

HIGHWAYS ACT 1980

THE OXFORDSHIRE COUNTY COUNCIL (HIGHWAYS INFRASTRUCTURE – A40 HIF2 SMART CORRIDOR (HILL FARM TO DUKES CUT)) (SIDE ROADS) ORDER 2022

Oxfordshire County Council (“the Council”) make this Order in exercise of powers under Sections 14 and 125 of the Highways Act 1980 and all other powers enabling them in that behalf : –

1. (1) The Council is authorised in relation to the Classified Roads in the Parishes of South Leigh, Eynsham, and Cassington, in the District of West Oxfordshire, and in the Parishes of Yarnton, and Gosford and Water Eaton, in the District of Cherwell, and in the City of Oxfordshire, all in the County of Oxfordshire to:
 - (a) improve the lengths of highway named in the Schedules and shown on the corresponding 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;
 - (d) stop up each private means of access to premises described in the Schedules and shown on the corresponding Site Plan by a solid black band; and
 - (e) provide new private means of access to premises along each route or at each location shown on a 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 number and letter on a Site Plan, which is also placed in the respective Schedule, and will be a road unless the word “Footpath”, “Bridleway” or “Cycle Track (with a right of way on foot)” appears beneath its reference letter in the Schedule, in which case it will be a Footpath, Bridleway or Cycle Track (with a right of way on foot) (as the case may be). Each new access is given a reference number followed by a lower case letter 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 or private means of access described in a Schedule, its reference letter or number (as the case may be) is placed in the said Schedule opposite the description of that length.
- (5) Each Site Plan shows the works indicated in the respective Schedule and has the same number as that Schedule and the route of the Classified Roads is shown in relation to those 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;

(b) “the Classified Roads” means –

- (i). the A40 which the Council propose to improve from a point 250 metres west of the Hill Farm Overbridge, which carries Bridleway 353/19/20 (South Leigh) over the A40, eastwards for a distance of ..., to a point 64 metres west of the junction of the A40 with the Private Access Track to Whitehouse Farm and Nos 1 and 2 Whitehouse Farm Cottages;
- (ii). the highway which the Council propose to construct, as the proposed A40, from a point on the existing A40 64 metres west of the junction of the A40 with the Private Access Track to Whitehouse Farm and Nos 1 and 2 Whitehouse Farm Cottages, eastwards for a distance of ... to a point 153 metres east of the junction of the A40 with the westerly Private Access Track to Salutation Farmhouse and Salutation Barn; and
- (iii). the A40 which the Council proposed to improve from a point 153 metres east of its junction with the westerly Private Access Track to Salutation Farmhouse and Salutation Barn, generally eastwards for a distance of ..., to a point 133 metres east of the centre line of the A34 Western Bypass bridge over the A40, and which improvement of the A40 may, at the time of its implementation, be implemented by way of a continuous dual carriageway eastwards, at a point just east of Eynsham Motocross, or with a Roundabout Junction included at that location,

and which are is a highway and a proposed highway which is a classified road in accordance with section 12 of the Highways Act 1980;

“the Council” means Oxfordshire County Council;

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

“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 one of the Site Plans numbered 1 to ... marked “The Oxfordshire County Council (Highways Infrastructure – A40 HIF2 Smart Corridor (Hill Farm to Dukes Cut)) (Side Roads)

Order 2022", sealed with the Common Seal of the Council and deposited at the offices of the Council at County Hall, Oxford OX1 1DJ;

a duplicate copy has been deposited at the offices of the Secretary of State for Transport.

THE SCHEDULES (1 TO 11)

Explanatory Notes:

- (a) Where a reference number appears in brackets within a description of, or as a reference point in relation to, a Highway to be stopped, in a Schedule, or as a reference point within a description of a Private Means of Access to be stopped up, that reference number is a local reference number of the Local Highway Authority of the Unclassified Road to which the description or reference point description relates. That local reference number also appears in brackets against the Unclassified Road to which it relates on the corresponding Site Plan.
- (b) New Bridleways 1/B, 1/C, and 1/D, on Site Plan 1; 2/A on Site Plan 2; and 3/A on Site Plan 3, are parts of what will be one new Bridleway Route, from its junction, in the west, with Bridleway 353/19/10 (South Leigh) and a new Footpath proposed over the Hill Farm Overbridge, and with the Unclassified Road (43655199), which leads westwards off the C35469 at Barnard Gate North, in the east, which new Bridleway route will be situated on the northern side of the A40.
- (c) Along the New Bridleway(s) Route referred to in (b) above, will be provide a new continuous co-existent Private Means of Access Route, 1/a, 1/c, and 1/d, on Site Plan 1; 2/a, 2/b, 2/c, 2/d, and 2/e, on Site Plan 2; and 3/a, 3/b, 3/c, and 3/d, on Site Plan 3, and over which private vehicular rights will be provided, to the premises which lie to the north side of the Private Means of Access Route corridor.
- (d) In relation to the new Private Means of Access Route, referred to in (c) above, and any other new Private Means of Access Route, the reference number and letter of each of the lengths which will make up the entire new Private Means of Access Route for any particular premises, appears opposite the description of the Private Means of Access which is to be stopped up to that premises in the relevant Schedule.

SCHEDULE 1

Site Plan 1 Title – A40 Dualling – Hill Farm to Whitehouse Farm

Highways to be improved

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<u>Highways to be stopped up</u>	<u>Reference letter of New Highway</u>
The whole of Bridleway 353/19/20 (South Leigh), from its junction with Bridleway 353/19/40 (South Leigh), southwards, running across Hill Farm Overbridge, then eastwards, to its junction with Bridleway 353/19/30 (South Leigh) and Footpath 353/1/30 (South Leigh), a distance of 126 metres (marked 1/S1 on Site Plan 1).	1/A Footpath
The whole of Bridleway 353/19/40 (South Leigh), co-existent with the Private Access Track to Hill Farm and Hill Farm Bungalows, from its junction with the A40, northwards, then generally westwards, to its junction with Bridleway 353/19/20 (South Leigh) and Bridleway 353/9/10 (South Leigh), a distance of 138 metres (marked 1/S2 on Site Plan 1).	1/B Bridleway
The whole of Bridleway 353/19/30 (South Leigh), from its junction with the A40, southwards, then generally westwards, to its junction with Bridleway 353/19/20 (South Leigh) and Footpath 353/1/30 (South Leigh), a distance of 85 metres (marked 1/S3 on Site Plan 1).	1/A Footpath
A southern part width of the A40, comprising part carriageway and part verge, from a point 94 metres east of the centre of the Hill Farm Overbridge crossing of the A40, generally eastwards for a distance of 24 metres, when measured along its southern boundary, and having a maximum width of 5 metres (marked 1/S4 on Site Plan 1).	1/A Footpath
A northern part width of the A40, comprising part carriageway and part verge, from its junction with Bridleway 353/19/40 (South Leigh), southwards for a distance of 6 metres and having a length of 21 metres, when measured along its southern boundary (marked 1/S5 on Site Plan 1).	1/B Bridleway 1/C Bridleway and 1/D Bridleway

SCHEDULE 1 (CONTINUED)

<u>Highways to be stopped up</u>	<u>Reference letter of New Highway</u>
A length and a part width of the A40, from a point 66 metres east of its junction with the access to Whitehouse Farm and Whitehouse Farm Cottages, generally westwards for a distance of 136 metres, for its length, and then westwards for a further 367 metres for its part width and having a maximum width of 20 metres (marked 1/S6 on Site Plan 1).	1/B Bridleway 1/C Bridleway and 1/D Bridleway
Footpath 206/22/10 (Eynsham), co-existent with the Private Access Track to agricultural land of Green Farm located on the south side of the A40, from its junction with the A40, southwards for a distance of 43 metres (marked 1/S7 on Site Plan 1).	-

<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
Access Track to Hill Farm and Hill Farm Bungalows, co-existent with Bridleway 353/19/40 (South Leigh), from its junction with the northern boundary of the A40 (eastbound), northwards, then generally westwards, for a distance of 138 metres (marked 1/1 on Site Plan 1).	1/a and 1/d (and 2/a, 2/b and 2/e on Site Plan 2 and 3/a on Site Plan 3)
Access Track to Hill Farm and Hill Farm Bungalows and to agricultural land located on the south of the A40, from its junction with the southern boundary of the A40 (westbound), southwards for a distance of 5 metres (marked 1/2 on Site Plan 1).	1/a and 1/d (and 2/a, 2/b and 2/e on Site Plan 2 and 3/a on Site Plan 3)
Access Track to Whitehouse Farm and Whitehouse Farm Cottages, from its junction with the A40, northwards for a distance of 2 metres (marked 1/3 on Site Plan 1).	1/c and 1/d (and 2/a, 2/b and 2/e on Site Plan 2 and 3/a on Site Plan 3)
Access Track to agricultural land of Green Farm located on the south side of the A40, co-existent with Footpath 206/22/10 (Eynsham), from its junction with the A40, southwards for a distance of 45 metres (marked 1/4 on Site Plan 1).	-

SCHEDULE 2

Site Plan 2 Title – A40 Dualling – Salutation Farm to South Lodge

Highways to be improved

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<u>Highways to be stopped up</u>	<u>Reference letter of New Highway</u>
A length and a part width of the A40, from a point 125 metres west of its junction with the westerly Private Access Track to Salutation Farmhouse and Salutation Barn, generally eastwards for a distance of 282 metres, for its length, to a point 74 metres west of where it meets the western cul-de-sac junction of the Unclassified Road (43655199) leading westwards off the C35469 at Barnard Gate North, then eastwards for a further 308 metres and having a maximum width of 32 metres, for its part width (marked 2/S1 on Site Plan 2).	2/A Bridleway
The Unclassified Road (43655199) which leads westwards off the C35469 at Barnard Gate North, from its western cul-de-sac termination point and junction at the easterly Private Access Track to Salutation Farmhouse and Salutation Barn, generally eastwards for a distance of 246 metres (marked 2/S2 on Site Plan 2).	2/A Bridleway
The whole of Footpath 206/33/10 (Eynsham), as runs east to west from the southern to northern boundary and across the western boundary of the Unclassified Road (43655199) leading westwards off the C35469 at Barnard Gate North, at its westerly cul-de-sac termination point at the easterly access to Salutation Farmhouse and Salutation Barn, a distance of 130 metres (marked 2/S3 on Site Plan 2).	2/A Bridleway

<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
Westerly Private Access Track to Salutation Farmhouse and Salutation Barn, from its junction with the A40, northwards for a distance of 2 metres (marked 2/1 on Site Plan 2).	2/b, 2/c, and 2/e (and 3/a on Site Plan 3)

SCHEDULE 2 (CONTINUED)

<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
Easterly Private Access Track to Salutation Farmhouse and Salutation Barn, from its junction with the Unclassified Road (43655199) leading westwards off the C35469 at Barnard Gate North, north westwards for a distance of 5 metres (marked 2/2 on Site Plan 2).	2/d and 2/e (and 3/a on Site Plan 3)
-	2/1f

SCHEDULE 3

Site Plan 3 Title – A40 Dualling – Barnard Gate Roundabout Junction and Barnard Gate North and Barnard Gate South Realignments

Highways to be improved

Unclassified Road (43655199) leading westwards off the C35469 at Barnard Gate North
C35469 at Barnard Gate North

Unclassified Road (43607679) leading northwards off the C35469 at Barnard Gate North

Unclassified Road (43603545) leading southwards off the A40 at Barnard Gate South

<u>Highways to be stopped up</u>	<u>Reference letter of New Highway</u>
A northern part width of the A40, from its junction with the C35469 at Barnard Gate North, generally westwards for a distance of 195 metres, when measured along its northern boundary, and having a maximum width of 17 metres (marked 3/S1 on Site Plan 3).	-
The Unclassified Road (43655199) which leads westwards off the C35469 at Barnard Gate North, from its T-junction with the C35469 at Barnard Gate North, generally westwards for a distance of 206 metres, when measured along its southern boundary (marked 3/S2 on Site Plan 3).	3/A Bridleway

SCHEDULE 3 (CONTINUED)

<u>Highways to be stopped up</u>	<u>Reference letter of New Highway</u>
The westerly arm of the C35469 at Barnard Gate North, from its junction with the A40, generally northwards for a distance of 72 metres, when measured along its eastern boundary (marked 3/S3 on Site Plan 3).	3/B
The Unclassified Road (43603545) at Barnard Gate South, from its junction with the A40, southwards for a distance of 280 metres (marked 3/S4 on Site Plan 3).	3/C

<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
Private Access Track to the Solar Farm (Hill Farm), from its junction with Unclassified Road (43655199) leading westwards off the C35469 at Barnard Gate North, northwards for a distance of 3 metres (marked 3/1 on Site Plan 3).	3/a and 3/b
Private Access Track to Eynsham Park, from its junction with the Unclassified Road (43655199) leading westwards off the C35469 at Barnard Gate North, northwards for a distance of 3 metres (marked 3/2 on Site Plan 3).	3/a and 3/c
Private Access Track to South Lodge and Eynsham Park, from its junction with the Unclassified Road (43655199) leading westwards off the C35469 at Barnard Gate North, northwards for a distance of 3 metres (marked 3/3 on Site Plan 3).	3/a and 3/d
Field Access to the northerly agricultural field of Green Farm, lying immediately to the south of the A40 and to the west of the Unclassified Road (43603545), from its junction with Unclassified Road (43603545), at a point 132 metres south of its junction with the A40, westwards for a distance of 3 metres (marked 3/4 on Site Plan 3).	3/h and 3/j

SCHEDULE 3 (CONTINUED)

<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
Access to woodland belt of Green Farm, located to the south of the A40 and to west of the Unclassified Road (43603545), from its junction with Unclassified Road (43603545), at a point 188 metres south of its junction with the A40, westwards for a distance of 3 metres (marked 3/5 on Site Plan 3).	3/h and 3/k
Field access to agricultural land of Green Farm, located to the south of the A40 and to the east of the Unclassified Road (43603545), from its junction with Unclassified Road (43603545), at a point 189 metres south of its junction with the A40, eastwards for a distance of 3 metres (marked 3/6 on Site Plan 3).	3/l (part) and 3/n
-	3/e
-	3/f
-	3/g
-	3/l
-	3/m

SCHEDULE 4

Site Plan 4 Title – A40 Dualling to Chill Brook to Barnard Gate Farm

Highways to be improved

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<u>Highways to be stopped up</u>	<u>Reference letter of New Highway</u>
A northern part width of the A40, comprising highway verge, from a point 22 metres east of the Chil Brook culvert under the A40, eastwards for a distance of 94 metres and having a maximum width of 7 metres (marked 4/S1 on Site Plan 4).	-
A southern part width of the A40, comprising highway verge, from a point 42 metres west of the Private Access Track to Ambury Close Farm, westwards for a distance of 205 metres and having a maximum width of 5 metres (marked 4/S2 on Site Plan 4).	-
The easterly arm of the C35469 at Barnard Gate North, from its junction with the A40, just west of Home Farm an east of Barnard Gate Farm, generally westwards for a distance of 44 metres (marked 4/S3 on Site Plan 4).	4A Cycle Track (with a right of way on foot)
A northern part width of the A40, comprising highway verge, from its junction with the C35469 at Barnard Gate North, just west of Home Farm and east of Barnard Gate Farm, eastwards for a distance of 35 metres and having a maximum width of 14 metres (marked 4/S4 on Site Plan 4).	4/B Footpath

<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
-	4/a
-	4/b
-	4/c

SCHEDULE 5

Site Plan 5 Title – A40 Dualling – Ambury Close Farm to Home Farm to Fir Tree Farm

Highways to be improved

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<u>Highways to be stopped up</u>	<u>Reference letter of New Highway</u>
A northern part width of the A40, comprising highway verge, from a point 105 metres west of the Private Access Track to Home Farm, generally westwards for a distance of 33 metres and having a maximum width of 6 metres (marked 5/S1 on Site Plan 5).	-
A southern part width of the A40, comprising carriageway and highway verge, from a point 52 metres west of its junction with the Private Access Track to Fir Tree Farm, generally eastwards for a distance of 342 metres and having a maximum width of 30 metres (marked 5/S2 on Site Plan 5).	-
Footpath 206/13/10 (Eynsham), co-existent with the Private Access Track to agricultural land of Barnard Lodge Farm, from its junction with the A40, generally northwards, then north eastwards for a distance of 56 metres (marked 5/S3 on Site Plan 5).	5/A Footpath

<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
Private Access Track to Ambury Close Farm, from its junction with the A40, southwards for a distance of 45 metres (marked 5/1 on Site Plan 5).	5/a (and 3/l on Site Plan 3 and 4/a on Site Plan 4)
Private Access Track to Home Farm, from its junction with the A40, northwards for a distance of 54 metres (marked 5/2 on Site Plan 5).	5/b and 5/d (and 4/c on Site Plan 4)
Private Access Track to Fir Tree Farm, from its junction with the A40, southwards for a distance of 8 metres (marked 5/3 on Site Plan 5).	5/c

SCHEDULE 5 (CONTINUED)

<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
Private Access Track to agricultural land of Barnard Lodge Farm, co-existent with Footpath 206/13/10 (Eynsham), from its junction with the A40, northwards, then north eastwards for a distance of 56 metres (marked 5/4 on Site Plan 5).	5/b, 5/e and 5/g (and 4/c on Site Plan 4)
-	5/f
-	5/h
-	5/j
-	5/k

SCHEDULE 6

Site Plan 6 Title – A40 Dualling – Eynsham Motocross to East of New A40 Roundabout Junction

Highways to be improved

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<u>Highways to be stopped up</u>	<u>Reference letter of New Highway</u>
A southern part width of the A40, comprising carriageway and highway verge, from a point 282 metres east of its junction with the Private Access Track to Fir Tree Farm, generally eastwards for a distance of 160 metres and having a maximum width of 30 metres (marked 6/S1 on Site Plan 6).	-

<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
-	6/1a

SCHEDULE 7

(BUS LANES FOOTPATH SET BACK AND PMA SET BACKS TO BE INCLUDED)

<u>Highways to be stopped up</u>	<u>Reference letter of New Highway</u>
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Highways to be improved

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<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>

SCHEDULE DC1

Site Plan DC1 Title – A40 Dukes Cut – Railway Crossing and Oxford Canal Crossing to East of Underpass Crossing of A34 Western Bypass, and New Cycle Track Link

Highways to be improved

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<u>Highways to be stopped up</u>	<u>Reference letter of New Highway</u>
Footpath 229/12/10 (Gosford and Water Eaton), from its junction with Footpath 229/11/10 (Gosford and Water Eaton) and Footpath 229/11/12 (Gosford and Water Eaton), south westwards for a distance of 43 metres (marked DC/S1 on Site Plan DC1).	DC/A (part) Cycle Track (with a right of way on foot)
Footpath 229/11/12 (Gosford and Water Eaton), from its junction with Footpath 229/12/10 (Gosford and Water Eaton) and Footpath 229/11/10 (Gosford and Water Eaton), north eastwards for a distance of 27 metres (marked DC/S2 of Site Plan DC2).	DC/A (part) Cycle Track (with a right of way on foot)

<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
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SCHEDULE DC2

Site Plan DC2 Title –

**A40 Dukes Cut – Railway Crossing and Oxford Canal
Crossing to East of Underpass Crossing of A34
Western Bypass, and New Cycle Track Link**

Highways to be improved

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<u>Highways to be stopped up</u>	<u>Reference letter of New Highway</u>
-	DC/B Cycle Track (with a right of way on foot)

<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
-	-

The COMMON SEAL of Oxfordshire County Council
was hereunto affixed in the presence of -

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Authorised Officer

Dated this day of 2022

