STATUTORY INSTRUMENTS

1985 No. 710

HIGHWAYS, ENGLAND AND WALES

The London–Penzance Trunk Road A38 (Improvement at Belvedere Cross) Order 1985

Made - - - - -	30*th April* 1985
Coming into Operation	30*th May* 1985

The Secretary of State for Transport makes this order in exercise of powers conferred by sections 10 and 41 of the Highways Act 1980(**a**), and now vested in him(**b**), and of all other enabling powers:—

1. As from the date when this order comes into operation—

(*a*) the new highway which the Secretary of State proposes to construct along the route described in Schedule 1 to this order, and

(*b*) the existing highway described in Schedule 2 to this order,

shall become trunk roads.

2. The new trunk road described in Schedule 1 is indicated by a heavy black line on the deposited plan, and the new trunk road described in Schedule 2 is indicated by vertical hatching on the deposited plan.

3. The Secretary of State directs as respects any part of a highway which crosses the route of a 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.

4. In this order—

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

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

(2) (i) "the deposited plan" means the plan numbered HA10/2-SW141 marked "The London-Penzance Trunk Road A38 (Improvement at Belvedere Cross) Order 1985" signed by authority of the Secretary of State and deposited at the Department of Transport, Romney House, 43 Marsham Street, London SW1 3PY where it may be inspected free of charge at all reasonable hours;

(ii) "new trunk road" means one of the highways mentioned in Article 1 of this order; and

(iii) "the Trunk Road" means the London-Penzance Trunk Road (A38).

5. This order shall come into operation on 30th May 1985 and may be cited as the London-Penzance Trunk Road A38 (Improvement at Belvedere Cross) Order 1985.

Signed by authority of
the Secretary of State

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

30th April 1985.

SCHEDULE 1

ROUTE OF TRUNK ROAD TO BE CONSTRUCTED

A route at Belvedere Cross, Haldon in the County of Devon about 140 metres (153 yards) in length, starting at a point on the Classified Road C19 (Haldon Hill to Dunchideock) approximately 110 metres (120 yards) west of its junction with the Trunk Road and running southwards and then south-eastwards to join the Trunk Road at a point approximately 88 metres (96 yards) south-west of the said junction.

SCHEDULE 2

EXISTING HIGHWAY TO BECOME A TRUNK ROAD

A length of the Classified Road C19 (Haldon Hill to Telegraph Hill) in the County of Devon, starting at its junction with the Trunk Road and going south-eastwards for a distance of approximately 66 metres (72 yards).

Printed for Her Majesty's Stationery Office by J. W. Arrowsmith Ltd.
850 A968 127 C9 5/85

40p net

ISBN 0 11 056710 2