STATUTORY INSTRUMENTS

# 1975 No. 242

# HIGHWAYS, ENGLAND AND WALES

## The Taunton—Fraddon Trunk Road (St. Columb Major By-Pass) Order 1975

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| *Made* - - - | *25th February* 1975 |
| *Coming into Operation* | *17th March* 1975 |

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 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.

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

[DOE 19645]

**4.** The length of trunk road described in Schedule 2 to this Order and shown by broad striped hatching on the deposited plan shall cease to be a trunk road, and the length between the points marked A and B on the deposited plan shall be classified as a classified 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:—

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| "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 HA7/2–SW86 marked "The Taunton–Fraddon Trunk Road (St. Columb Major By-Pass) Order 1975", 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 Taunton–Fraddon Trunk Road (A39). |

**6.** This Order shall come into operation on 17th March 1975 and may be cited as the Taunton–Fraddon Trunk Road (St. Columb Major By-Pass) Order 1975.

*G. M. Patrick,*
An Under Secretary in the
Department of the Environment.

Signed by authority of
the Secretary of State
25th February 1975.

## SCHEDULE 1

### Route of the new trunk road

The route of the new trunk road is a route about 4 kilometres (2·5 miles) in length, starting at a point about 180 metres (197 yards) south of Trekenning Cross Roads then going generally north-eastwards to a point about 495 metres (542 yards) south-west of Winnards Perch.

## SCHEDULE 2

### Length of trunk road ceasing to be a trunk road

The length of trunk road ceasing to be a trunk road is that length of the Trunk Road which is situated between the starting and termination points of the route of the new trunk road described in Schedule 1 above.

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Note:

1 kilometre = 0·621 miles approximately.
1 metre = 1·094 yards approximately.