STATUTORY INSTRUMENTS

1985 No. 161

HIGHWAYS, ENGLAND AND WALES

The West of Southampton—Bath Trunk Road A36 (Heytesbury Bypass) Order 1985

Made - - - *5th February* 1985

Coming into Operation *1st March* 1985

The Secretary of State for Transport makes this order in exercise of powers conferred by sections 10, 12 and 41 of the Highways Act 1980(**a**), and now vested in him(**b**), 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 route of the new trunk road is opened for the purposes of through traffic.

4. The lengths of the trunk road described in Schedule 2 to this order and shown by broad striped hatching on the deposited plan shall cease to be trunk road and that length described in paragraph (B) of that Schedule shall be classified as a classified road all as from the date on which the Secretary of State notifies the County Council of Wiltshire that the new trunk road is open for through traffic.

(**a**) 1980 c.66. (**b**) S.I. 1981/238.

5. In this order:—

(1) All measurements of distance are measured along the route of the relevant highway;

(2) (i) "the classified road" as a classification for a highway, means that the highway is not a principal road for the purposes of enactments or instruments which refer to highways classified as principal roads but is a classified road for the purpose of every enactment and instrument which refers to highways classified by the Secretary of State and which does not specifically refer to their classification as principal roads.

(ii) "the deposited plan" means the plan numbered HA10/2—SW4, marked "The West of Southampton—Bath Trunk Road A36 (Heytesbury Bypass) Order 1985" signed by authority of the Secretary of State and deposited at the Department of Transport, Romney House, Marsham Street, London SW1P 3PY;

(iii) "the new trunk road" means the highway mentioned in Article 1 of this order; and

(iv) "the trunk road" means the West of Southampton—Bath Trunk Road (A36).

6. This order shall come into operation on 1st March 1985 and may be cited as the West of Southampton—Bath Trunk Road A36 (Heytesbury Bypass) Order 1985.

G. M. Wedd,
Regional Director,
South West Region,
Department of Transport.

Signed by authority of
the Secretary of State
5th February 1985.

SCHEDULE 1

ROUTE OF THE NEW TRUNK ROAD

The route of the new trunk road is a route at Heytesbury in the County of Wiltshire about 1.6 kilometres (1 mile) in length, starting at a point on the trunk road approximately 240 metres (262 yards) west of its junction with the B390 Heytesbury to Chitterne Road then going in a generally westerly direction to rejoin the trunk road at a point on the trunk road approximately 115 metres (126 yards) south east of its junction with the B3095 Heytesbury to Mere Road.

SCHEDULE 2

The lengths of the trunk road ceasing to be trunk road are situated at Heytesbury in the County of Wiltshire and are as follows:—

(A) that length which commences from a point approximately 240 metres (262 yards) west of its junction with the B390 Heytesbury to Chitterne Road and extends westwards to its junction with Tytherington Road.

(B) that length which commences from its junction with Tytherington Road and extends north westwards to a point approximately 150 metres (164 yards) south east of its junction with the B3095 Heytesbury to Mere Road.

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