

EXT 29

STATUTORY INSTRUMENTS

1976 No. 2140

HIGHWAYS, ENGLAND AND WALES

The London—Fishguard Trunk Road  
(Gloucester Northern By-Pass) Order 1976

Made - - - - 14th December 1976

Coming into Operation 14th January 1977

The Secretary of State for Transport makes this Order in exercise of powers conferred by sections 7, 20 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.

4. The Secretary of State is authorised to construct the bridge specified in Schedule 2 to this Order as part of the new trunk road referred to in Schedule 1 to this Order.

(a) 1959 c. 25.  
(c) 1971 c. 41.

(b) 1966 c. 42.  
(d) S.I. 1970/1681 (1970 III, p. 5551).

In this Order:—

“the deposited plan” means the plan numbered HA7/2 CSW 35 marked “The London-Fishguard Trunk Road (Gloucester Northern By-pass) Order 1976” signed by authority of the Secretary of State 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;

“the new trunk road” means the highway mentioned in Article 1 of this Order;

“the Trunk Road” means the London-Fishguard Trunk Road (A40).

5. This Order shall come into operation on 14th January 1977 and may be cited as the London-Fishguard Trunk Road (Gloucester Northern By-pass) Order 1976.

Signed by authority of  
the Secretary of State.

*P. R. Sheaf,*  
The Regional Director,  
South West Region,  
Department of Transport.

14th December 1976.

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#### SCHEDULE 1

##### ROUTE OF THE NEW TRUNK ROAD

The route of the new trunk road is a route about 4.97 kilometres in length, starting in the form of a roundabout the centre of which is approximately 70 metres east of the junction of the Maisemore Road (A417) with the Trunk Road at Maisemore in the County of Gloucester then going in a generally easterly direction to a roundabout to be constructed as part of the new trunk road, the centre point of which will be at a point on the Exeter-Leeds Trunk Road (A38) approximately 360 metres north of its junction with Fairmile Gardens, then going in a generally easterly and then a south-easterly direction to a point on the north-west boundary of the existing Elm-bridge Roundabout (A40).