STATUTORY INSTRUMENTS

# 1979 No. 814

# HIGHWAYS, ENGLAND AND WALES

## The Folkestone-Honiton Trunk Road (Loders Cross and Vinney Cross Diversion, Uploders) Order 1979

*Made* - - - - 6*th July* 1979

*Coming into Operation* 10*th August* 1979

The Minister of Transport 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 Minister 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 Minister 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 Minister 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 Minister to the highway authority for that highway. The date specified will not be later than the date on which the route is opened for the purposes of through traffic.

**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 as from the date on which the Minister notifies the County Council of Dorset that the new trunk road is open for through traffic.

**5.** In this Order:—

"the deposited plan" means the plan numbered HA7/2-SW107 marked "The Folkestone-Honiton Trunk Road (Loders Cross and Vinney Cross Diversion, Uploders) Order 1979" signed by authority of the Minister and deposited at the Department of Transport, St. Christopher House, Southwark Street, London SE1 0TE where it may be inspected free of charge at all reasonable hours;

(a) 1959 c. 25. (b) 1966 c. 42. (c) 1971 c. 41.
(d) S.I. 1970/1681 and 1979/571.

"the new trunk road" means the heighway mentioned in Article 1 of this Order;

"the Trunk Road" means the Folkestone-Honiton Trunk Road (A35).

**8.** This Order shall come into operation on 10th August 1979 and may be cited as the Folkestone-Honiton Trunk Road (Loders Cross and Vinney Cross Diversion, Uploders) Order 1979.

Signed by authority of
the Minister of Transport
6th July 1979.

*S. H. Godsell,*
Regional Director,
South West Region,
Department of Transport.

## SCHEDULE 1

ROUTE OF THE NEW TRUNK ROAD

The route of the new trunk road is a route at Uploders in the District of West Dorset, in the County of Dorset starting at a point on the Trunk Road about 70 metres east of Loders Cross and then going eastwards for about 420 metres to rejoin the Trunk Road at a point about 65 metres south west of Vinney Cross.

## 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 extends from a point about 130 metres east of Loders Cross eastwards for a distance measured along the said road of about 285 metres to a point about 145 metres south west of Vinney Cross.

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