

Dated

fourth of July 2023

Highways Act 1980

**ESSEX COUNTY COUNCIL
(A120 TO A133 LINK ROAD)
(PHASE 1 (SOUTHERN SECTION))
(CLASSIFIED ROAD)
(SIDE ROADS) ORDER 2023**

Paul Turner
Director Legal and Assurance
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Seax House
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THE HIGHWAYS ACT 1980
ESSEX COUNTY COUNCIL
(A120 TO A133 LINK ROAD)
(PHASE 1 (SOUTHERN SECTION))
(CLASSIFIED ROAD)
(SIDE ROADS) ORDER 2023

The Essex County Council ("the Council") makes this order in exercise of powers conferred by Sections 14 and 125 of the Highways Act 1980 ("the 1980 Act") and all other powers enabling them in that behalf: -

- (1) The Council is authorised, in relation to the classified road in the parishes of Ardleigh: St Mary the Virgin & Elmstead: St Anne & St Laurence in the City of Chelmsford in the County of Essex.
 - (a) improve the lengths of highway named in the Schedule to this Order and shown on the Site Plan by cross hatching;
 - (b) stop up each length of highway described in the Schedules and shown on the corresponding Site Plan by zebra hatching;
 - (c) construct a new highway along each route whose centre line is shown on a Site Plan by an unbroken black line surrounded by stipple; and
 - (d) provide new means of access to premises at each location shown on the Site Plan by thin diagonal hatching;
- (2) Where a new highway is to be constructed wholly or partly along the same route as a new access or part of one, that new highway shall be created subject to the private rights over that new access.
- (3) Each new highway is given a reference letter on a Site Plan, which is also placed in the respective Schedule, and will be a road unless the word "footpath" or "cycle track" appears beneath its reference letter in that Schedule, in which case it will be a footpath or cycle track (as the case may be). Each new access is given a number on a Site Plan, which is also placed in the respective Schedule.
- (4) Where a new highway is to be constructed or a new access is to be provided in connection with the stopping up of a length of highway described in the Schedule, its reference letter or number (as the case may be) is placed in the said Schedule opposite the description of that length.
- (5) The Site Plan shows the works indicated in the respective Schedule and has the same number as that Schedule, and the route of the classified road in relation to the works.
- (6) Where immediately before a length of highway is stopped up in pursuance of this Order there is under, in, on, over, along or across that highway any apparatus of statutory undertakers or any telecommunications code system operator, then, subject to section 21 of the Highways Act 1980, those undertakers, or that operator, as the case may be, shall have the same rights as respects that apparatus as they had immediately before the stopping up took place

(7) In this Order: -

- (a) distances are measured along the route of the relevant highway or private means of access to premises, as the case may be.
- (b) a reference to a Schedule or Site Plan number is a reference to the Schedule, or to the Site Plan, so numbered.

“the classified road” means the;

A120;

A133; and

highway which the Council propose to construct a new link from the A120 from a point 800m north of the property known as Allens Farm for a distance of 2300m to form a junction with the A133 and which has been classified by the Secretary of State for Transport as a principal road for the purpose of the enactments and instruments which refer to roads classified as principal road in accordance with Section 12 of the highways Act 1980, this order is in reference to Phase 1 of the scheme aforementioned covering the length from the A133 to the property known as Allens Farm;

“the Council” means the Essex County Council;

“improvement” in relation to a highway includes diverting, raising, lowering, or otherwise altering that highway, and “improved” shall be construed accordingly;

“new access” means a means of access to premises authorised by this Order to be provided;

“new highway” means a highway authorised by this Order to be constructed and “new highways” shall be construed accordingly;

“Schedule” means a Schedule to this Order, and Schedules” shall be construed accordingly;

“Site Plan” means the plan contained in the Plan Folio marked “Essex County Council (A120 to A133 Link Road) (PHASE 1 (SOUTHERN SECTION)) (Classified Road) (Side Roads) Order 2023”, sealed with the Common Seal of the Council and deposited at:

Essex County Council, County Hall, Chelmsford, CM1 1GG;

Colchester Library, Trinity Square, Colchester, CO1 1JB;

Wivenhoe Library, 104/106 High Street, Wivenhoe, CO7 9AB;

Greenstead Library, Hawthorn Avenue, Colchester, CO4 3QE;

Elmstead Market Community Centre, School Road, Elmstead Market, Colchester, CO7 7ET; and

Ardleigh Village Hall, 17 Station Road, Ardleigh, Colchester, CO7 7RS.

A duplicate has been deposited in the offices of the Secretary of State for Transport.

SCHEDULE

Locality: Parish of Ardleigh: St Mary the Virgin & Parish of Elmstead: St Anne & St Laurence.

Site Plan

HIGHWAY (S) TO BE IMPROVED

Restricted Byway (162_21)

Allens Lane

Tye Road

HIGHWAY (S) TO BE STOPPED UP

REFERENCE LETTER (S) OF NEW HIGHWAY (S)

Part of Footpath (PROW 162_2) located 16 metres north of the property known as Allens Farm to be stopped up for a distance of 183 metres in a northern direction and labelled S1 on deposited Site Plan.	A Unclassified
Part of unclassified road known as Allens Lane located 29 metres north of the property known as Allens Farm to be stopped up for a distance of 290 metres in a south westerly direction and labelled S2 on deposited Site Plan.	A Unclassified
Part of Restricted Byway (PROW 162_21) located 29 metres north of the property known as Allens Farm to be stopped up for a distance of 115 metres in a north easterly direction and labelled S3 on deposited Site Plan.	A Unclassified
Part of unclassified road known as Tye Road located 406 metres north east of 31 Turnip Lodge Lane to be stopped up for a distance of 152 metres in a north westerly direction and labelled S4 on deposited Site Plan.	-
Part of unclassified road known as Turnip Lodge Lane located 146 metres north east of 31 Turnip Lodge Lane to be stopped up for a distance of 289 metres in an easterly direction and labelled S5 on deposited Site Plan.	B Cycle track

<u>PRIVATE MEANS OF ACCESS TO BE STOPPED UP</u>	<u>REFERENCE NUMBER (S) OF NEW ACCESSES</u>
-	1a
-	1b
-	1c
-	2a
-	2b
-	2c
-	2d
-	2e
-	2f
-	2g
-	2h

The Common Seal of
ESSEX COUNTY COUNCIL

Was hereunto affixed in the presence of:

Sarah Smart
SARAH SMART



Attesting Officer on the 4th day of July 2023

.....day of 2023

HIGHWAYS ACT 1980

**THE ESSEX COUNTY COUNCIL (A120/A133
LINK ROAD) (PHASE 1 (SOUTHERN
SECTION)) (CLASSIFIED ROAD) (SIDE ROADS)
ORDER 2023**

Paul Turner
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HIGH/11393

THE ESSEX COUNTY COUNCIL (A120 TO A133 LINK ROAD) (PHASE 1 (SOUTHERN SECTION)) (CLASSIFIED ROAD) (SIDE ROADS) ORDER 2023

The Secretary of State for Transport hereby confirms the foregoing Order with modifications shown by red ink alterations. The Secretary of State is satisfied as respects each highway the stopping up of which is authorised by the Order, that another reasonably convenient route is available or will be provided before that highway is stopped up.

This document has been signed by way of an electronic signature.



Signed by authority
of the Secretary of State
15 July 2024

MARTIN GILMOUR
A Senior Civil Servant in the
Department for Transport