering layout plan of the proposals to the minimum scale of 1/2500 together with a longitudinal section to scales of 1/2500 horizontal and 1/250 vertical.

2. A plan setting out diagrammatically the proposals contained in the order to the minimum scale of 1/2500, the plan to be up-to-date within the limits of the proposals.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations, which re-enact for England and Wales with amendments the Special Roads (Procedure) Regulations 1950, prescribe the procedure to be followed in connection with the making of schemes under section 11 of the Highways Act 1959 authorising a special road, and supplementary orders relating to special roads under section 13 of that Act. They also make provision for enabling proceedings for a supplementary order to be taken concurrently (so far as practicable) with proceedings for a scheme, and for proceedings for the compulsory acquisition

of land in connection with a special road to be taken concurrently (so far as practicable) with proceedings for a scheme or supplementary order. They make similar provision, which was not contained in the Regulations of 1950, for the taking concurrently of proceedings for an order under section 7 and proceedings for an order under section 9 of the Act relating to a trunk road, and of proceedings for the compulsory acquisition of land in connection with a trunk road and proceedings for an order under section 7 or section 9.