

1977 No. 1995

HIGHWAYS, ENGLAND AND WALES

**The Taunton-Fraddon Trunk Road (Diversion at Brighter)
Order 1977**

Made - - - - 29th November 1977

Coming into Operation 23rd December 1977

The Secretary of State for Transport makes this Order in exercise of powers conferred by sections 7 and 44 of the Highways Act 1959(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 is opened for the purposes of through traffic.

4. The lengths of 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 as from the date on which the Secretary of State notifies the County Council of Cornwall that the length of the new trunk road which extends from the starting point described in Schedule 1 to this Order north eastwards for 230 metres and which is marked "A" on the deposited plan is open for through traffic.

5. In this Order:—

"the deposited plan" means the plan numbered HA7/2-SW110, marked "The Taunton-Fraddon Trunk Road (Diversion at Brighter) Order 1977"

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; and

“the Trunk Road” means the Taunton-Fraddon Trunk Road (A39).

6. This Order shall come into operation on 23rd December 1977 and may be cited as the Taunton-Fraddon Trunk Road (Diversion at Brighter) Order 1977.

Signed by authority of
the Secretary of State
29th November 1977.

P. R. Sheaf,
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 Brighter in the District of North Cornwall in the County of Cornwall starting at a point on the Trunk Road about 30 metres west of its junction with the Class III road leading to Kellygreen and St. Tudy then going north-eastwards for about 470 metres to rejoin the Trunk Road.

SCHEDULE 2

LENGTHS OF TRUNK ROAD CEASING TO BE TRUNK ROAD

The lengths of trunk road ceasing to be trunk road are:—

- (a) that length of the Trunk Road which is situated between the starting point of the route of the new trunk road described in Schedule 1 above and its junction with the western boundary of the Class III road leading to Kellygreen and St. Tudy; and
- (b) that length of the Trunk Road which extends from a point 23 metres east of its junction with the eastern boundary of the Class III road leading to Kellygreen and St. Tudy north eastwards for a distance measured along the said road of about 175 metres.