

1971 No. 1707

**HIGHWAYS, ENGLAND AND WALES****The Stopping up of Accesses to Premises (Procedure) Regulations 1971**

<i>Made</i>	- - -	19th October 1971
<i>Laid before Parliament</i>		27th October 1971
<i>Coming into Operation</i>		1st November 1971

The Secretary of State for the Environment (as respects England excluding Monmouthshire) and the Secretary of State for Wales (as respects Wales including Monmouthshire) make these Regulations in exercise of their powers under section 2 of the Highways Act 1971(a) and of all other enabling powers:—

*Commencement, citation, interpretation*

1.—(1) These Regulations shall come into operation on the 1st November 1971, and may be cited as the Stopping up of Accesses to Premises (Procedure) Regulations 1971.

(2) In these Regulations, unless the context otherwise requires—

“order” means an order to which these Regulations apply;

“owner”, in relation to any premises, means a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the fee simple in the premises, whether in possession or in reversion, and includes also a person holding or entitled to the rents and profits of the premises under a lease the unexpired term whereof exceeds three years;

“the premises” means the premises to which a private means of access is to be stopped up pursuant to an order, or, where the order relates to means of access to two or more premises, both or all of those premises.

(3) The Interpretation Act 1889(b) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

*Application of Regulations*

2. These Regulations apply to orders under section 2 of the Highways Act 1971 and have effect for prescribing the procedure to be followed in connection with the making of such orders by the Secretary of State and with the making of such orders by a local highway authority and their confirmation by that authority or by the Secretary of State.

*Publication and contents of notice*

3. When the Secretary of State proposes to make an order, or when a local highway authority have made an order, the Secretary of State or, as the case may be, the local highway authority, shall publish in at least one local newspaper circulating in the area in which the premises are situated a notice which shall—

(a) 1971 c. 41.

(b) 1889 c. 63.

- (a) state the general effect of the order proposed by the Secretary of State or made by the local highway authority ;
- (b) name a place in the said area where a copy of the said order, as proposed or made, and of any map or plan referred to therein may be inspected free of charge at all reasonable hours during a period specified in the notice, being a period of not less than 28 days from the date of publication of the notice ;
- (c) state that, within the said period, objections to the said order may be made in writing (the ground of each objection being stated) addressed, in the case of an order proposed to be made by the Secretary of State, to the Secretary of State, and in the case of an order made by a local highway authority, to that authority, at the address specified in the notice.

*Persons to be served with notice*

4.—(1) Not later than the day on which the notice under Regulation 3 above is first published, the highway authority publishing the notice shall serve on the owner and the occupier of each of the premises affected by the order—

- (a) a copy of the said notice ;
- (b) a copy of the order as proposed or made, as the case may be ;
- (c) subject to paragraph (2) below, a copy of any map or plan referred to in the order ; and
- (d) a statement of the authority's reasons for proposing to make, or for having made, the order so far as it affects the premises of such owner and occupier.

(2) If the order provides for the stopping up of means of access to two or more premises, it shall be sufficient for the highway authority to serve on each owner and occupier a copy of that part of the map or plan referred to in the order which relates to the premises of which he is the owner or occupier.

*New means of access to be shown on map or plan*

5. If it appears to a highway authority, when preparing an order, that a new means of access to any premises is likely to have to be provided by that authority to take the place of a means of access to be stopped up under the order, then that authority shall indicate in the map or plan referred to in the order the proposed route of that new means of access, and shall serve on the owner and occupier of the land which will be required for the provision of that new means of access (if different from the owner and occupier of the premises) a copy of the notice and the other documents referred to in Regulation 4 above.

*Submission of local highway authority's order for confirmation*

6.—(1) If any objection to an order made by a local highway authority is received by that authority within the period specified in Regulation 3 above and that objection is not withdrawn, the local highway authority, before proceeding further with the order, shall forward the following documents to the Secretary of State—

- (a) the original order as made together with two copies thereof ;
- (b) three copies of each statement of objections and of any correspondence which the authority have had with any objector since the receipt by them of his objection ;
- (c) in a case where the authority desire modifications to be made to the order, three copies of a statement of those modifications and of the authority's reasons therefor ;

and shall at the same time notify each objector in writing of the action taken by them under this Regulation.

(2) If in a case where there are no unwithdrawn objections to an order made by a local highway authority the authority desire the order to be confirmed with modifications they shall forward to the Secretary of State the order as made, together with two copies thereof and three copies of a statement of the modifications which the authority desire and of their reasons therefor.

#### *Consideration of objections by Secretary of State*

7. Before the Secretary of State makes an order or confirms an order made by a local highway authority, he shall, in the case of his own order, consider any objections received by him within the period specified in Regulation 3 above, and in the case of an order made by a local highway authority, consider any objections transmitted to him by that authority under Regulation 6 above and also any proposals of that authority for modifying the order, and shall in either case, if he has caused a local inquiry to be held in connection with the order, consider the report of the person who held the inquiry.

#### *Modifications*

8. The Secretary of State may make or confirm an order with modifications, whether in consequence of objections or otherwise, but where the modifications will in his opinion make a substantial change in the order as proposed or made, then, before making or confirming the order, he shall take such steps as appear to him to be appropriate for informing any person who appears to him to be likely to be affected by the proposed modifications and for giving such person an opportunity of making representations to him with respect thereto, and shall consider any representations made to him by such person.

#### *Service of notice of making by Secretary of State or confirmation of order*

9. The Secretary of State or local highway authority, as the case may be, by whom the notice referred to in paragraph 1 of Schedule 2 to the Highways Act 1959(a) (as applied by section 16 of the Highways Act 1971) is required to be published, shall serve a copy of that notice and of the order, as made or confirmed, upon the owner and occupier of each of the premises to which the order relates and also upon the owner and occupier of any other land affected by the route of any new means of access to premises shown upon the map or plan referred to in the order in accordance with Regulation 5 above.

*Peter Walker,*  
Secretary of State for the Environment.

19th October 1971.

*Peter Thomas,*  
Secretary of State for Wales.

19th October 1971.

## EXPLANATORY NOTE

*(This Note is not part of the Regulations.)*

These Regulations prescribe the procedure to be followed in connection with the making and confirmation of orders under section 2 of the Highways Act 1971 for the stopping up of private means of access to premises from a highway where the means of access are likely to cause danger to, or to interfere unreasonably with, traffic on the highway.

Regulation 3 requires the publication in a local newspaper of notice of the Secretary of State's proposal to make such an order or of the making of such an order by a local highway authority, and Regulation 4 requires the service of a copy of such notice on the owner and occupier of the premises affected. Where the stopping up of a means of access to premises is likely to involve the provision of a new means of access to those premises by the highway authority, Regulation 5 makes it necessary for the route of the new means of access to be shown on the order plan and for the owner and occupier of the land across which that route will run (if different from the owner and occupier who will be served under Regulation 4) to be served with a copy of the notice.

Regulation 6 prescribes the documents which must be submitted to the Secretary of State by a local highway authority in a case where an order made by such an authority requires confirmation by him, Regulation 7 deals with the consideration of objections by the Secretary of State and Regulation 8 provides for modifications to orders published in draft by the Secretary of State or submitted to him by a local highway authority for confirmation.

Regulation 9 requires copies of the notice of the making of an order by the Secretary of State or of the confirmation of an order made by a local highway authority to be served upon the owner and occupier of the premises or other land affected.

1971 No. 1712

## CUSTOMS AND EXCISE

**The Import Duties (Temporary Exemptions) (No. 8)  
Order 1971**

<i>Made - - - -</i>	<i>25th October 1971</i>
<i>Laid before the House of Commons</i>	<i>29th October 1971</i>
<i>Coming into Operation</i>	<i>4th November 1971</i>

The Lords Commissioners of Her Majesty's Treasury, by virtue of the powers conferred on them by sections 3(6) and 13 of the Import Duties Act 1958(a), and of all other powers enabling them in that behalf, on the recommendation of the Secretary of State, hereby make the following Order:—

1.—(1) This Order may be cited as the Import Duties (Temporary Exemptions) (No. 8) Order 1971.

(2) The Interpretation Act 1889(b) shall apply for the interpretation of this Order as it applies for the interpretation of an Act of Parliament.

(3) This Order shall come into operation on 4th November 1971.

2.—(1) Until the beginning of 1st January 1972 any import duty which is for the time being chargeable on goods of a heading of the Customs Tariff 1959 specified in Schedule 1 to this Order shall not be chargeable in respect of goods of any description there specified in relation to that heading.

(2) The period for which goods of the headings of the Customs Tariff 1959 and descriptions specified in Schedule 2 to this Order are exempt from import duty shall be extended until the beginning of 1st January 1972.

(3) Any entry in column 2 in Schedule 1 or Schedule 2 to this Order is to be taken to comprise all goods which would be classified under an entry in the same terms constituting a subheading (other than the final subheading) in the relevant heading in the Customs Tariff 1959.

(4) For the purposes of classification under the Customs Tariff 1959, in so far as that depends on the rate of duty, any goods to which paragraph (1) or paragraph (2) above applies shall be treated as chargeable with the same duty as if this Order had not been made.

*Walter Clegg,*

*P. L. Hawkins,*

Two of the Lords Commissioners  
of Her Majesty's Treasury.

25th October 1971.

## SCHEDULE 1

## GOODS TEMPORARILY EXEMPT FROM IMPORT DUTY

<i>Tariff Heading</i>	<i>Description</i>
29.06	Cresol, mixed isomers, of a purity not less than 98 per cent. and containing not more than 2.0 per cent. by weight of <i>o</i> -cresol
29.07	4-Hydroxynaphthalene-1-sulphonic acid Sodium 4-hydroxynaphthalene-1-sulphonate
29.08	2,2-Di-[4-(2-hydroxyethoxy)phenyl]propane
29.13	Menaphthone
29.16	4-Bromo-3,5-dihydroxybenzoic acid Methyl 3,5-dihydroxybenzoate Potassium sodium tartrate Prostaglandin E <sub>2</sub>
29.22	2-Aminonaphthalene-1-sulphonic acid 4-Chloro-2-nitroaniline 4-Chloro- <i>m</i> -toluidine-6-sulphonic acid (-NH <sub>2</sub> at 1) Fast Red RL Base Fast Red TR Base 2-Nitroaniline-4-sulphonic acid
29.23	4-Amino-5-hydroxynaphthalene-1,7-disulphonic acid <i>o</i> -Anisidine (+)-4-Dimethylamino-3-methyl-1,2-diphenylbutan-2-ol Fast Scarlet RC Base
29.25	4-Bromo-3,5-dihydroxy- <i>N</i> -methylbenzamide 5'-Chloroacetoacet- <i>o</i> -anisidine 2,4-Dihydroxybenzamide 3,5-Dihydroxy- <i>N</i> -(2-hydroxyethyl)benzamide Fast Violet B Base 3-Hydroxy- <i>NN</i> -di-(2-hydroxyethyl)-2-naphthamide Naphthol AS Naphthol AS-BG Naphthol AS-BS Naphthol AS-D Naphthol AS-E Naphthol AS-G Naphthol AS-IRG Naphthol AS-ITR Naphthol AS-KB Naphthol AS-OL Naphthol AS-RT Naphthol AS-TR
29.27	Acetonitrile
29.31	Ecothiopate iodide
29.35	2-(3,4-Dichlorophenyl)-4-methyl-1,2,4-oxadiazolidinedione 3-Hydroxy- <i>N</i> -(3-morpholinopropyl)-2-naphthamide <i>iso</i> Propyl 2-(thiazol-4-yl)benzimidazol-5-ylcarbamate hydrochloride
29.36	Frusemide
29.44	Spiramycin
32.07	Pigments, dry, which contain (a) hydrated iron oxides as the sole colouring agent and (b) not more than 1 per cent. by weight of total silica, and which, when spread evenly over a transparent substrate at a density of 13 grammes of pigment per square metre in a clear binder of refractive index 1.52, have an opacity of not more than 30 per cent. when measured by Ministry of Defence Specification DEF-1053 Method 12 modified by using the red filter of the reflectometer recommended therein

<i>Tariff Heading</i>	<i>Description</i>
39.02	Copolymers solely of allyl alcohol with styrene, which have an acetyl value of not less than 190
44.05	Stavewood of white oak ( <i>Quercus alba</i> ) not exceeding 1·38 metres long 42 millimetres thick and 204 millimetres wide
44.08	Staves of white oak ( <i>Quercus alba</i> ) not exceeding 1·38 metres long 42 millimetres thick and 204 millimetres wide
70.03	Tubing of glass which contains not less than 58 per cent. by weight of lead compounds estimated as PbO and not more than 6·5 per cent. by weight of alkali metal compounds estimated as K <sub>2</sub> O

## SCHEDULE 2

## GOODS FOR WHICH EXEMPTION FROM IMPORT DUTY IS EXTENDED

<i>Tariff Heading</i>	<i>Description</i>
29.06	3,5-Xylenol
29.14	<i>n</i> -Octanoic acid Undec-10-enoic acid
29.22	4-Nitroaniline
29.25	3,4,4'-Trichloro- <i>NN'</i> -diphenylurea
29.31	Diethyl sulphide
39.01	Nylon 6 in the forms covered by Note 3(b) of Chapter 39, containing not more than 2 per cent. by weight of titanium dioxide and not more than 2·5 per cent. by weight of carbon black, but not otherwise compounded
48.07	Paper of a substance not less than 83 grammes per square metre, coated, which, when subjected for 24 hours to 50 per cent. relative humidity at 17° centigrade, has an apparent surface resistance of not less than 10 megaohms and not more than 5,000 megaohms, measured under the same conditions between two electrodes 1 inch wide and 1 inch apart and using a Keithley model 600B electrometer
58.02	"Synthetic Grass" being a knitted pile fabric with a pile of green polyamide strip of not less than 350 decitex of heading No. 51.02 and a ground of polyester and polyamide man-made fibres
73.15	Alloy steel coils for re-rolling, which contain not less than 14 per cent. nor more than 18 per cent. by weight of chromium as the major alloying element, and not more than 0·5 per cent. by weight of nickel, and having a width exceeding 500 millimetres but not more than 1,372 millimetres, and a thickness of not less than 3 millimetres nor more than 6 millimetres  Hot rolled alloy steel strip in coils, containing not less than 14 per cent. by weight nor more than 18 per cent. by weight of chromium as the major alloying element, and not more than 0·5 per cent. by weight of nickel, of a width of not less than 254 millimetres nor more than 500 millimetres and of a thickness of not less than 3 millimetres nor more than 6 millimetres
85.18	Tantalum capacitors, of a kind for incorporation in deaf aids, with a maximum length not exceeding 7 millimetres exclusive of leads and with a transverse cross section having a circumference not exceeding 10 millimetres

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**EXPLANATORY NOTE**

*(This Note is not part of the Order.)*

This Order provides that the goods listed in Schedule 1 shall be temporarily exempt from import duty, and those listed in Schedule 2 shall continue to be exempt from import duty, both until 1st January 1972.

The specialist publication referred to under heading 32.07 is Ministry of Defence Specification DEF-1053, Standard Methods of Testing Paint, Varnish, Lacquer and Related Products, Method No. 12, Opacity (Contrast Ratio), current at the date of this Order, published by H.M. Stationery Office.