



**Law  
Commission**  
Reforming the law

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## **Statute Law Repeals: Consultation Paper Repeal of Turnpike Laws**

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**SLR 02/10: Closing date for responses – 25 June 2010**

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## **BACKGROUND NOTES ON STATUTE LAW REPEALS (SLR)**

### **What is it?**

1. Our SLR work involves repealing statutes that are no longer of practical utility. The purpose is to modernise and simplify the statute book, thereby reducing its size and thus saving the time of lawyers and others who use it. This in turn helps to avoid unnecessary costs. It also stops people being misled by obsolete laws that masquerade as live law. If an Act features still in the statute book and is referred to in text-books, people reasonably enough assume that it must mean something.

### **Who does it?**

2. Our SLR work is carried out by the Law Commission and the Scottish Law Commission pursuant to section 3(1) of the Law Commissions Act 1965. Section 3(1) imposes a duty on both Commissions to keep the law under review “with a view to its systematic development and reform, including in particular ... the repeal of obsolete and unnecessary enactments, the reduction of the number of separate enactments and generally the simplification and modernisation of the law”.

### **Statute Law (Repeals) Bill**

3. Implementation of the Commissions’ SLR proposals is by means of special Statute Law (Repeals) Bills. 18 such Bills have been enacted since 1965 repealing more than 2000 whole Acts and achieving partial repeals in thousands of others. Broadly speaking the remit of a Statute Law (Repeals) Bill extends to any enactment passed at Westminster. Accordingly it is capable of repealing obsolete statutory text throughout the United Kingdom (i.e. England, Wales, Scotland and Northern Ireland) as well as extending where appropriate to the Isle of Man.

### **Consultation**

4. The Law Commission consults widely before finalising its repeal proposals. The purpose of consulting is to secure as wide a range of views on the proposals as is practicable from all categories of persons who may be affected by the proposals. So the consultation may be with central or local government, organisations, trade bodies, individuals or anyone else who appears to have an interest in a proposal.
5. So far as consulting central government is concerned, any Department or agency with an interest in the subject matter of the repeal proposal will be invited to comment. Because obsolete legislation often extends throughout the United Kingdom it may be necessary to invite comments from several different Departments. So the following will routinely be consulted-
  - ◆ The English Department or Departments with policy responsibility for the subject matter of the proposed repeal (this responsibility will extend to Scotland in appropriate cases)
  - ◆ The Welsh Assembly Government and the Wales Office (unless the proposed repeal relates only to England)
  - ◆ SLR colleagues at the Scottish Law Commission (if the proposed repeal extends to Scotland)
  - ◆ Northern Ireland officials (if the proposed repeal extends to Northern Ireland).

### **Selection of repeal candidates**

6. Candidates for repeal are selected on the basis that they are no longer of practical utility. Usually this is because they no longer have any legal effect on technical grounds - because they are spent, unnecessary or obsolete. But sometimes they are selected because, although they strictly speaking do continue to have legal effect, the purposes for which they were enacted either no longer exist or are nowadays being met by some other means.
7. Provisions commonly repealed by Statute Law (Repeals) Acts include the following-
  - (a) references to bodies, organisations, etc. that have been dissolved or wound up or which have otherwise ceased to serve any purpose;
  - (b) references to issues that are no longer relevant as a result of changes in social or economic conditions (e.g. legislation about tithes or tin mines);
  - (c) references to Acts that have been superseded by more modern (or EU) legislation or by international Convention;
  - (d) references to statutory provisions (i.e. sections, schedules, orders, etc.) that have been repealed;
  - (e) repealing provisions e.g. "Section 33 is repealed/shall cease to have effect";
  - (f) commencement provisions once the whole of an Act is in force;
  - (g) transitional or savings provisions that are spent;
  - (h) provisions that are self-evidently spent - e.g. a one-off statutory obligation to do something becomes spent once the required act has duly been done;
  - (i) powers that have never been exercised over a period of many years or where any previous exercise is now spent.

### **General savings**

8. Much SLR work is possible because of the general savings provisions of section 16(1) of the Interpretation Act 1978. This provides that where an Act repeals an enactment, the repeal does not (unless the contrary intention appears) -
  - (a) revive anything not in force or existing at the time at which the repeal takes effect;
  - (b) affect the previous operation of the enactment repealed or anything duly done or suffered under that enactment;
  - (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under that enactment;
  - (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against that enactment;

- (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment;

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the repealing Act had not been passed”.

**Gradual obsolescence**

- 9. The obsolescence of statutes tends to be a gradual process. Usually there is no single identifiable event that makes a statute obsolete. The Statute Law (Repeals) Act 2008 contained several examples of legislation being overtaken by social and economic changes. A scheme to provide farming work for ex-servicemen after the First World War had long fallen into disuse. Changes in agriculture during the second half of the 20<sup>th</sup> century had greatly reduced the numbers of persons seeking employment in farming. An Act of 1792 that criminalised the giving of false character references to servants seeking domestic employment had become superseded by changes in the civil law. And a Victorian Act requiring noisy street musicians to leave the area on pain of a forty shilling fine had long become obsolete.
- 10. Even within individual statutes, the obsolescence tends to be gradual. Some provisions fade away more quickly than others. These include commencement and transitory provisions and ‘pump-priming’ provisions (e.g. initial funding and initial appointments to a Committee) to implement the new legislation. Next to go may be order-making powers that are no longer needed. Then the Committee established by the Act no longer meets and can be abolished. However, other provisions may be unrepealable for generations, particularly if they confer pensions rights or confer security of tenure or employment rights. Other provisions may be virtually unrepealable ever. Much of English property law relies on medieval statutes such as Quia Emptores (1290) which is regarded as one of the pillars of the law of real property. This last example usefully shows that just because a statute is ancient it is not necessarily obsolete.

**Help from consultees**

- 11. Sometimes it is impossible to tell whether a provision is repealable without factual information that is not readily ascertainable without ‘inside’ knowledge of a Department or other organisation. Examples of this include savings or transitional provisions which are there to preserve the status quo until an office-holder ceases to hold office or until repayment of a loan has been made. In cases like these the repeal notes drafted by the Law Commissions often invite the organisation being consulted to supply the necessary information. Any help that can be given to fill in the gaps is much appreciated.

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**REPEAL OF TURNPIKE LAWS  
(GLOUCESTERSHIRE/ OXFORDSHIRE/  
SURREY/LONDON to HOLYHEAD)**

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*From a Painting by James Pollard*

CLAPTON GATE  
Circa 1830

*By permission of George Wrigley*

# TURNPIKES REPEAL PROPOSALS

## INTRODUCTION

### *Background*

1. This note proposes the repeal of a number of obsolete turnpike Acts relating to the construction, repair and maintenance of roads in parts of Gloucestershire, Oxfordshire and Surrey. The note also proposes the repeal of obsolete Acts relating to the financing, construction, repair and maintenance of roads between London and Holyhead. These Acts have long ceased to have any effect. In most cases, the periods for which they were individually enacted expired a century or more ago. Despite this, none of them have been formally repealed, and they remain on the statute book to this day.

2. Until the late 19<sup>th</sup> century, Britain had no national framework for maintaining its highways. For much of the 17<sup>th</sup> and 18<sup>th</sup> centuries, roads were repairable by the population at large, with every able-bodied man being subject to six days a year of unpaid statute labour repairing the roads. The inefficiency of the statute labour system left most roads poorly repaired and maintained.

3. Turnpikes were an alternative method of road administration and were first used in 1663. A turnpike was a toll-gate set up across a road, with travellers along that road being able to pass through the gate only upon payment of a toll. The revenue collected from tolls would be used to repair and maintain the road.

4. The first turnpike Act was passed in 1663 to set up a turnpike road in Wadesmill, Hertfordshire.<sup>1</sup> The first turnpike trust was established by a 1706 statute which appointed and nominated 32 trustees to oversee the maintenance and management of the road between Fonthill in Bedfordshire to Stony Stratford in Buckinghamshire.<sup>2</sup> These humble beginnings led to the passing of more than 1100 local Acts establishing turnpike trusts during the 18<sup>th</sup> century. These Acts were generally expressed to continue for, or expire after, a fixed period, usually 21 years. The relevant periods were frequently extended, either by an Act specific to a particular turnpike trust or, after the mid-1830s, on an annual basis by the *Annual Turnpike Acts Continuance Acts* (“the ATCAs”).

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<sup>1</sup> 15 Car 2 c.1 (Road Repair (Herts, Cambs and Hunts)).

<sup>2</sup> 6 Ann c.4 (Bedfordshire and Bucks Roads).

5. The *Annex* to this note explains the reasons for the rise and subsequent decline of the turnpike system as a means of maintaining a national road network. For example direct competition from the newly-built railways in the first half of the 19<sup>th</sup> century was a major factor in the financial failure of many turnpike trusts. Suffice it to say that, from 1864 onwards, Parliament embarked on a positive programme of terminating turnpike trusts. This was achieved by means of the ATCAs, each of which identified specific turnpike Acts for repeal or discontinuance, whilst continuing every other subsisting turnpike Act for a period of approximately 12 months. The final extension under an ATCA was until 1 November 1886<sup>3</sup>, and the last remaining trust (relating to the Anglesey portion of the Shrewsbury to Holyhead Road) expired on 1 November 1895.<sup>4</sup>

6. Although the framework of legislation that governed the generic management of turnpike trusts was repealed in 1981,<sup>5</sup> most of the Acts that provided for individual turnpike trusts have never been formally repealed. The present exercise seeks to remedy that situation in relation to the counties of Gloucestershire, Oxfordshire and Surrey and in relation to the roads between London and Holyhead. Work on repealing turnpike legislation in other counties of England and Wales will be undertaken in due course.<sup>6</sup>

#### *Annual Turnpike Acts Continuance Act 1885*

7. The Annual Turnpike Acts Continuance Act 1885 (“the 1885 Act”) was the final Act in a long series dating back to the 1830s<sup>7</sup> whereby Parliament provided for the continuation, expiry or repeal of turnpike Acts. It applied only to turnpikes in England and Wales.<sup>8</sup> *Sections 1, 3 and 4* provided for the continuation of specified turnpike Acts to dates varying between 1 November 1885 and 1 November 1896.<sup>9</sup> *Section 2* repealed the turnpike Acts specified in Schedule 2 to the 1885 Act.

8. The most significant provision of the 1885 Act is *section 6*, which applied to all other turnpike Acts that then remained in force. Section 6 provided as follows-

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<sup>3</sup> Annual Turnpike Acts Continuance Act 1885, s 6.

<sup>4</sup> Shrewsbury and Holyhead Road (Anglesey and Carnarvon) Act 1890 (c.clxxxv), s 1, Sch.

<sup>5</sup> Statute Law (Repeals) Act 1981, s 1, Sch 1.

<sup>6</sup> The Statute Law (Repeals) Act 2008 repealed the turnpike legislation of Essex, Suffolk and Norfolk. See Part 10 of Schedule 1 to the 2008 Act.

<sup>7</sup> The annual series began in 1834 (4 & 5 Will.4 c.10) although there were earlier turnpike continuation Acts in 1800 (41 Geo.3 c.26) and 1831 (1 & 2 Will.4 c.6).

<sup>8</sup> The 1885 Act, s 8.

<sup>9</sup> The dates are set out in the 1885 Act, Schs 1, 3 and 4.

*Any other Act now in force for regulating, making, amending or repairing any turnpike road which will expire at or before the end of the next session of Parliament shall continue in force until the first day of November one thousand eight hundred and eighty-six, and no longer, unless Parliament in the meantime otherwise provides; but this section shall not affect any Act continued to a specified date and no longer, or any Act which is to be repealed at a specified time.*

In other words, any turnpike Act that had not already expired, been repealed or discontinued could continue no longer than 1 November 1886 unless Parliament provided otherwise. In the event, as indicated above, the final turnpike trust expired in 1895.

*The proposed repeals – three groups*

9. Most of the Acts listed below are proposed for repeal on the basis that, although they have expired or have been discontinued, they have not been formally repealed. *Groups 1 and 2* focus on the counties of Gloucestershire, Oxfordshire and Surrey although many of the Acts span more than one county. Moreover, boundary changes over the years mean that many of the locations originally falling within these counties fall within other counties or within the London boroughs. The Acts in *Group 3 (1) (London to Holyhead, Finance)* relate to the financing of the roads between London and Holyhead. Whilst these Acts are now obsolete, they have neither expired nor been discontinued. *Group 3 (2)* contains obsolete enactments passed to authorise the actual construction and repair of those roads.

## TURNPIKES

### GROUP 1 – GLOUCESTERSHIRE AND OXFORDSHIRE

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<i>Reference</i>	<i>Extent of repeal or revocation</i>
9 Will.3 c.18 (1697) (Gloucestershire Roads Act)	The whole Act.
12 Geo.1 c.18 (1725) (Tewkesbury Roads Act)	The whole Act.
12 Geo.1 c.24 (1725) (Gloucestershire Roads Act)	The whole Act.
4 Geo.2 c.23 (1730) (Oxford and Gloucester Roads Act)	The whole Act.
17 Geo.2 c.10 (1743) (Oxford and Gloucester Roads Act)	The whole Act.
19 Geo.2 c.18 (1745) (Gloucester Roads Act)	The whole Act.
24 Geo.2 c.28 (1750) (Gloucester and Oxford Roads Act)	The whole Act.
26 Geo.2 c.70 (1753) (Oxford and Gloucester Roads Act)	The whole Act.
29 Geo.2 c.51 (1756) (Gloucestershire Roads Act)	The whole Act.
29 Geo.2 c.58 (1756) (Gloucester Roads Act)	The whole Act.
29 Geo.2 c.81 (1756) (Berks Roads Act)	The whole Act.
31 Geo.2 c.64 (1757) (Gloucestershire Roads Act)	The whole Act.
31 Geo.2 c.65 (1757) (Gloucester Roads Act)	The whole Act.
5 Geo.3.c.80 (1765) (Oxford and Gloucester Roads Act)	The whole Act.
8 Geo.3 c.41 (1768) (Gloucester and Oxford Roads Act)	The whole Act.

8 Geo.3 c.61 (1768) (Abingdon to Swinford Roads Act)	The whole Act.
11 Geo.3 c.73 (1771) (Oxford Roads Act)	The whole Act.
14 Geo.3 c.111 (1774) (Gloucestershire Roads Act)	The whole Act.
18 Geo.3 c.99 (1778) (Berks Roads Act)	The whole Act.
18 Geo.3 c.102 (1778) (Gloucester Roads Act)	The whole Act.
19 Geo.3 c.93 (1779) (Gloucester Roads Act)	The whole Act.
20 Geo.3 c.70 (1780) (Gloucester Roads Act)	The whole Act.
20 Geo.3 c.76 (1780) (Burford to Preston Road Act)	The whole Act.
21 Geo.3 c.87 (1781) (Oxford Roads Act)	The whole Act.
23 Geo.3 c.104 (1783) (Gloucester Roads Act)	The whole Act.
23 Geo.3 c.106 (1783) (Gloucestershire Roads Act)	The whole Act.
30 Geo.3 c.106 (1790) (Berks Roads Act)	The whole Act.
31 Geo.3 c.103 (1791) (Bicester to Aynho Road Act)	The whole Act.
31 Geo.3 c.111 (1791) (Oxford and Gloucester Roads Act)	The whole Act.
31 Geo.3 c.116 (1791) (Warwick and Gloucester Roads Act)	The whole Act.
33 Geo.3 c.137 (1793) (Witney to Clanfield Road Act)	The whole Act.
33 Geo.3 c.180 (1793) (Bicester Roads Act)	The whole Act.
37 Geo.3 c.170 (1797) (Adderbury and Oxford Road Act)	The whole Act.

38 Geo.3 c.xii (1798) (Gloucester, Cheltenham and Tewkesbury Roads Act)	The whole Act.
38 Geo.3 c.xiii (1798) (Crickley Hill, Campsfield and Kidlington Roads Act)	The whole Act.
38 Geo.3 c.lxv (1798) (Oxford District of Faringdon Road Act)	The whole Act.
39 & 40 Geo.3 c.xvi (1800) (Witney and Woodstock Roads Act)	The whole Act.
39 & 40 Geo.3 c.xcvi (1800) (Road from Gloucester to the Bristol Road Act)	The whole Act.
41 Geo.3 c.xvi (1801) (Road from Burford to Dancy's Fancy Act)	The whole Act.
41 Geo.3 c.lxxxv (1801) (Tetbury Roads Act)	The whole Act.
41 Geo.3 c.cxxxvii (1801) (Kidlington Green Road Act)	The whole Act.
45 Geo.3 c.cix (1805) (Road from Newnham to St Whites (Gloucestershire) Act)	The whole Act.
51 Geo.3 c.xlvi (1811) (Abingdon and Swinford Road Act)	The whole Act.
52 Geo.3 c.xxvii (1812) (Cirencester Road Act)	The whole Act.
53 Geo.3 c.cxxxiii (1813) (Road from Neat Enstone and Chipping Norton Turnpike Road to Weston-on-the-Green (Oxfordshire) Act)	The whole Act.
53 Geo.3 c.cc (1813) (Bicester and Aynho Road and Branch Act)	The whole Act.
55 Geo.3 c.xxxviii (1815) (Witney and Clanfield Road Act)	The whole Act.
56 Geo.3 c.i (1816) (Chapel on the Heath (Oxfordshire) and Bourton on the Hill Road Act)	The whole Act.

58 Geo.3 c.v (1818) (Roads from Gloucester to Cheltenham Act)	The whole Act.
58 Geo.3 c.lxxii (1818) (Road from Chipping Campden to Old Stratford Act)	The whole Act.
59 Geo.3 c.lxxxiv (1819) (Roads from Friar Bacon's Study (Oxford District) Act)	The whole Act.
59 Geo.3 c.cxxii (1819) (Adderbury and Oxford Road Act)	The whole Act.
59 Geo.3 c.cxxiv (1819) (Didbrook and Stow-on-the-Wold Road Act)	The whole Act.
1 & 2 Geo.4 c.vi (1821) (Gloucester and Clay Pitts Road Act)	The whole Act.
1 & 2 Geo.4 c.lxxxii (1821) (Gloucester to Bristol Road and Branches Act)	The whole Act.
1 & 2 Geo.4 c.lxxxiii (1821) (Roads from Tetbury, Frocester Hill and from Latterwood Act)	The whole Act.
1 & 2 Geo.4 c.lxxxvi (1821) (Weston-on-the Green and Kidlington Road Act)	The whole Act.
1 & 2 Geo.4 c.cix (1821) (Crickley Hill and Campsfield Roads Act)	The whole Act.
3 Geo.4 c.xxxvi (1822) (Culham, Abingdon and Fyfield Roads Act)	The whole Act.
3 Geo.4 c.xlvii (1822) (Burford and Dancy's Fancy Road Act)	The whole Act.
3 Geo.4 c.lxi (1822) (Gloucestershire Roads Act)	The whole Act.
3 Geo.4 c.lxiii (1822) (Tetbury Roads Act)	The whole Act.
3 Geo.4 c.xc (1822) (Road from Banbury to Edgehill Act)	The whole Act.
3 Geo.4 c.xciii (1822) (Chippenham and Westerleigh Road Act)	The whole Act.

4 Geo.4 c.cv (1823) (Banbury, Brailes and Barcheston Road Act)	The whole Act.
5 Geo.4 c.ix (1824) (Burford Lane and Stow-on-the-Wold Roads Act)	The whole Act.
5 Geo.4 c.xi (1824) (Roads from Newent Act)	The whole Act
5 Geo.4 c.cxl (1824) (Evesham and Cheltenham Turnpike Roads Act)	The whole Act.
6 Geo.4 c.clv (1825) (Warwick, Worcester, Gloucester and Oxford Roads Act)	The whole Act.
7 Geo.4 c.xii (1826) (Marshfield District of Roads Act)	The whole Act.
7 Geo.4 c.lxxviii (1826) (Tewkesbury Roads Act)	The whole Act.
7 & 8 Geo.4 c.xvi (1827) (Gloucester, Birdlip Hill and Crickley Hill Roads Act)	The whole Act.
2 & 3 Will.4 c.xxxiv (1832) (Buckingham to Hanwell (Oxfordshire) Road Act)	The whole Act.
3 & 4 Will.4 c.lv (1833) (Roads from Gloucester City Act)	The whole Act.
3 & 4 Will.4 c.lxxiii (1833) (Road from Great Faringdon to Burford Act)	The whole Act.
3 & 4 Will.4 c.xci (1833) (Fyfield and St John's Bridge, and Kingston Bagpuize and Newbridge Roads Act)	The whole Act.
4 & 5 Will.4 c.xciv (1834) (Barrington and Campsfield and Enslow Bridge Roads (Oxfordshire) Act)	The whole Act.
5 & 6 Will.4 c.ciii (1835) (Oxford, Fifield and Witney Roads Act)	The whole Act.
1 & 2 Vict. c.xlvi (1838) (Thame Roads Act)	The whole Act.

4 & 5 Vict. c.c (1841) (Henley-upon-Thames, Dorchester and Oxford Road Act)	The whole Act.
4 & 5 Vict. c.cvii (1841) (Nuffield and Faringdon Road Act)	The whole Act.
4 & 5 Vict. c.cxi (1841) (Abingdon and Chilton Pond Road Act)	The whole Act.
8 & 9 Vict. c.xxx (1845) (Stokenchurch and New Woodstock Road and Branches Act)	The whole Act.
8 & 9 Vict. c.cli (1845) (Road from Harwell to Streatley (Berkshire) Act)	The whole Act.
9 & 10 Vict. c.vii (1846) (Woodstock and Rollright Lane Road (Oxfordshire) Act)	The whole Act.
Cheltenham and Painswick Turnpike Road Act 1851 (14 & 15 Vict. c.xi)	The whole Act.
Cheltenham and Gloucester Turnpike Road Act 1851 (14 & 15 Vict. c.xii)	The whole Act.
Stroud and Gloucester Turnpike Road Act 1851 (14 & 15 Vict. c.i)	The whole Act.
Shillingford, Wallingford and Reading Road Act 1852 (15 & 16 Vict. c.lxxix)	The whole Act.
Stroud and Bisley Road Act 1852 (15 & 16 Vict. c.lxxxvii)	The whole Act.
Asthall and Buckland Road Act 1852 (15 & 16 Vict. c.cxxxix)	The whole Act.
Burford, Leachlade and Swindon Turnpike Roads Act 1853 (16 & 17 Vict. c.civ)	The whole Act.
Upton Saint Leonard's Turnpike Roads Act 1853 (16 & 17 Vict. c.cxxvi)	The whole Act.
Kingswood District of Roads Act 1854 (17 & 18 Vict. c.xxi)	The whole Act.
Stroud, Painswick and Gloucester Road Act 1854 (17 & 18 Vict. c.xcv)	The whole Act.

Charlbury Roads Act 1855 (18 & 19 Vict. c.lxxxv)	The whole Act.
Lightpill and Birdlip Road Act 1855 (18 & 19 Vict. c.cvi)	The whole Act.
Stroud, Cainscross and Minchinhampton Road Act 1855 (18 & 19 Vict. c.cviii)	The whole Act.
Stroud and Chalford Turnpike Roads Act 1855 (18 & 19 Vict. c.cix)	The whole Act.
Dean Forest Turnpike Roads Act 1858 (21 & 22 Vict. c.lxxxvi)	The whole Act.
Winchcomb Roads Act 1865 (28 & 29 Vict. c.clxxi)	The whole Act.
Huntley Roads Act 1866 (29 & 30 Vict. c.c)	The whole Act.
Forest of Dean Turnpike Trust Abolition Act 1888 (51 & 52 Vict. c.cxciii)	The whole Act.

## GROUP 2 – SURREY

<i>Reference</i>	<i>Extent of repeal or revocation</i>
8 & 9 Will.3 c.15 (1696) (Highways Surrey and Sussex Act)	The whole Act.
4 Geo.1 c.4 (1717) (London, East Grinstead, Sutton and Kingston Roads Act)	The whole Act.
4 Geo.1 c.5 (1717) (Southwark, Greenwich and Lewisham Roads Act)	The whole Act.
6 Geo.1 c.26 (1719) (Surrey and Kent Roads Act)	The whole Act.
10 Geo.1 c.13 (1723) (Surrey and Sussex Roads Act)	The whole Act.
10 Geo.2 c.23 (1736) (Surrey and Sussex Roads Act)	The whole Act.
11 Geo.2 c.36 (1737) (Surrey and Kent Roads Act)	The whole Act.
25 Geo.2 c.5 (1751) (South London Roads Act)	The whole Act.
31 Geo.2 c.77 (1757) (Leatherhead and Guildford Road Act)	The whole Act.
31 Geo.2 c.78 (1757) (Guildford and Farnham Road Act)	The whole Act.
10 Geo.3 c.82 (1770) (Surrey and Sussex Roads Act)	The whole Act.
19 Geo.3 c.104 (1779) (Surrey Roads Act)	The whole Act.
20 Geo.3 c.96 (1780) (Guildford to Farnham Road Act)	The whole Act.
39 & 40 Geo.3 c.xxvii (1800) (Leatherhead and Stoke (Surrey) Road Act)	The whole Act.
41 Geo.3 c.xliii (1801) (Guildford to Farnham Road Act)	The whole Act.

55 Geo.3 c.xlviii (1815) (Sutton (Surrey), Reigate and Povey Cross Road Act)	The whole Act.
56 Geo.3 c.xxx (1816) (Road from Gatton Lodge to Povey Cross (Surrey) Act)	The whole Act.
3 Geo.4 c.lxvii (1822) (Guildford to Farnham Road Act)	The whole Act.
3 Geo.4 c.xcvii (1822) (Road from Leatherhead to Stoke (Surrey) Act)	The whole Act.
7 Geo.4 c.xiii (1826) (Godalming and Pains Hill Road Act)	The whole Act.
7 Geo.4 c.lxxx (1826) (Farnham and Petersfield Turnpike Road Act)	The whole Act.
10 Geo.4 c.xx (1829) (Wrotham Heath and Croydon and Godstone Road Act)	The whole Act
10 Geo.4 c.lxiv (1829) (Guildford and Alfold Bars Road Act)	The whole Act.
11 Geo.4 & 1 Will.4 c.vi (1830) (Road from Horsham Act)	The whole Act.
1 Will.4 c.v (1831) (Hounslow Heath and Egham Hill Road Act)	The whole Act.
1 Will.4 c.xxviii (1831) (Milford and Haslemere Road Act)	The whole Act.
1 Will.4 c.xlii (1831) (Horley Common, Black Corner and Cuckfield Road Act)	The whole Act.
3 & 4 Will.4 c.xxxviii (1833) (Egham Hill and Bagshot Road Act)	The whole Act.
3 & 4 Will.4 c.liii (1833) (Ockley and Warnham Road Act)	The whole Act.
Croydon and Reigate Turnpike Road Act 1850 (13 & 14 Vict. c.xlix)	The whole Act.

Godstone and Highgate Turnpike Trust Liquidation of Debt Act 1850 (13 & 14 Vict. c.lxxxiv)	The whole Act.
Surrey and Sussex Roads Act 1850 (13 & 14 Vict. c.lxxxv)	The whole Act.
Bramley and Ridgewick Turnpike Road Act 1852 (15 & 16 Vict. c.xcii)	The whole Act.
Petworth Turnpike Roads Act 1854 (17 & 18 Vict. c.lxxi)	The whole Act.
Horsham and Dorking Turnpike Road Act 1858 (21 & 22 Vict. c.xlix)	The whole Act.
Kingston and Leatherhead Turnpike Road Act 1861 (24 & 25 Vict. c.xxvii)	The whole Act.

### GROUP 3 - LONDON TO HOLYHEAD

#### (1) FINANCE

<i>Reference</i>	<i>Extent of repeal or revocation</i>
55 Geo.3 c.152 (1815) (Holyhead Roads Act)	The whole Act.
1 Geo.4 c.70 (1820) (Roads (London to Chirk) Act)	The whole Act.
1 & 2 Geo.4 c.30 (1821) (Holyhead Roads Act)	The whole Act.
6 Geo.4 c.100 (1825) (Holyhead Road Act)	The whole Act.
7 Geo.4 c.76 (1826) (Holyhead Bridges and Roads Act)	The whole Act.
7 & 8 Geo.4 c.35 (1827) (London and Holyhead and Liverpool Roads Act)	The whole Act.
9 Geo.4 c.75 (1828) (Holyhead Roads Act)	The whole Act.
11 Geo.4 & 1 Will.4 c.67 (1830) (Holyhead, Liverpool Roads Act)	The whole Act.
4 & 5 Will.4 c.66 (1834) (Menai and Conway Bridges Act)	The whole Act.
5 & 6 Will.4 c.21 (1835) (Shrewsbury to Bangor Road Act)	The whole Act.
6 & 7 Will.4 c.35 (1836) (London and Holyhead Road Act)	The whole Act.
Holyhead Road Relief Act 1861 (24 & 25 Vict. c.28)	The whole Act.
Highgate Archway Act 1884 (47 & 48 Vict. c.xxi)	The whole Act.

## (2) TURNPIKE

<i>Reference</i>	<i>Extent of repeal or revocation</i>
15 Geo.3 c.73 (1775) (Old Stratford to Dunchurch Road Act)	The whole Act.
18 Geo.3 c.88 (1778) (Salop Roads Act)	The whole Act.
32 Geo.3 c.159 (1792) (Dunstable to Hockliffe Road Act)	The whole Act.
36 Geo.3 c.141 (1796) (Old Stratford and Dunchurch Road Act)	The whole Act.
39 Geo.3 c.xvi (1799) (Watling Street Turnpike Road Act)	The whole Act.
48 Geo.3 c.lxv (1808) (Watling Street Act)	The whole Act.
52 Geo.3 c.lvii (1812) (Roads through Coventry Act)	The whole Act.
54 Geo.3 c.cxxi (1814) (Road from Dunstable to Hockliffe Act)	The whole Act.
54 Geo.3 c.cxxvi (1814) (Old Stratford and Dunchurch Road Act)	The whole Act.
60 Geo.3 & 1 Geo.4 c.v (1820) (Buildwas Bridge and Tern Bridge Road Act)	The whole Act.
1 & 2 Geo.4 c.cvii (1821) (Dunstable and Pondyards Road Act)	The whole Act.
3 Geo.4 c.xci (1822) (Old Stratford and Dunchurch Road Act)	The whole Act.
6 Geo.4 c.viii (1825) (Bridgnorth (Salop) and Shiffnall Road Act)	The whole Act.

6 Geo.4 c.clxi (1825) (Shiffnall Roads Act)	The whole Act.
7 & 8 Geo.4 c.xv (1827) (Roads from Watling Street, Birches Brook and Ball's Hill (Salop) Act)	The whole Act.
10 Geo.4 c.lxxiv (1829) (Watling Street Road (Shrewsbury District) Act)	The whole Act.
11 Geo.4 & 1 Will.4 c.lxxxiii (1830) (Hockliffe and Stony Stratford Road Act)	The whole Act.
1 Will.4 c.xiv (1831) (Watling Street, and Manchester (Warwickshire) and Wolvey Heath Road Act)	The whole Act.
1 & 2 Will.4 c.lxiii (1831) (Aylesbury and Hockliffe Road Act)	The whole Act.
2 & 3 Will.4 c.iv (1832) (Road from Hardington to Old Stratford (Northamptonshire) Act)	The whole Act.
3 & 4 Will.4 c.xcix (1833) (Watling Street (Shrewsbury and Wellington Districts) Act)	The whole Act.

## **GROUP 1 – GLOUCESTERSHIRE AND OXFORDSHIRE**

1. The history of turnpikes in Gloucestershire began in 1697, with the third turnpike road in England running over the Ermine Way or King's Highway. However, it was not until the 1720s that the two important roads to London came under the turnpike system: the main road via Lechlade and Abingdon and a secondary route (which became the main London coach road) via Crickley Road and Oxford. This decade saw an explosion of turnpikes from Gloucester, with trusts spreading west towards Ross-on-Wye, south towards Bristol and Bath, and easterly to Painswick and Stroud. Later in the century the roads to Cheltenham and Tewkesbury also came under turnpike trusts.

2. The turnpikes were not initially welcomed, however, with several occasions of violence against the toll gate by Over Bridge on the western road during the 1730s. In 1734 a mob destroyed all the toll gates on the approach to Gloucester.

3. The turnpikes did allow increased industry and trade with London: the mail coach ran six days a week by 1791. Throughout the eighteenth century traders were able to run wagons and coaches from Gloucester to London, via the Stroud Valleys and Minchinhampton. This allowed Gloucester's pin-making industry to flourish (worth £20,000 per annum in 1770) and maintained the textile trade of woolstapling and woolcombing. The coaching inns also benefited from the increased travel on the roads.

4. By the start of the nineteenth century, however, the turnpikes were under threat. Applications were being made by railway companies for bridges over turnpike roads. The rise of the railways as a quicker and cheaper means of transport left the turnpike roads unable to compete. The turnpike roads were eventually absorbed into Highway Districts and were wound up by 1871.

### **9 Will.3 c.18 (1697) (Gloucestershire Roads Act)**

5. This Act was passed to authorise the repair of the Gloucestershire roads from the town of Birdlip and the top of Crickley Hill to the city of Gloucester.

6. The Act was expressed to last for 20 years from 24 June 1698. It therefore expired in 1718 and may now be formally repealed.

**12 Geo.1 c.18 (1725) (Tewkesbury Roads Act)**

7. This Act was passed to authorise the repair of the roads to Tewkesbury in Gloucestershire, including the following roads:

- Tewkesbury to Coscomb Hill near Stanway
- Tewkesbury to the *Hands* at Combe Hill near Elmstone Hardwicke
- Tewkesbury to Swindon (Wiltshire)
- Tewkesbury to Cheltenham.

8. The Act was expressed to last for 21 years from 24 May 1726. It therefore expired in 1747 and may now be formally repealed.

**12 Geo.1 c.24 (1725) (Gloucestershire Roads Act)**

9. This Act was passed to authorise the repair of the following roads:

- Gloucester to Stone
- Roads near Berkeley, Dursley, Wotton-under-Edge and Stroud
- Sodbury to Gloucester.

10. The Act was expressed to last for 21 years from 24 June 1726. However it was subsequently continued by an Act of 1745 (c.18) and an Act of 1757 (c.64). All these Acts are proposed for repeal below.

**4 Geo.2 c.23 (1730) (Oxford and Gloucester Roads Act)**

11. This Act was passed to authorise the repair of the road from Chapel on the Heath (near Chipping Norton) in Oxfordshire to Bourton-on-the-Hill in Gloucestershire.

12. The Act was expressed to last for 21 years from 29 May 1731. However it was subsequently continued by an Act of 1743 (17 Geo.2 c.10), an Act of 1765 (5 Geo.3 c.80), an Act of 1791 (31 Geo.3 c.111) and an Act of 1816 (56 Geo.3 c.i). All these Acts are proposed for repeal below.

**17 Geo.2 c.10 (1743) (Oxford and Gloucester Roads Act)**

13. This Act extended the Act of 1730 (c.23), providing for the repair of the road covered by that Act.

14. The 1743 Act was expressed to last for 21 years from the expiry of the 1730 Act i.e. 21 years from May 1752. However it was subsequently continued by an Act of 1765 (5 Geo.3 c.80), an Act of 1791 (31 Geo.3 c.111) and an Act of 1816 (56 Geo.3 c.i). All these Acts are proposed for repeal below.

#### **19 Geo.2 c.18 (1745) (Gloucester Roads Act)**

15. This Act extended the Act of 1725 (c.24). It provided for the repair of the road from Gloucester to Stone.

16. The Act was expressed to last for 21 years from the expiry of the 1725 Act i.e. 21 years from June 1747. However it was subsequently continued by an Act of 1757 (c.64). All these Acts are proposed for repeal below.

#### **24 Geo.2 c.28 (1750) (Gloucester and Oxford Roads Act)**

17. This Act<sup>10</sup> was passed to authorise the repair of the following roads-

- ◆ from the top of Crickley Hill in Gloucestershire to Frogg Mill through the towns of Northleach, Burford and Witney, and the parishes of Handborough and Bladon to Campsfield in the parish of Kidlington in Oxfordshire
- ◆ from Witney through Ensham, Cumner and Botley to the City of Oxford.

18. The Act was expressed to last for 21 years from 1 June 1751. Thereafter it was continued by an Act of 1768 (8 Geo.3 c.41, referred to below) for a further 21 years until 1793, by an Act of 1798 (38 Geo.3 c.xiii, also referred to below) and by an Act of 1821 (1 & 2 Geo.4 c.cix, also referred to below). All these Acts are proposed for repeal below.

#### **26 Geo.2 c.70 (1753) (Oxford and Gloucester Roads Act)**

19. This Act<sup>11</sup> was passed to authorise the repair and widening of the road from *The Hand in Post* in Upton Field in the parish of Burford in Oxfordshire to a place in the parish of Preston in Gloucestershire called Dancy's Fancy.

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<sup>10</sup> Although the *Chronological Table of the Statutes* indicates that this 1750 Act was repealed by later enactments (1 & 2 Geo.4 c.cix, 4 & 5 Will.4 c.xciv and by the Annual Turnpike Acts Continuance Act 1869) it is clear that the 1750 Act has never been formally repealed.

<sup>11</sup> Although the *Chronological Table of the Statutes* indicates that this 1753 Act was repealed by later enactments (3 Geo.4 c.xlvii and by the Annual Turnpike Acts Continuance Act 1867) it is clear that the 1753 Act has never been formally repealed.

20. The Act was expressed to last for 21 years from 21 May 1753. It was extended for 5 years by the Highways and Turnpike Roads Act 1755. Thereafter it was continued by an Act of 1780 (20 Geo.3 c.76, referred to below) for a further 21 years until 1801, by an Act of 1801 (41 Geo.3 c.xvi, also referred to below) and by an Act of 1822 (3 Geo.4 c.xlvii, also referred to below). All these Acts are proposed for repeal below.

#### **29 Geo.2 c.51 (1756) (Gloucestershire Roads Act)**

21. This Act was passed to authorise the repair of various roads in Gloucestershire, the roads being divided into the Tewkesbury District and the Cheltenham District, and comprising roads including:

- ◆ Tewkesbury to Coscombgate
- ◆ Tewkesbury to Ripple
- ◆ Tewkesbury to Swindon
- ◆ Cheltenham to the Gloucester to Burford Road.

22. The Act was expressed to last for 21 years from 2 June 1756. Thereafter it was extended by an Act of 1774 (c.111) referred to below. Both Acts are proposed for repeal below.

#### **29 Geo.2 c.58 (1756) (Gloucester Roads Act)**

23. This Act was passed to authorise the repair of certain roads from Gloucester towards Cheltenham and Tewkesbury.

24. The Act was expressed to last for 21 years from 1 May 1756. Thereafter it was extended by Acts of 1778 (c.102), 1798 (c.xii) and 1818 (c.v). All these Acts are proposed for repeal below.

#### **29 Geo.2 c.81 (1756) (Berks Roads Act)**

25. This Act<sup>12</sup> was passed to authorise the amending and keeping in repair of the Oxfordshire roads leading from a place called Friar Bacon's Study<sup>13</sup> to Chilton Pond and from the top of Hinksey Hill to Foxcombe Hill Gate in the road leading to

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<sup>12</sup> Although the *Chronological Table of the Statutes* indicates that this 1756 Act was repealed by an Act of 1841 (4 & 5 Vict. c.cxi), the 1841 Act (s 1) repealed the 1756 Act only so far as the latter related to the road described as 'The Abingdon District' in an Act of 1778 (18 Geo.3 c.99). The remainder of the 1756 Act was left unrepealed.

<sup>13</sup> Friar Bacon's Study was an archway with a tower over it situated on the south bank of the Thames just south of Oxford. It acquired its name from its use by Roger Bacon, an eleventh century Franciscan Friar who lived in Oxford.

Farrington. Despite the title to the Act, all the roads were situated just to the south of the present-day city of Oxford.

26. This Act was expressed to last for 21 years from April 1756. It was however continued by an Act of 1778 (18 Geo.3 c.99, referred to below), by an Act of 1798 (38 Geo.3 c.lxv, also referred to below) and by an Act of 1819 (59 Geo.3 c.lxxxiv, also referred to below). All these Acts are proposed for repeal below.

### **31 Geo.2 c.64 (1757) (Gloucestershire Roads Act)**

27. This Act extended the Act of 1745 (c.18) and an Act of 1748<sup>14</sup> that authorised the repair of the Bristol to Stone Road that ran through Horfield, Almondsbury and Thornbury. The 1745 Act had extended the Act of 1725 (c.24) referred to above.

28. The 1757 Act was expressed to last for 21 years from 24 June 1758. It therefore expired in 1779 and may now be repealed formally together with the 1725 and 1745 Acts.

### **31 Geo.2 c.65 (1757) (Gloucester Roads Act)**

29. This Act<sup>15</sup> was passed to authorise the repair and widening of the following Gloucestershire roads-

- (a) from Tetbury to the gates on the west of Simond's Hall Down
- (b) from the turnpike gate at the top of Frocester Hill to the turnpike road from Cirencester towards Bath
- (c) from the field called Bouldown Sleight to the end of a lane adjoining the road from Horsley to Tetbury (near Tiltup's Inn)
- (d) from the market house in Tetbury to the turnpike road on Minchinhampton Common
- (e) from Minchinhampton Field to the turnpike road from Cirencester to Stroud (near Burnt Ash)
- (f) from the last-mentioned road to Tayloe's Mill Pond in Chalford Bottom, and through Hyde to the bottom of the Bourn Hill.

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<sup>14</sup> 22 Geo.2 c.28 (Bristol Roads), repealed by 19 Geo.3 c.117 (1779).

<sup>15</sup> Although the *Chronological Table of the Statutes* indicates that this 1757 Act was repealed by a later enactment (1 & 2 Geo.4 c.lxxxiii), it is clear that this repeal was limited to the roads comprising the first district provided for by the 1757 Act. The roads comprising the second district were unaffected by this repeal.

The roads were divided into two separate districts, the first comprising the roads in (a) to (c) and the second the roads in (d) to (f).

30. The Act was expressed to last for 21 years from 15 June 1758. Thereafter it was continued by an Act of 1780 (20 Geo.3 c.70, referred to below), by an Act of 1801 (41 Geo.3 c.lxxxv, also referred to below) and by an Act of 1822 (3 Geo.4 c.lxiii, also referred to below). All these Acts are proposed for repeal below.

#### **5 Geo.3 c.80 (1765) (Oxford and Gloucester Roads Act)**

31. This Act extended the Act of 1730 (c.23) and the Act of 1743 (c.10), providing for the repair of the road covered by those Acts.

32. The 1765 Act was expressed to last for 21 years from the expiry of the 1743 Act i.e 21 years from May 1773. However it was subsequently continued by an Act of 1791 (31 Geo.3 c.111) and an Act of 1816 (56 Geo.3 c.i). All these Acts are proposed for repeal below.

#### **8 Geo.3 c.41 (1768) (Gloucester and Oxford Roads Act)**

33. This Act<sup>16</sup> extended the Act of 1750 (c.28) referred to above in relation to the road from Witney to the City of Oxford. The Act also provided for the repair and widening of the road from Campsfield to the turnpike road at or near Enslow Bridge in Oxfordshire.

34. This Act extended by 21 years the term of the 1750 Act which was to expire in 1776, following a 5-year extension by the Highways and Turnpike Roads Act 1755.<sup>17</sup> Thereafter it was extended for a further 21 years until 1818, by an Act of 1798 (38 Geo.3 c.xiii, referred to below) and by an Act of 1821 (1 & 2 Geo.4 c.cix, also referred to below). These Acts are proposed for repeal below.

#### **8 Geo.3 c.61 (1768) (Abingdon to Swinford Roads Act)**

35. This Act was passed to authorise the repair and widening of the Oxfordshire<sup>18</sup> road from the Mayor's Stone in Abingdon, through Cumnor, to the ancient horse road at Swinford.

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<sup>16</sup> Although the *Chronological Table of the Statutes* indicates that this 1768 Act was repealed by later enactments (1 & 2 Geo.4 c.cix, 4 & 5 Will.4 c.xciv and by the Annual Turnpike Continuance Act 1869), it is clear that the 1768 Act has never been formally repealed.

<sup>17</sup> 28 Geo.2 c.17.

36. The 1768 Act was expressed to last for 21 years from April 1768. However it was thereafter continued by an Act of 1790 (30 Geo.3 c.106, referred to below) and by an Act of 1811 (51 Geo.3 c.xlvi, also referred to below).<sup>19</sup>

#### **11 Geo.3 c.73 (1771) (Oxford Roads Act)**

37. This Act<sup>20</sup> was passed to authorise the amending, widening, turning and alteration of the Oxfordshire road from the bottom of Galley Hill near Witney to the Cross in Clanfield.

38. The 1771 Act was to cease to have effect 21 years from May 1771. However it was continued by an Act of 1793 (33 Geo.3 c.137, referred to below) and by an Act of 1815 (55 Geo.3 c.xxxviii, also referred to below). All these Acts are proposed for repeal below.

#### **14 Geo.3 c.111 (1774) (Gloucestershire Roads Act)**

39. This Act extended the Act of 1756 (c.51) referred to above. It provided for the repair of various roads in Tewkesbury.

40. The 1774 Act was expressed to last for 21 years from the expiry of the 1756 Act i.e. 21 years from June 1777. It therefore expired in 1798 and may now be formally repealed together with the 1756 Act.

#### **18 Geo.3 c.99 (1778) (Berks Roads Act)**

41. This 1778 Act<sup>21</sup> extended the Act of 1756 (c.81) referred to above. The 1778 Act also divided the Oxfordshire roads covered by the 1756 Act into two Districts (*the Oxford District* and *the Abingdon District*). The Oxford District comprised the road leading from Friar Bacon's Study to the Mayor's Stone at the end of the vineyard in Abingdon; and the from the top of Hinksey Hill to Foxcombe Hill Gate. The Abingdon District comprised the road leading from the Mayor's Stone in Abingdon to Chilton Pond, via Ock Bridge, Drayton and Steventon.

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<sup>18</sup> At the time that the Act was passed the road was in Berkshire.

<sup>19</sup> All three Acts were repealed in part by an Act of 1814 (54 Geo.3 c.clxxxvi) , s 6.

<sup>20</sup> Although the *Chronological Table of the Statutes* indicates that this 1771 Act was repealed by later enactments (55 Geo.3 c.xxxviii and by the Annual Turnpike Continuance Act 1874), it is clear that the 1771 Act has never been formally repealed.

<sup>21</sup> Although the *Chronological Table of the Statutes* indicates that this 1778 Act was repealed by an Act of 1841 (4 & 5 Vict. c.cxi), the 1841 Act (s 1) repealed the 1778 Act only so far as the latter related to the road described as 'the Abingdon District' in the 1778 Act. The remainder of the 1778 Act was left unrepealed.

42. This Act was expressed to last for 21 years from March 1778. It was however continued (so far as the Oxford District roads were concerned) by an Act of 1798 (38 Geo.3 c.lxv, referred to below) and by an Act of 1819 (59 Geo.3 c.lxxxiv, also referred to below). All these Acts are proposed for repeal below.

#### **18 Geo.3 c.102 (1778) (Gloucester Roads Act)**

43. This Act enlarged the terms and powers of the Act of 1756 (c.58) referred to above for repairing and widening the roads leading from Gloucester towards Cheltenham and Tewkesbury.

44. This Act was continued by an Act of 1798 (38 Geo.3 c.xii, referred to below) for a further 21 years until 1819.<sup>22</sup> Thereafter it was continued by an Act of 1818 (58 Geo.3 c.v, referred to below) for a further 21 years until 1839. The 1818 Act expired on 1 November 1871. All these Acts are proposed for repeal below.

#### **19 Geo.3 c.93 (1779) (Gloucester Roads Act)**

45. This Act<sup>23</sup> was passed to authorise the amending and keeping in repair of a Gloucestershire road from a bridge over a brook or stream called Sudbrook near Gloucester to the Nine Mile Stone on the Bristol Road at or near a place called the Clay Pitts.

46. The Act was expressed to last for 21 years from June 1779. However it was thereafter continued by an Act of 1800 (39 & 40 Geo.3 c.xcvi, referred to below) and by an Act of 1821 (1 & 2 Geo.4 c.vi, also referred to below). All these Acts are proposed for repeal below.

#### **20 Geo.3 c.70 (1780) (Gloucester Roads Act)**

47. This Act<sup>24</sup> enlarged the terms and powers of the Act of 1757 (c.65) in so far as they related to the roads in the second district referred to in that Act and declared all the roads in the second district to be one road only.

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<sup>22</sup> 38 Geo.3 c.xii (Gloucester, Cheltenham and Tewkesbury Roads Act). Although the *Chronological Table of the Statutes* indicates that this 1778 Act was repealed by an 1818 Act (58 Geo.3 c.v) and by the Annual Turnpike Acts Continuance Act 1871, it is clear that the 1778 Act has never been formally repealed.

<sup>23</sup> Although the *Chronological Table of the Statutes* indicates that this 1779 Act was repealed by later enactments (1 & 2 Geo.4 c.vi and by the Annual Turnpike Acts Continuance Act 1876), it is clear that the 1779 Act has never been formally repealed.

<sup>24</sup> Although the *Chronological Table of the Statutes* indicates that this 1780 Act was repealed by later enactments (3 Geo.4 c.lxiii and by the Annual Turnpike Acts Continuance Act 1877), it is clear that the 1780 Act has never been formally repealed.

48. This 1780 Act was expressed to last for 21 years. However it was thereafter continued by an Act of 1801 (41 Geo.3 c.lxxxv, referred to below) and by an Act of 1822 (3 Geo.4 c.lxiii, also referred to below). All these Acts are proposed for repeal below.

**20 Geo.3 c.76 (1780) (Burford to Preston Road Act)**

49. This Act<sup>25</sup> enlarged the terms and powers of the Act of 1753 (c.70).

50. This 1780 Act was expressed to last until 1801. However it was thereafter continued by an Act of 1801 (41 Geo.3 c.xvi, referred to below) and by an Act of 1822 (3 Geo.4 c.xlvii, also referred to below). All these Acts are proposed for repeal below.

**21 Geo.3 c.87 (1781) (Oxford Roads Act)**

51. This Act was passed to authorise the repair and widening of the Oxfordshire road from the turnpike road at or near the south end of Weston-on-the-Green to the turnpike road in Kidlington Green (north of Oxford).

52. The Act was expressed to last for 21 years from 1781. Thereafter it was continued by an Act of 1801 (41 Geo.3 c.cxxxvii, referred to below) and by an Act of 1821 (1 & 2 Geo.4 c.lxxxvi, also referred to below). All these Acts are proposed for repeal below.

**23 Geo.3 c.104 (1783) (Gloucester Roads Act)**

53. This Act was passed to authorise the mending and widening of the road from the ferry over the River Severn at Newnham in Gloucester through Newnham and Little Dean to a place called St Whites adjoining the Forest of Dean.

54. The Act was expressed to last for 21 years from the 14<sup>th</sup> day after the Act was passed. Thereafter it was continued by an Act of 1805 (45 Geo.3 c.cix, referred to below). Both Acts are proposed for repeal below.

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<sup>25</sup> Although the *Chronological Table of the Statutes* indicates that this 1780 Act was repealed by later enactments (3 Geo.4 c.xlvii and by the Annual Turnpike Acts Continuance Act 1867) it is clear that this 1780 Act has never been formally repealed.

### **23 Geo.3 c.106 (1783) (Gloucestershire Roads Act)**

55. This Act<sup>26</sup> was passed to authorise the completing and keeping in repair of the following Gloucestershire roads-

- ◆ the road from the Ram Inn in Cirencester through Tetbury to Oldfield (otherwise Woefield Corner<sup>27</sup>) near the 16<sup>th</sup> milestone in the Bath Road
- ◆ a road from Oldfield through the parishes of Cold Ashton and Swanswick to or near Lambridge in the parish of Bath Easton (near the city of Bath)
- ◆ the present road from Woefield Corner to or near the monument upon Lansdown (until the intended road from Woefield Corner to or near Lambridge was made fit for travelling).

56. This Act was expressed to last for 21 years from its passing in 1783. Thereafter it was continued by an Act of 1812 (c.xxvii) referred to below. Both Acts are proposed for repeal below.

### **30 Geo.3 c.106 (1790) (Berks Roads Act)**

57. This Act extended the Act of 1768 (c.61) referred to above. Despite the title, the roads covered by the 1790 Act today lie within Oxfordshire.

58. The 1790 Act was expressed to last for 21 years from 1790. It was thereafter continued by an Act of 1811 (51 Geo.3 c.xlvi, referred to below).<sup>28</sup> All these Acts are proposed for repeal below.

### **31 Geo.3 c.103 (1791) (Bicester to Aynho Road Act)**

59. This Act<sup>29</sup> was passed to authorise the repairing and widening of the road from the market place in Bicester (Oxfordshire) to the Buckingham turnpike road in Aynho (Northamptonshire).

60. The Act was expressed to last for 21 years from 1791. However it was continued by an Act of 1813 (53 Geo.3 c.cc) referred to below. Both Acts are proposed for repeal below.

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<sup>26</sup> Although the *Chronological Table of the Statutes* indicates that this 1783 Act was repealed by later enactments (52 Geo.3 c.xxvii and by the Annual Turnpike Acts Continuance Act 1873), it is clear that this 1783 Act has never been formally repealed.

<sup>27</sup> This was at the junction of Sands Hill and Middledown Lane.

<sup>28</sup> Both Acts were repealed in part by an Act of 1814 (54 Geo.3 c.clxxxvi), s 6.

<sup>29</sup> Although the *Chronological Table of the Statutes* indicates that this 1791 Act was repealed by later enactments (55 Geo.3 c.cc and by the Annual Turnpike Acts Continuance Act 1874), it is clear that the 1791 Act has never been formally repealed.

### **31 Geo.3 c.111 (1791) (Oxford and Gloucester Roads Act)**

61. This Act extended the Acts of 1730 (c.23), 1743 (c.10) and 1765 (c.80), referred to above, providing for the repeal of the road covered by that Act.

62. The 1791 Act was expressed to last for 21 years from the expiry of the 1765 Act i.e.21 years from May 1794. However it was subsequently continued by an Act of 1816 (56 Geo.3 c.i, referred to below). All these Acts are proposed for repeal below.

### **31 Geo.3 c.116 (1791) (Warwick and Gloucester Roads Act)**

63. This Act was passed to authorise the repair of the road joining the Alcester turnpike road (Warwick) to Chipping Campden and Upton Old Lanes (Gloucestershire).

64. The Act was expressed to last for 21 years from the passing of the Act. It therefore expired in 1812 and may now be formally repealed.

### **33 Geo.3 c.137 (1793) (Witney to Clanfield Road Act)**

65. This Act<sup>30</sup> was passed to continue the Act of 1771 (c.73) referred to above.

66. This Act (together with the 1771 Act) was expressed to last for 21 years from 1792 until 1813. However it was continued by an Act of 1815 (55 Geo.3 c.xxxviii, referred to below). All the Acts are proposed for repeal below.

### **33 Geo.3 c.180 (1793) (Bicester Road Act)**

67. This Act<sup>31</sup> was passed to authorise the amending, widening and repair of the Oxfordshire roads-

- ◆ from Clay Hill (in the turnpike road between Neat Enstone and Chipping Norton) over Heyford Bridge to the Water Lane in Bicester
- ◆ from Bicester to the turnpike road in Weston-on-the-Green.

68. This Act was expressed to last for 21 years until 1814. Thereafter it was continued by an Act of 1813 (53 Geo.3 c.cxxxiii, referred to below). Both Acts are proposed for repeal below.

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<sup>30</sup> Although the *Chronological Table of the Statutes* indicates that this 1771 Act was repealed by later enactments (55 Geo.3 c.xxxviii and by the Annual Turnpike Continuance Act 1874), it is clear that the 1771 Act has never been formally repealed.

**37 Geo.3 c.170 (1797) (Adderbury and Oxford Road Act)**

69. This Act<sup>32</sup> was passed to authorise the repair and improvement of the Oxfordshire road leading from the guide post in the village of Adderbury through Kidlington to the end of the mileway in the City of Oxford.

70. This Act was expressed to last for 21 years until 1819. Thereafter it was continued by an Act of 1819 (59 Geo.3 c.cxxii, referred to below). Both Acts are proposed for repeal below.

**38 Geo.3 c.xii (1798) (Gloucester, Cheltenham and Tewkesbury Roads Act)**

71. This Act extended the Acts of 1756 (c.58) and 1778 (c.102) (referred to above) passed to repair and widen the roads leading from the City of Gloucester towards Cheltenham and Tewkesbury.

72. This Act (together with the 1778 Act) was expressed to last for 21 years until 1819. Thereafter it was continued by an Act of 1818 (58 Geo.3 c.v, referred to below) for a further 21 years until 1839. The 1818 Act expired on 1 November 1871 (see below). All these Acts are proposed for repeal below.

**38 Geo.3 c.xiii (1798) (Crickley Hill, Campsfield and Kidlington Roads Act)**

73. This Act was passed to continue the Acts of 1750 (c.28) and 1768 (c.41) referred to above.

74. This Act (together with the 1750 and 1768 Acts) was expressed to last for a further 21 years from 1797. Thereafter they were continued by an Act of 1821 (c.cix). All these Acts are proposed for repeal below.

**38 Geo.3 c.lxv (1798) (Oxford District of Faringdon Road Act)**

75. This Act extended the Acts of 1756 (c.81) and 1778 (c.99) referred to above so far as these two enactments related to the Oxford District of roads described in the 1778 Act.

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<sup>31</sup> Although the *Chronological Table of the Statutes* indicates that this 1793 Act was repealed by later enactments (55 Geo.3 c.cxxxiii and by the Annual Turnpike Acts Continuance Act 1874) it is clear that the 1793 Act has never been formally repealed.

<sup>32</sup> Although the *Chronological Table of the Statutes* indicates that this 1797 Act was repealed by later enactments (59 Geo.3 c.cxxii and by the Annual Turnpike Acts Continuance Act 1875), it is clear that the 1797 Act has never been formally repealed.

76. This 1798 Act was expressed to last for 21 years from 21 June 1798. It was however continued by an Act of 1819 (59 Geo.3 c.lxxxiv, referred to below). All these Acts are proposed for repeal below.

**39 & 40 Geo.3 c.xvi (1800) (Witney and Woodstock Roads Act)**

77. This Act was passed to authorise the repair of the Oxfordshire roads leading from:

- (a) the turnpike road in Witney, through Ramsden, Charlbury, Enstone and Great Tew to the turnpike road on Swerford Heath
- (b) the turnpike road from Woodstock to Birmingham (at the direction post to Charlbury) to the turnpike road from Chipping Norton to Burford (at Shipton Downs).

78. The Act was expressed to last for 21 years from its passing in May 1800. However it was continued by an Act of 1820<sup>33</sup> for a further 21 years from 1821. It therefore expired in 1842 and may now be formally repealed.

**39 & 40 Geo.3 c.xcvi (1800) (Road from Gloucester to the Bristol Road Act)**

79. This Act was passed to continue the Act of 1779 (c.93) referred to above.

80. This Act (together with the 1779 Act) was expressed to last for 21 years from June 1800. Thereafter it was continued by an Act of 1821 (1 & 2 Geo.4 c.vi, referred to below). All these Acts are proposed for repeal below.

**41 Geo.3 c.xvi (1801) (Road from Burford to Dancy's Fancy Act)**

81. This Act was passed to continue the Acts of 1753 (c.70) and 1780 (c.76) referred to above.

82. This Act (together with the 1753 and 1780 Acts) was expressed to last for 21 years from April 1801. Thereafter it was continued by an Act of 1822 (c.xlvii) referred to below. All these Acts are proposed for repeal below.

**41 Geo.3 c.lxxxv (1801) (Tetbury Roads Act)**

83. This Act was passed to continue the Acts of 1757 (c.65) and 1780 (c.70) referred to above in so far as they related to the roads in the second district referred

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<sup>33</sup> 1 Geo.4 c.lxxxii.

to in the 1757 Act. The 1801 Act also provided for the repair of the Gloucestershire road from the turnpike road at Tayloe's Mill Pond in Chalford Bottom up to and over Bisley Common, and on to Foston's Ash in the parish of Bisley.

84. This Act (together with the 1757 and 1780 Acts) was expressed to last for 21 years from June 1801. Thereafter it was continued by an Act of 1822 (c.lxiii) referred to below. All these Acts are proposed for repeal below.

**41 Geo.3 c.cxxxvii (1801) (Kidlington Green Road Act)**

85. This Act was passed to continue the Act of 1781 (c.87) referred to above.

86. This Act (together with the 1781 Act) was expressed to last for 21 years from July 1801. Thereafter it was continued by an Act of 1821 (c.lxxxii) referred to below. All these Acts are proposed for repeal below.

**45 Geo.3 c.cix (1805) (Road from Newnham to St Whites (Gloucestershire) Act)**

87. This Act was passed to continue the Act of 1783 (c.104) referred to above.

88. This Act (together with the 1783 Act) was expressed to last for 21 years from July 1805. Accordingly the Act expired in 1826 and may now be formally repealed together with the 1783 Act.

**51 Geo.3 c.xlvi (1811) (Abingdon and Swinford Road Act)**

89. This Act was passed to continue the Acts of 1768 (c.61) and 1790 (c.106) referred to above.

90. This Act (together with the 1768 and 1790 Acts) was expressed to last for 21 years from May 1811<sup>34</sup>, accordingly expiring in 1832. All three Acts may therefore now be formally repealed.

**52 Geo.3 c.xxvii (1812) (Cirencester Road Act)**

91. This Act was passed to continue the Act of 1783 (c.106) referred to above and to provide for the widening and keeping in repair of the Gloucestershire road from Duffton in the parish of Tetbury to Underbridge in the parish of Shipton Moigne (*now* Shipton Moyne).

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<sup>34</sup> All three Acts were repealed in part by an Act of 1814 (54 Geo.3 c.clxxxvi), s 6.

92. This Act (together with the 1812 Act) was expressed to last for 21 years from March 1812. In the event the Act expired on 1 November 1873 by virtue of the ACTA 1873.<sup>35</sup> This 1812 Act may therefore now be formally repealed together with the 1783 Act.

**53 Geo.3 c.cxxxiii (1813) (Road from Neat Enstone and Chipping Norton Turnpike Road to Weston-on-the-Green (Oxfordshire) Act)**

93. This Act was passed to continue the Act of 1793 (c.180) referred to above and to include in its scope the road branching out from an existing turnpike road near Bicester Windmill to the turnpike road from Bletchington to Enslow Bridge.

94. This Act was expressed to last for 21 years from June 1813. The Act eventually expired on 1 November 1877 by virtue of the ATCA 1876.<sup>36</sup> This 1813 Act may therefore now be formally repealed together with the 1793 Act.

**53 Geo.3 c.cc (1813) (Bicester and Aynho Road and Branch Act)**

95. This Act was passed to continue the Act of 1791 (c.103) referred to above. This Act also added an additional road to the scope of the 1791 Act: the road branching out from an existing turnpike road at or near Bicester, to join the Buckingham turnpike road in the parish of Finmere (Oxfordshire).

96. The Act (together with the 1791 Act) was expressed to last for 21 years from July 1813. In the event the Act expired on 1 November 1877 by virtue of the ATCA 1876.<sup>37</sup> The 1813 Act may therefore now be formally repealed together with the 1791 Act.

**55 Geo.3 c.xxxviii (1815) (Witney and Clanfield Road Act)**

97. This Act was passed to continue the Acts of 1771 (c.73) and 1793 (c.137) referred to above.

98. This Act (together with the 1771 and 1793 Acts) was expressed to last for 21 years from May 1815. The Act eventually expired on 1 November 1874 by virtue of

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<sup>35</sup> The 1873 Act, s 2, Sch 2. As explained in the introduction to this note, 'ACTA' is an abbreviation of *Annual Turnpike Acts Continuance Act*.

<sup>36</sup> The 1876 Act, s 4, Sch 4.

<sup>37</sup> The 1876 Act, s 4, Sch 4.

the ATCA 1874.<sup>38</sup> This 1815 Act may therefore now be formally repealed together with the 1771 and 1793 Acts.

**56 Geo.3 c.i (1816) (Chapel on the Heath (Oxfordshire) and Bourton on the Hill Road Act)**

99. This Act was passed to continue the Acts of 1730 (c.23), 1743 (c.10), 1765 (c.80) and 1791 (c.111) referred to above.

100. This 1816 Act (together with the 1730, 1743, 1765 and 1791 Acts) was expressed to last for 21 years from August 1816. The Act eventually expired on 1 May 1837 by virtue of the ATCA 1837.<sup>39</sup> The 1816 Act may therefore now be formally repealed together with the 1730, 1743, 1765 and 1791 Acts.

**58 Geo.3 c.v (1818) (Roads from Gloucester to Cheltenham Act)**

101. This Act was passed to continue the Acts of 1778 (c.102) and 1798 (c.xii) referred to above.

102. This Act (together with the 1778 and 1798 Acts) was expressed to last for 21 years until 1839. The Act eventually expired on 1 November 1871 by virtue of the ATCA 1871.<sup>40</sup> The 1818 Act may therefore now be formally repealed together with the 1756, 1778 and 1798 Acts.

**58 Geo.3 c.lxxii (1818) (Road from Chipping Campden to Old Stratford Act)**

103. This Act was passed to authorise the repair of the road from Chipping Campden in Gloucestershire to Clifford Side Gate in the parish of Old Stratford in Warwickshire. The road branched out from the turnpike road in Chipping Campden and ran through Berrington, Weston Subedge, Mickleton, Clopton, Lower Quinton, Upper Quinton and Clifford Chambers to a tollgate called Clifford Side Gate in Old Stratford.

104. This 1818 Act was expressed to last for 21 years from May 1818. In the event it eventually expired on 1 November 1876 by virtue of the ATCA 1872.<sup>41</sup> The 1818 Act may therefore now be formally repealed.

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<sup>38</sup> The 1874 Act, s 3, Sch 3.

<sup>39</sup> The 1837 Act, s 2, Sch 2.

<sup>40</sup> The 1871 Act, s 1.

<sup>41</sup> The 1872 Act, s 8, Sch 9.

**59 Geo.3 c.lxxxiv (1819) (Roads from Friar Bacon’s Study (Oxford District) Act)**

105. This Act was passed to continue the Acts of 1756 (c.81), 1778 (c.99) and 1798 (c.lxv) referred to above. The continuation related to the Oxford District of roads described in the 1778 Act.

106. This Act was expressed to last for 21 years from June 1819. The Act eventually expired on 1 November 1867 by virtue of the ATCA 1867.<sup>42</sup> The 1819 Act may therefore now be formally repealed together with the 1756, 1778 and 1798 Acts.

**59 Geo.3 c.cxxii (1819) (Adderbury and Oxford Road Act)**

107. This Act was passed to continue the Act of 1797 (c.170) referred to above.

108. This Act (together with the 1797 Act) was expressed to last for 21 years from July 1819. In the event the Act expired on 1 November 1876 by virtue of the ATCA 1875.<sup>43</sup> This 1819 Act may therefore now be formally repealed together with the 1797 Act.

**59 Geo.3 c.cxxiv (1819) (Didbrook and Stow-on-the-Wold Road Act)**

109. This Act was passed to continue an Act of 1794<sup>44</sup> (passed to widen and repair the Gloucestershire roads leading from Tewkesbury) in so far as that 1794 Act related to the road from Stump Cross in the parish of Didbrook to Stow-on-the-Wold.

110. This Act (together with the 1794 Act) was expressed to last for 21 years from July 1819. In the event the 1794 Act was repealed in 1818,<sup>45</sup> but the 1819 Act expired on 1 May 1877 by virtue of the ATCA 1871.<sup>46</sup> The 1818 Act may therefore now be formally repealed.

**1 & 2 Geo.4 c.vi (1821) (Gloucester and Clay Pitts Road Act)**

111. This Act was passed to continue the Acts of 1779 (c.93) and 1800 (c.xcvi) referred to above.

112. This 1821 Act (together with the 1779 and 1800 Acts) was expressed to last for 21 years from March 1821. In the event the Act expired on 1 May 1877 by virtue of

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<sup>42</sup> The 1867 Act, s 1, Sch 2.

<sup>43</sup> The 1875 Act, s 4, Sch 4.

<sup>44</sup> 34 Geo.3 c.135 (Gloucester and Worcester Roads Act).

<sup>45</sup> 58 Geo.3 c.xxx.

<sup>46</sup> The 1871 Act, s 10, Sch 10.

the ATCA 1876.<sup>47</sup> The 1821 Act may therefore now be formally repealed together with the 1779 and 1800 Acts.

### **1 & 2 Geo.4 c.lxxxii (1821) (Gloucester to Bristol Road and Branches Act)**

113. According to its long title, this Act was passed to authorise the repair and maintenance of “the great Road from Gloucester to Bristol, and certain Roads through and near the Towns of Berkeley, Dursley, Wotton-under-Edge, and Stroud, and other Roads therein mentioned, in the Counties of Gloucester and Wilts.”

114. The 1821 Act superseded and repealed earlier enactments.<sup>48</sup> It authorised works to the following roads-

- ◆ road from Hardwick through Stonehouse and Cainscross to Stroud
- ◆ road from The Clay Pits to the Freezes at or near Alkerton (in the parish of Eastington), onwards to Stonehouse Cross in the parish of Stonehouse
- ◆ road from Cainscross to Dudbridge
- ◆ roads from Framilode and Newnham Passages<sup>49</sup> to Perry Way
- ◆ road from The Clay Pits through Alkerton and Frocester to the Freezes
- ◆ road from The Clay Pits to or near the Chapel at Stone
- ◆ road from Cambridge to the Sand Pits near Dursley
- ◆ road at or near Lower Cam to Newent’s Quarr
- ◆ road from Nubbis Ash through Dursley and Uley to the Freezes
- ◆ road from the Cross Roads in Uley to Owlpen Down
- ◆ road from Nubbis Ash Toll Gate through Dursley and Uley to Symondshall Down
- ◆ road from Nubbis Ash Toll Gate through Dursley and Uley to the market house in Dursley
- ◆ road from Breadstone to Pyrton Passage
- ◆ road through Berkeley up to road from Pyrton to Stone
- ◆ road from Pyrton Passage through Berkeley to Stone
- ◆ road from Newent’s Quarr through Stinchcombe, North Nibley, Wotton-under-Edge, Alderley and Hawkesbury to Dunkirk
- ◆ road from Bradley to Bushford’s Bridge
- ◆ road from Bradley’s Gate (near Wotton-under-Edge) to Symondshall Down
- ◆ road from Bradley’s Gate through Coombe to Rushmire Toll Gate

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<sup>47</sup> The 1876 Act, s 4, Sch 4.

<sup>48</sup> 19 Geo.3 c.118 (1779); 39 & 40 Geo.3 c.76 (1800).

- ◆ road from Wotton-under-Edge through Coombe to Rushmire
- ◆ part of road from Wotton-under-Edge to Bristol
- ◆ road from Snightend (in the parish of North Nibley) to Kitts Green
- ◆ roads within Wotton-under-Edge.

115. The 1821 Act was expressed to last for 21 years from July 1821. It eventually expired on 1 November 1877 by virtue of the ATCA 1871.<sup>50</sup> The Act may therefore now be formally repealed.

**1 & 2 Geo.4 c.lxxxiii (1821) Road from Tetbury, Frocester Hill and from Latterwood Act)**

116. This Act was passed to authorise the repair and maintenance of the Gloucestershire roads from Tetbury to Symondshall, from Frocester Hill to Dunkirk, and from the Latterwood to Nailsworth. The Act superseded and repealed earlier enactments (so far as they related to these roads).<sup>51</sup>

117. The Act authorised works to the following roads-

- ◆ from Long Street in Tetbury, through Beverstone and Kingscote to Symondshall Down
- ◆ from Symondshall Down to the top of Bowcott Hill
- ◆ from the top of Frocester Hill, through the Latterwood to Ashell Barn near Coldharbour
- ◆ from Kingscote to Dunkirk
- ◆ from Bowldown Sleight to Tiltups Inn
- ◆ from the Latterwood, through Horsley to Nailsworth
- ◆ from the Frocester Hill to Ashell Barn road, across Owlpen Down to the Tetbury to Symondshall Down road
- ◆ from Howell's Down to the top of Lampern Hill.

118. This Act was expressed to last for 21 years from June 1821. It eventually expired on 1 November 1877 by virtue of the ATCA 1876.<sup>52</sup> The 1821 Act may therefore now be formally repealed.

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<sup>49</sup> These were passages over the River Severn.

<sup>50</sup> The 1871 Act, s 10, Sch 10.

<sup>51</sup> 31 Geo.2 c.65 (1757) (the remainder of this Act is proposed for repeal elsewhere in this note); 20 Geo.3 c.93 (1780); 40 Geo.3 c.75 (1800).

**1 & 2 Geo.4 c.lxxxvi (1821) (Weston-on-the-Green and Kidlington Road Act)**

119. This Act was passed to continue the Acts of 1781 (c.87) and 1801 (c.cxxxvii) referred to above.

120. This Act (together with the 1781 and 1801 Acts) was expressed to last for 21 years from May 1821. In the event the Act expired on 1 November 1872 by virtue of the ATCA 1872.<sup>53</sup> The 1821 Act may therefore now be formally repealed together with the 1781 and 1801 Acts.

**1 & 2 Geo.4 c.cix (1821) (Crickley Hill and Campsfield Roads Act)**

121. This Act was passed to continue the Acts of 1750 (c.28), 1768 (c.41) and 1798 (c.xiii) Acts referred to above.

122. This Act (together with the 1750, 1768 and 1798 Acts) was expressed to last for a further 21 years from 1821. It eventually expired on 30 June 1870 by virtue of the ATCA 1869.<sup>54</sup> The 1821 Act may therefore now be formally repealed together with the 1750, 1768 and 1798 Acts.

**3 Geo.4 c.xxxvi (1822) (Culham, Abingdon and Fyfield Roads Act)**

123. This Act was passed to authorise the repair and maintenance of certain roads in Oxfordshire. It superseded and repealed earlier enactments passed for that purpose.<sup>55</sup>

124. The Act authorised the following roads-

- ◆ from the end of Culham Bridge to the end of Burford Bridge (next to Abingdon)
- ◆ from the Mayor's Stone at the end of Boar Street in Abingdon to Shippon
- ◆ from Shippon to the west end of Fyfield.

125. This Act was expressed to last for 21 years from May 1822. In the event the Act expired on 1 November 1875 by virtue of the ATCA 1874.<sup>56</sup> It may therefore now be formally repealed.

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<sup>52</sup> The 1876 Act, s 4, Sch 4.

<sup>53</sup> The 1872 Act, s 3, Sch 3.

<sup>54</sup> The 1869 Act, s 2, Sch 2.

<sup>55</sup> 9 Geo.2 c.14 (1735); 28 Geo.2 c.42 (1755); 21 Geo.3 c.77 (1781); 41 Geo.3 c.lxxxix (1801).

<sup>56</sup> The 1874 Act, s 5, Sch 5.

### **3 Geo.4 c.xlvii (1822) (Burford and Dancy's Fancy Road Act)**

126. This Act was passed to continue the Acts of 1753 (c.70), 1780 (c.76) and 1801 (c.xvi) referred to above.

127. This Act (together with the 1753, 1780 and 1801 Acts) was expressed to last for 21 years from May 1822. In the event this Act expired on 1 November 1867 by virtue of the ATCA 1867.<sup>57</sup> This 1822 Act may therefore now be formally repealed together with the 1753, 1780 and 1801 Acts.

### **3 Geo.4 c.lxi (1822) (Gloucestershire Roads Act)**

128. This Act was passed to authorise the repair and improvement of certain roads in Gloucestershire. It superseded and repealed earlier enactments passed for that purpose.<sup>58</sup>

129. The Act authorised the repair and maintenance of the following roads-

- ◆ from Tiltup's Inn in Horsley through Saint Cloe's Grounds, by Little Britain and Rooksmoore to Dudbridge
- ◆ from the bridge at Nailsworth, through Barley Hill and Scar Hill, by Howcombe and Iron Mill to Forwood, to Trap End Gate to the west end of Minchinhampton
- ◆ from Dudbridge to the end of Buckholt Wood in Kings Stanley
- ◆ from Buckholt Wood to the Freezes (top of Frocester Hill)
- ◆ from 'the Spout' Nurlsgate on Selsby to the Bear Inn, Rodborough
- ◆ from Little Britain to Amberley Road, Minchinhampton Common
- ◆ from Amberley Bank, over Minchinhampton Common to 'The Cross Post' on the Common
- ◆ from 'Longfords' (near the bridge at Nailsworth) to 'The Cross' in Avening.

130. This Act was expressed to last for 21 years from May 1822. In the event the Act expired on 1 November 1877 by virtue of the ATCA 1873.<sup>59</sup> It may therefore now be formally repealed.

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<sup>57</sup> The 1867 Act, s 1, Sch 2.

<sup>58</sup> 20 Geo.3 c.84 (1760); 41 Geo.3 c.xciv (1801).

<sup>59</sup> The 1873 Act, s 7, Sch 9.

### **3 Geo.4 c.lxiii (1822) (Tetbury Roads Act)**

131. This Act was passed to continue the Acts of 1757 (c.65), 1780 (c.70) and 1801 (c.lxxxv) referred to above so far as they related to the roads covered by the 1801 Act.

132. This Act (together with the 1757, 1780 and 1801 Acts) was expressed to last for 21 years from May 1822. In the event this Act expired on 1 November 1877 by virtue of the ATCA 1877.<sup>60</sup> It may therefore now be formally repealed together with the 1757, 1780 and 1801 Acts.

### **3 Geo.4 c.xc (1822) (Road from Banbury to Edgehill Act)**

133. This Act was passed to authorise the repair and improvement of a road running from near Banbury in Oxfordshire to Edge Hill in Warwickshire. The Act superseded and repealed earlier enactments passed for that purpose.<sup>61</sup>

134. The 1822 Act authorised the repair and maintenance of the road running from the guide post near the end of Drayton Lane, near Banbury to the house called “The Sun Rising” at the top of Edgehill (as it was then spelled).

135. The Act was expressed to last for 21 years from June 1822. It eventually expired on 1 November 1871 by virtue of the ATCA 1871.<sup>62</sup> The Act may therefore now be formally repealed.

### **3 Geo.4 c.xciii (1822) (Chippenham and Westerleigh Road Act)**

136. This Act was passed to authorise the repair and improvement of roads in South Gloucestershire and Wiltshire. The Act superseded and repealed an earlier enactment passed for that purpose.<sup>63</sup>

137. The 1822 Act authorised the repair and maintenance of the following roads (in South Gloucestershire unless otherwise noted):

- ◆ from ‘The Stone Pillar’ (or ‘Stone Hand’) in Chippenham (Wiltshire) to ‘The Cross Hand’ in Castle Combe (Wiltshire)
- ◆ from Burton Street in Nettleton (Wiltshire) to Acton Turville

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<sup>60</sup> The 1877 Act, s 2, Sch 2.

<sup>61</sup> 26 Geo.2 c.78 (1753); 20 Geo.3 c.67 (1780); 41 Geo.3 c.lxxxiv (1801).

<sup>62</sup> The 1871 Act, s 2, Sch 2.

<sup>63</sup> 39 & 40 Geo.3 c.xlvi (1800).

- ◆ from Acton Turville to Great Badminton, through Old Sodbury, Tormarton, Chipping Sodbury, Yate, Nibley, and Mayshill in Westerleigh (to the Knox Bridge in Westerleigh)
- ◆ from Yate Common, through Latteridge to the Bristol to Gloucester turnpike road, to Tockington, Olvestone, Aust and the 'Old Passage House'
- ◆ from the 'Ship Inn' on the Bristol to Gloucester turnpike road, over Alvestone Down and Old Down to Olvestone
- ◆ from Yate Elm Side Gate into the road from Chipping Sodbury to Wickwar
- ◆ from Chipping Sodbury, through Old Sodbury and Yate, Wickwar and Charfield
- ◆ from Charfield through Tortworth to Thornbury
- ◆ from Old Down in Olvestone, through Tockington Upper and Tockington Lower to the Bristol to Aust road
- ◆ from Burton Street in Nettleton to Littleton Drew (Wiltshire).

138. The 1822 Act was expressed to last for 21 years from June 1822. It eventually expired on 1 November 1873 by virtue of the ATCA 1873.<sup>64</sup> The Act may therefore now be formally repealed.

#### **4 Geo.4 c.cv (1823) (Banbury, Brailes and Barcheston Road Act)**

139. This Act was passed to authorise the repair and maintenance of the road leading from the turnpike road in the Horse Fair in Banbury (in Oxfordshire), through Broughton and Swalcliffe (also in Oxfordshire), through Brailes (in Warwickshire) to the bridge crossing the River Stour at Barcheston (also in Warwickshire). The Act superseded and repealed an earlier enactment passed for this purpose.<sup>65</sup>

140. The Act was expressed to last for 21 years from June 1823. It eventually expired on 1 November 1872 by virtue of the ATCA 1872.<sup>66</sup> The Act may therefore now be formally repealed.

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<sup>64</sup> The 1873 Act, s 2, Sch 2.

<sup>65</sup> 42 Geo.3 c.xxxviii (1802).

<sup>66</sup> The 1872 Act, s 8, Sch 9.

### **5 Geo.4 c.ix (1824) (Burford Lane and Stow-on-the-Wold Roads Act)**

141. This Act was passed to authorise the repair and maintenance of certain roads in Gloucestershire and Oxfordshire. The Act superseded and repealed earlier enactments passed for this purpose.<sup>67</sup>

142. The Act authorised works to the following roads-

- ◆ the Gloucestershire road from the 'Hand and Post' at the top of Burford Lane in the parish of Preston (near Cirencester) to Stow-on-the-Wold, through Moreton-in-Marsh, Battsford and Lemington to Blockley and a bridge or place called Paddle Brook (near Stretton-on-Fosse)
- ◆ road from the 'Cross Hands' at the top of Salford Hill (near Chipping Norton in Oxfordshire), through Chastleton, Addlestrop, Oddington, Maugersbury to Stow-on-the-Wold (Gloucestershire) through to the 'Hand and Post' in Withington (Gloucestershire).

143. The 1824 Act was expressed to last for 21 years from March 1824. In the event it expired on 1 May 1877 by virtue of the ATCA 1871.<sup>68</sup> The Act may therefore now be formally repealed.

### **5 Geo.4 c.xi (1824) (Roads from Newent Act)**

144. This Act was passed to authorise the repair and maintenance of roads leading from Newent in Gloucestershire, and of other roads in Gloucestershire and Herefordshire. The Act superseded and repealed earlier enactments passed for this purpose.<sup>69</sup>

145. The Act authorised works to the following roads-

- ◆ from the Crown Hill in Newent to the Crow Hill in the parish of Upton-Bishop (Herefordshire)
- ◆ from Phillip's Cottage at the bottom of Kilcott Hill in Newent to The Lea Line in Newland (Herefordshire)
- ◆ from Perrins Wood in Aston-Ingham (Herefordshire) to the top of Withymore Pitch in Linton (Herefordshire)
- ◆ from The Five-Mile stone in Newent to Ledbury (Herefordshire).

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<sup>67</sup> 28 Geo.2 c.47 (1755); 27 Geo.3 c.77 (1787); 44 Geo.3 c.xiii (1804).

<sup>68</sup> The 1871 Act, s 10, Sch 10.

146. The 1824 Act was expressed to last for 21 years from March 1824. It eventually expired on 1 November 1874 by virtue of the ATCA 1874.<sup>70</sup> The Act may therefore now be formally repealed.

#### **5 Geo.4 c.cxl (1824) (Evesham and Cheltenham Turnpike Roads Act)**

147. This Act was passed to authorise the repair and maintenance of a road between Evesham (Worcestershire) to Bishop's Cleeve near Cheltenham (Gloucestershire). The Act superseded and repealed earlier enactments passed for this purpose.<sup>71</sup>

148. The Act authorised works to the following roads-

- ◆ from the Cheltenham turnpike road in Bishop's Cleeve, via *The Cross Hands* in Teddington Field (Overbury) to the London turnpike road between Evesham and Pershore
- ◆ From Oxendon through Woolstone, Gotherington and Bishop's Cleeve to the Cheltenham turnpike road.

149. The Act was expressed to last for 21 years from June 1824. In the event it expired on 1 November 1877 by virtue of the ATCA 1874.<sup>72</sup> It may therefore now be formally repealed.

#### **6 Geo.4 c.clv (1825) (Warwick, Worcester, Gloucester and Oxford Roads Act)**

150. This Act was passed to authorise the repair and maintenance of roads in Warwickshire, Worcestershire, Gloucestershire and Oxfordshire. The Act superseded and repealed an earlier enactment passed for this purpose.<sup>73</sup>

151. The Act authorised works to the following roads-

- ◆ the Warwickshire road from Bridge Town in the parish of Old Stratford to the top of Long Compton Hill
- ◆ the road from Shipston-upon-Stour (Warwickshire) to near Ebrington (Gloucestershire)
- ◆ the road from Long Compton (Warwickshire) to Woodstock (Oxfordshire).

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<sup>69</sup> 12 Geo.1 c.13 (1725); 20 Geo.2 c.31 (1746); 33 Geo.2 c.34 (1759); 9 Geo.3 c.50 (1769); 42 Geo.3 c.xlv (1802); 52 Geo.3 c.cl (1812).

<sup>70</sup> The 1874 Act, s 3, Sch 3.

<sup>71</sup> 29 Geo.3 c.102 (1789); 49 Geo.3 c.l (1809).

<sup>72</sup> The 1874 Act, s 5, Sch 5.

<sup>73</sup> 58 Geo.3 c.xxxiv (1818).

152. The Act was expressed to last for 21 years from June 1825. In the event it expired on 1 November 1877 by virtue of the ATCA 1876, s 4, Sch 4.<sup>74</sup> Accordingly the Act may now be formally repealed.

#### **7 Geo.4 c.xii (1826) (Marshfield District of Roads Act)**

153. This Act was passed to authorise the repair and maintenance of roads in Wiltshire, South Gloucestershire and Somerset. The Act superseded and repealed an earlier enactment.<sup>75</sup>

154. The Act authorised works to the following roads-

- ◆ the Wiltshire road from Chippenham Bridge (Chippenham) through Langley Burrell, Harden Huish, Allington, Biddestone, Yatton Keynell, Slaughterford, Castle Coombe and North Wraxall, then through the South Gloucestershire road to Marshfield, Cold Ashton and the top of Togg Hill in Doynton
- ◆ the South Gloucestershire road from Old Sodbury, through Todmarton, over West Kington Down to Marshfield
- ◆ the South Gloucestershire road from Sherrel (near Marshfield) to Lower Wraxall
- ◆ the South Gloucestershire road from West Kington to Marshfield
- ◆ the road from Marshfield to Colerne (Wiltshire)
- ◆ the road from Marshfield at Fuddle Brook to the parish of Katherine
- ◆ the road from Canning's Grave (along the Colerne road) to Bathford Bridge (Bath)
- ◆ the road from Marshfield to the Tetbury road near Oldfield (*or* Woefield Corner) (near Bath)
- ◆ the road from Marshfield to West Littleton (South Gloucestershire).

155. The 1826 Act was expressed to last for 21 years from March 1826. It eventually expired on 1 November 1877 by virtue of the ATCA 1875.<sup>76</sup> The Act may therefore now be formally repealed.

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<sup>74</sup> The 1876 Act, s 4, Sch 4.

<sup>75</sup> 44 Geo.3 c.lxix (1804).

<sup>76</sup> The 1875 Act, s 4, Sch 4.

### **7 Geo.4 c.lxxviii (1826) (Tewkesbury Roads Act)**

156. This Act was passed to authorise the repair and improvement of the roads into and from the Gloucestershire towns of Tewkesbury, Gloucester, Cheltenham and Stow-on-the-wold, and the Worcestershire towns of Worcester, Evesham and Pershore. The Act superseded and repealed an earlier enactment.<sup>77</sup>

157. The 1826 Act authorised works to the following roads-

- ◆ from Tewkesbury through Didbrook to the turnpike road leading to Stow-on-the-Wold
- ◆ from Ashchurch to Bishop's Cleeve to the turnpike road to Cheltenham
- ◆ from Gotherington Elm to the turnpike road from Cheltenham to Stow-on-the-Wold
- ◆ from Tewkesbury to Earl's Croome to join the road to Worcester
- ◆ from Tewkesbury to Beckford
- ◆ from Bredon to Eckington and Birlingham
- ◆ from Tewkesbury to Coombe Hill and Norton
- ◆ from Coombe Hill to Elmstone Hardwicke
- ◆ from Tewkesbury to Bredon, Ashchurch and Bishop's Cleeve
- ◆ from Beckford to Alderton
- ◆ from Gubshill (in Tewkesbury) to Elmstone Hardwicke.

158. The Act was expressed to last for 21 years from August 1826. It eventually expired on 1 November 1872 by virtue of the ATCA 1872.<sup>78</sup> The Act may therefore now be formally repealed.

### **7 & 8 Geo.4 c.xvi (1827) (Gloucester, Birdlip Hill and Crickley Hill Roads Act)**

159. This Act was passed to authorise the repair and maintenance of the Gloucestershire roads from the city of Gloucester to the top of Birdlip Hill, and from the foot of that hill to the top of Crickley Hill. The Act superseded and repealed an earlier enactment passed for this purpose.<sup>79</sup>

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<sup>77</sup> 58 Geo.3 c.xxx (1808).

<sup>78</sup> The 1872 Act, s 3, Sch 3.

<sup>79</sup> 46 Geo.3 c.l (1806).

160. The Act was expressed to last for 21 years from July 1827. It eventually expired on 1 November 1871 by virtue of the ATCA 1871.<sup>80</sup> The Act may therefore now be formally repealed.

### **2 & 3 Will.4 c.xxxiv (1832) (Buckingham to Hanwell (Oxfordshire) Road Act**

161. This Act was passed to authorise the repair and improvement of roads in Oxfordshire, Buckinghamshire and Northamptonshire. The Act superseded and repealed an earlier enactment.<sup>81</sup> The Act authorised works to the following roads-

- ◆ the road between the Sessions House in Buckingham and Aynho in Northamptonshire
- ◆ the road between Aynho and Hanwell in Oxfordshire.

162. The Act was expressed to last for 31 years from April 1832. It eventually expired on 1 November 1871 by virtue of the ATCA 1871.<sup>82</sup> The Act may therefore now be formally repealed.

### **3 & 4 Will.4 c.lv (1833) (Roads from Gloucester City Act)**

163. This Act was passed to authorise the repair and improvement of certain roads in Gloucestershire and Worcestershire. The Act superseded and repealed earlier enactments passed for this purpose (so far as those enactments related to the roads authorised by the present Act).<sup>83</sup>

164. The Act authorised works to the following roads-

- ◆ the Gloucestershire road from the city of Gloucester through Churcham to Huntley
- ◆ the Gloucestershire road from the city of Gloucester commencing at Highnam Pool, passing through Churcham, Rudford and Highleadon to Newent
- ◆ the Gloucestershire road from the city of Gloucester, through Highnam Lodge, Churcham, Minsterworth to Westbury-upon-Severn
- ◆ the road from the city of Gloucester, through St Mary-le-Lode, Maisemore, Hartpury, Ashelworth, Corse and Tirley (all in Gloucestershire) to Eldersfield (in Worcestershire)

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<sup>80</sup> The 1871 Act, s 2, Sch 2.

<sup>81</sup> 51 Geo.3 c.ii (1811).

<sup>82</sup> The 1871 Act, s 2, Sch 2.

<sup>83</sup> 12 Geo.1 c.3 (1725); 20 Geo.2 c.31 (1746); 33 Geo.2 c.34 (1759); 9 Geo.3 c.50 (1769); 52 Geo.3 c.ci (1812).

- ◆ the Gloucestershire road from the city of Gloucester, through Corse to Stanton Swan (in Stanton).

165. The 1833 Act was expressed to last for 31 years from July 1833. It eventually expired on 1 November 1879 by virtue of the ATCA 1878.<sup>84</sup> Accordingly the Act may now be formally repealed.

**3 & 4 Will.4 c.lxxiii (1833) (Road from Great Faringdon to Burford Act)**

166. This Act was passed to authorise the repair and improvement of the road leading from the Market House in Great Faringdon (then in Berkshire but now in Oxfordshire) through the parishes and townships of Radcot, Clanfield, Black Bourton, Shilton, Upton and Signett to Burford in Oxfordshire.

167. This 1833 Act was expressed to last for 31 years from 1833. In the event it finally expired on 31 December 1878 by virtue of the ATCA 1875.<sup>85</sup> It may therefore now be formally repealed.

**3 & 4 Will.4 c.xci (1833) (Fyfield and St John's Bridge, and Kingston Bagpuize and Newbridge Roads Act)**

168. This Act was passed to authorise the repair and improvement of roads in Oxfordshire and Gloucestershire. The Act superseded and repealed earlier enactments passed for this purpose.<sup>86</sup>

169. The Act authorised works to the following roads:

- ◆ the road from Fyfield in Oxfordshire (but then in Berkshire), through Kingston Bagpuize, Draycott Moor, Longworth, Hinton, Pusey, Buckland, Faringdon, Easton Hastings and Buscot to St John's Bridge (near Lechlade) in Gloucestershire
- ◆ the Oxfordshire road from the Hind's Head Inn in Kingston Bagpuize to Newbridge (near Witney).

170. The 1833 Act was expressed to last for 31 years from July 1833. In the event it expired on 1 November 1873 by virtue of the ATCA 1873.<sup>87</sup> Accordingly the Act may now be formally repealed.

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<sup>84</sup> The 1878 Act, s 2, Sch 2.

<sup>85</sup> The 1875 Act, s 4, Sch 4.

#### **4 & 5 Will.4 c.xciv (1834) (Barrington and Campsfield and Enslow Bridge Roads (Oxfordshire) Act)**

171. This Act was passed to authorise the improvement and repair of the roads leading from Barrington (near Burford) in Gloucestershire to Campsfield and Enslow Bridge near Oxford. The Act amended earlier legislation including the 1833 Act (c.lxxiii) referred to above.

172. This 1834 Act was expressed to last 31 years from 1834. In the event it eventually expired on 30 June 1870 by virtue of the ATCA 1869.<sup>88</sup> The Act may therefore now be formally repealed.

#### **5 & 6 Will.4 c.ciii (1835) (Oxford, Fifield and Witney Roads Act)**

173. This Act was passed to authorise the repair and improvement of the following Oxfordshire roads-

- ◆ from the city of Oxford over Botley Causeway to Witney
- ◆ from the existing turnpike road from Botley to the turnpike road near Fyfield.<sup>89</sup>

174. The 1835 Act, which superseded and repealed earlier enactments<sup>90</sup>, was expressed to last for 31 years from November 1835. It therefore expired in 1866 and may now be formally repealed.

#### **1 & 2 Vict. c.xlvi (1838) (Thame Roads Act)**

175. This Act was passed to authorise the repair and maintenance of roads in Oxfordshire (and Buckinghamshire). The Act superseded and repealed an earlier enactment passed for this purpose.<sup>91</sup>

176. The Act authorised works to the following roads-

- ◆ from Aylesbury (Buckinghamshire) through Thame and Stadhampton to Shillingford (Oxfordshire)
- ◆ from Thame to Chilworth in the parish of Great Milton
- ◆ in Priestend (Thame)

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<sup>86</sup> 6 Geo.2 c.16 (1732); 12 Geo.2 c.11 (1738); 3 Geo.3 c.29 (1763); 31 Geo.3 c.105 (1791); 52 Geo.3 c.cxcix (1812).

<sup>87</sup> The 1873 Act, s 7, Sch 9.

<sup>88</sup> The 1869 Act, s 2, Sch 2

<sup>89</sup> Spelled 'Fifield' in the 1835 Act.

<sup>90</sup> 7 Geo.3 c.66 (1767); 8 Geo.3 c.34 (1768); 18 Geo.3 c.81 (1778); 54 Geo.3 c.clxxxvi (1814).

<sup>91</sup> 3 & 4 Will.4 c.lxxxvi (1833).

- ◆ in North Weston
- ◆ from Tiddington to Waterstock
- ◆ from Waterstock to Chilworth
- ◆ from New Thame to the road between Postcombe and Tetsworth
- ◆ from Priestend through Long Crendon (Buckinghamshire) to Blackthorn (Oxfordshire)
- ◆ in New Thame
- ◆ in Brill and Oakley (both in Buckinghamshire).

177. The 1838 Act was expressed to last for 31 years from June 1838. In the event it finally expired on 1 November 1880 by virtue of the ATCA 1875.<sup>92</sup> The Act may therefore now be formally repealed.

#### **4 & 5 Vict. c.c (1841) (Henley-upon-Thames, Dorchester and Oxford Roads Act)**

178. This Act was passed to authorise the repair and maintenance of the following Oxfordshire roads-

- ◆ from Henley Bridge to Dorchester Bridge and Culham Bridge
- ◆ from Dorchester Bridge to Milestone (in the road leading to Magdalen Bridge).

The Act superseded and repealed an earlier enactment passed for this purpose.<sup>93</sup>

179. The 1841 Act was expressed to last for 31 years from June 1841. In the event it finally expired on 1 November 1873 by virtue of the ATCA 1873.<sup>94</sup> It may therefore now be formally repealed.

#### **4 & 5 Vict. c.cvii (1841) (Nuffield and Faringdon Road Act)**

180. This Act was passed to authorise the repair and maintenance of the Oxfordshire road from Nuffield through Wallingford and Wantage to Faringdon. The Act superseded and repealed earlier enactments passed for this purpose.<sup>95</sup>

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<sup>92</sup> The 1875 Act, s 4, Sch 4.

<sup>93</sup> 1 & 2 Geo.4 c.xxvi (1821).

<sup>94</sup> The 1873 Act, s 3, Sch 4.

<sup>95</sup> 25 Geo.2 c.21 (1751); 5 Geo.3 c.55 (1765); 39 Geo.3 c.xxxvii (1799); 59 Geo.3 c.c (1819).

181. The Act was expressed to last for 31 years from June 1841. In the event it expired on 1 November 1873 by virtue of the ATCA 1873.<sup>96</sup> It may therefore now be formally repealed.

**4 & 5 Vict. c.cxi (1841) (Abingdon and Chilton Pond Road Act)**

182. This Act was passed to authorise the repair and maintenance of the Oxfordshire road from the Mayor's Stone in Abingdon to Chilton Pond via Ock Bridge, Drayton and Steventon. This road was described as "the Abingdon District" in the Act of 1778 (c.99) proposed for repeal above. The 1841 Act superseded earlier enactments providing for the repair and maintenance of the Abingdon District.<sup>97</sup>

183. The 1841 Act was expressed to last for 31 years from June 1841. In the event it expired in July 1872 by virtue of the ATCA 1869.<sup>98</sup> It may therefore now be formally repealed.

**8 & 9 Vict. c.xxx (1845) (Stokenchurch and New Woodstock Road and Branches Act)**

184. This Act was passed to authorise the repair and maintenance of certain roads in Oxfordshire and Buckinghamshire. It superseded and repealed an earlier enactment passed for that purpose.<sup>99</sup>

185. The Act authorised works to the following roads-

- ◆ from Stokenchurch (Buckinghamshire) to Wheatley Bridge in Chilworth (Oxfordshire), through the parishes of St Clement and St Giles to Begbroke and New Woodstock
- ◆ from Headington to Stanton St John together with roads in the parishes of St Clement and St Giles (all in Oxfordshire)
- ◆ from Holton through Islip to Enslow Bridge in the parish of Bletchington (all in Oxfordshire).

186. The 1845 Act was expressed to last for 31 years from August 1845. In the event it expired on 1 November 1878 by virtue of the ATCA 1877.<sup>100</sup> Accordingly it may now be formally repealed.

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<sup>96</sup> The 1873 Act, s 7, Sch 9.

<sup>97</sup> These enactments were 29 Geo.2 c.81 (1756) and 18 Geo.3 c.99 (1778) (so far as they related to the Abingdon District), 38 Geo.3 c.xliii (1798) and 59 Geo.3 c.viii (1819).

<sup>98</sup> The 1869 Act, s 3, Sch 3.

<sup>99</sup> 5 Geo.4 c.xcix (1824).

### **8 & 9 Vict. c.cli (1845) (Road from Harwell to Streatley (Berkshire) Act)**

187. This Act was passed to authorise the repair and maintenance of the road from Harwell (Oxfordshire<sup>101</sup>) to Streatley (Berkshire). It superseded and repealed an earlier enactment passed for that purpose.<sup>102</sup> The road in question was the existing turnpike road leading from the London turnpike road (near the south or upper end of Harwell Town) to the turnpike road near Streatley.

188. The 1845 Act was expressed to last for 21 years from August 1845. In the event it expired on 1 November 1879 by virtue of the ATCA 1876.<sup>103</sup> Accordingly it may now be formally repealed.

### **9 & 10 Vict. c.vii (1846) (Woodstock and Rollright Lane Road (Oxfordshire) Act)**

189. This Act was passed to authorise the repair and improvement of the Oxfordshire roads around Woodstock. It superseded and repealed an earlier enactment.<sup>104</sup>

190. The Act authorised works to the following roads-

- ◆ from New Woodstock through Kiddington and Enstone to Rollright Lane
- ◆ from Enslow Bridge to Kiddington
- ◆ from Blackhall Lane through New Woodstock to Pear Tree Corner
- ◆ from Blackhall Lane through New Woodstock to join the road near the Marlborough Arms Inn
- ◆ from Pear Tree Corner to Sturdy's Castle in the parish of Tackley.

191. The 1846 Act was expressed to last for 31 years from May 1846. In the event the Act expired on 1 November 1878 by virtue of the ATCA 1878.<sup>105</sup> It may therefore now be formally repealed.

### **Cheltenham and Painswick Turnpike Road Act 1851 (14 & 15 Vict. c.xi)**

192. This Act was passed to authorise the repair and improvement of a Gloucestershire road near Cheltenham. It superseded and repealed an earlier enactment.<sup>106</sup>

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<sup>100</sup> The 1877 Act, s 4, Sch 4.

<sup>101</sup> At the time of this enactment, Harwell was part of Berkshire.

<sup>102</sup> 5 Geo.4 c.cxxxix (1824).

<sup>103</sup> The 1976 Act, s 4, Sch 4.

<sup>104</sup> 6 Geo.4 c.xciv (1825).

<sup>105</sup> The 1878 Act, s 1, Sch 1.

<sup>106</sup> 1 Geo.4 c.xvi (1820).

193. The road comprised so much of the turnpike road between Cheltenham and Painswick as extended from Cheltenham to Prinknash Park Wall (near Cranham).

194. The 1851 Act was expressed to last for 21 years from November 1851. In the event it expired on 1 November 1873 by virtue of the ATCA 1873.<sup>107</sup> It may therefore now be formally repealed.

#### **Cheltenham and Gloucester Turnpike Road Act 1851 (14 & 15 Vict. c.xii)**

195. This Act was passed to authorise the repair and improvement of the Gloucestershire roads around Cheltenham and Gloucester. It superseded and repealed earlier enactments.<sup>108</sup>

196. The Act authorised works to the following roads-

- ◆ that part of the Cheltenham to Gloucester turnpike road as lies between (1) the first small bridge or culvert which crosses that road on the Gloucester side of Staverton Bridge and (2) Cheltenham
- ◆ the following three roads joining that turnpike road-
  - from a house called “The Golden Pheasant” to Great Pease Hill and Churchdowne
  - from Staverton to Badgworth
  - in Cheltenham from the Montpelier Rotunda to Haine’s Cottage.

197. The 1851 Act was expressed to last for 21 years from October 1851. In the event it expired on 1 November 1879 by virtue of the ATCA 1873.<sup>109</sup> It may therefore now be formally repealed.

#### **Stroud and Gloucester Turnpike Road Act 1851 (14 & 15 Vict. c.i)**

198. This Act was passed to authorise the repair and improvement of the Gloucestershire turnpike road from Stroud, through Pitchcombe to Gloucester. The Act superseded and repealed an earlier enactment passed for this purpose.<sup>110</sup>

199. This 1851 Act was expressed to last for 21 years from October 1851. In the event it expired on 1 November 1875 by virtue of the ATCA 1873.<sup>111</sup> It may therefore now be formally repealed.

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<sup>107</sup> The 1873 Act, s 3, Sch 4.

<sup>108</sup> 6 Geo.4 c.cxlvii (1825); 9 Geo.4 c.ix (1828).

<sup>109</sup> The 1873 Act, s 7, Sch 9.

### **Shillingford, Wallingford and Reading Road Act 1852 (15 & 16 Vict. c.lxxix)**

200. This Act was passed to authorise the repair and improvement of a road running from Shillingford (Oxfordshire) to Reading (Berkshire). The Act superseded and repealed an earlier enactment passed for this purpose.<sup>112</sup>

201. The road covered by this Act was the turnpike road from the *Old Bell* public house at Shillingford, to and over Shillingford Bridge, through Wallingford (Oxfordshire) and Pangborne (Berkshire) to Prospect Street in the parish of St Mary in Reading.

202. This 1852 Act was expressed to last for 21 years from July 1852. In the event it expired on 1 November 1874 by virtue of the ATCA 1874.<sup>113</sup> It may therefore now be formally repealed.

### **Stroud and Bisley Road Act 1852 (15 & 16 Vict. c.lxxxvii)**

203. This Act was passed to authorise the management and maintenance of the Gloucestershire turnpike road between Stroud and Bisley. It superseded and repealed an earlier enactment passed for this purpose.<sup>114</sup>

204. The Act was expressed to last for 21 years from October 1852. In the event it expired on 1 November 1874 by virtue of the ATCA 1874.<sup>115</sup> It may therefore now be formally repealed.

### **Asthall and Buckland Road Act 1852 (15 & 16 Vict. c.cxxxix)**

205. This Act was passed to authorise the management and maintenance of the Oxfordshire road between Asthall and Buckland. The Act superseded and repealed earlier enactments passed for this purpose.<sup>116</sup>

206. The road ran from Asthall, through Brize Norton and Bampton, over the River Isis at or near Kent's Weir, to the St John's Bridge and Fyfield turnpike road at or near Buckland.

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<sup>110</sup> 58 Geo.3 c.i (1818).

<sup>111</sup> The 1873 Act, s 6, Sch 8.

<sup>112</sup> 7 & 8 Geo.4 c.xix (1827).

<sup>113</sup> The 1874 Act, s 3, Sch 3.

<sup>114</sup> 4 Geo.4 c.14 (1823).

<sup>115</sup> The 1874 Act, s 3, Sch 3.

<sup>116</sup> 17 Geo.3 c.104 (1777); 39 Geo.3 c.lxxvi (1799); 1 Geo.4 c.lxxxi (1820).

207. The Act was expressed to last for 21 years from November 1852. In the event it expired on 1 November 1874 by virtue of the ATCA 1874.<sup>117</sup> It may therefore now be formally repealed.

**Burford, Lechlade and Swindon Turnpike Roads Act 1853 (16 & 17 Vict. c.civ)**

208. This Act was passed to authorise the repair and maintenance of certain roads in Oxfordshire, Gloucestershire and Wiltshire. It superseded and repealed earlier enactments passed for this purpose.<sup>118</sup>

209. The Act authorised works to the following roads-

- ◆ the existing turnpike road from Burford (Oxfordshire) to the Cirencester to St John's Bridge turnpike road (Gloucestershire)
- ◆ in Lechlade<sup>119</sup> (Gloucestershire) from the town centre to the bridge crossing the River Isis or Thames
- ◆ from the bridge at Lechlade to Highworth (Wiltshire).<sup>120</sup>

210. The 1853 Act was expressed to last for 21 years from November 1853. In the event it expired on 1 November 1875 by virtue of the ATCA 1875.<sup>121</sup> It may therefore now be formally repealed.

**Upton Saint Leonard's Turnpike Roads Act 1853 (16 & 17 Vict. c.cxxvi)**

211. This Act was passed to authorise the making of certain roads in Gloucestershire.

212. The Act authorised works to the following roads-

- ◆ from Upton St Leonard's to Brimpsfield
- ◆ from Cranham to a place on the Cheltenham to Stroud turnpike road near Birdlip.

213. The Act was expressed to last for 21 years from September 1853. It therefore expired in 1874 and may now be formally repealed.

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<sup>117</sup> The 1874 Act, s 3, Sch 3.

<sup>118</sup> 32 Geo.3 c.153 (1792); 53 Geo.3 c.xlii (1813).

<sup>119</sup> Spelled "Leachlade" in the Act.

<sup>120</sup> The Act also authorised works to support, maintain and repair the bridge across the River Isis or Thames at Lechlade.

<sup>121</sup> The 1875 Act, s 2, Sch 2.

### **Kingswood District of Roads Act 1854 (17 & 18 Vict. c.xxi)**

214. This Act was passed to authorise the repair and maintenance of certain roads in Gloucestershire. The Act superseded and repealed an earlier enactment passed for this purpose.<sup>122</sup>

215. The Act authorised works to the following roads-

- ◆ from Wotton-under-Edge through Kingswood to Wickwar
- ◆ the branch road from Kingswood to the road leading from Wotton-under-Edge to Bristol
- ◆ the branch road from Kingswood to join the Wotton-under-Edge to Bath road at Hillesley (spelled *Hillsley* in the Act).

216. The 1854 Act was expressed to last for 21 years from June 1854. In the event it expired on 1 November 1876 by virtue of the ATCA 1876.<sup>123</sup> It may therefore now be formally repealed.

### **Stroud, Painswick and Gloucester Road Act 1854 (17 & 18 Vict. c.xcv)**

217. This Act was passed to authorise the repair and improvement of certain roads in Gloucestershire. It superseded and repealed earlier enactments passed for this purpose.<sup>124</sup>

218. The Act authorised works to the following Gloucestershire roads-

- ◆ from Gloucester, through Painswick to Stroud
- ◆ from Painswick to Pitchcombe
- ◆ from Painswick to Prinknash Park (near Cranham).

219. The Act was expressed to last for 21 years from July 1854. In the event it expired on 1 November 1876 by virtue of the ATCA 1876.<sup>125</sup> It may therefore now be formally repealed.

### **Charlbury Roads Act 1855 (18 & 19 Vict. c.lxxxv)**

220. This Act was passed to authorise the repair and improvement of certain roads in Oxfordshire. It superseded and repealed an earlier enactment<sup>126</sup> passed for this purpose.

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<sup>122</sup> 7 & 8 Geo.4 c.c (1827).

<sup>123</sup> The 1876 Act, s 2, Sch 2.

<sup>124</sup> 18 Geo.3 c.98 (1778); 40 Geo.3 c.xcvii (1800); 59 Geo.3 c.xlii (1819).

221. The Act authorised works to the following Oxfordshire roads-

- ◆ from the existing turnpike road leading from the turnpike road in Witney to the turnpike road on Swerford Heath including the branch leading from the turnpike gate at Witney through Crawley to White Oak Green
- ◆ from the existing turnpike road from Woodstock to Birmingham through Charlbury to the Chipping Norton to Burford turnpike road.

222. The Act was expressed to last for 21 years from June 1855. In the event it expired on 1 November 1877 by virtue of the ATCA 1877.<sup>127</sup> It may therefore now be formally repealed.

#### **Lightpill and Birdlip Road Act 1855 (18 & 19 Vict. c.cvi)**

223. This Act was passed to authorise the repair and maintenance of certain roads in Gloucestershire. It superseded and repealed earlier enactments passed for this purpose.<sup>128</sup>

224. The Act authorised works to the following Gloucestershire roads-

- ◆ from the existing Bath to Dudbridge turnpike road at or near *Lightpill Mill* in the parish of Rodborough to join the Cirencester to Stroud turnpike road at or near *The Anchor Inn* in Rodborough
- ◆ from a brook called *Badbrook* in Painswick to the old Painswick to Cheltenham turnpike road (near the 6-mile stone on that road leading to Birdlip).

225. The Act was expressed to last for 21 years from July 1855. In the event it expired on 1 November 1877 by virtue of the ATCA 1877.<sup>129</sup> It may therefore now be formally repealed.

#### **Stroud, Cainscross and Michinhampton Road Act 1855 (18 & 19 Vict. c.cviii)**

226. This Act was passed to authorise the improvement and repair of certain roads in Gloucestershire. It superseded and repealed an earlier enactment passed for this purpose.<sup>130</sup>

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<sup>125</sup> The 1876 Act, s 2, Sch 2.

<sup>126</sup> 1 Geo.4 c.lxxxii (1820).

<sup>127</sup> The 1877 Act, s 2, Sch 2.

<sup>128</sup> 40 Geo.3 c.xliiii (1800); 1 Geo.4 c.xx (1820).

<sup>129</sup> The 1877 Act, s 2, Sch 2.

227. The Act authorised works to the following roads-

- ◆ from Bowbridge in the parish of Stroud to the parish of Rodborough (near the *Bear Inn*)
- ◆ from the above road to Mount Vernon in Rodborough
- ◆ from “Bagpath” in Rodborough to a highway leading from Bowbridge to Mount Vernon
- ◆ from Cainscross to Stroud.

228. The 1855 Act was expressed to last for 21 years from July 1855. In the event it expired on 1 November 1877 by virtue of the ATCA 1877.<sup>131</sup> It may therefore now be formally repealed.

#### **Stroud and Chalford Turnpike Roads Act 1855 (18 & 19 Vict. c.cix)**

229. This Act was passed to authorise the maintenance of certain roads in Gloucestershire. It superseded and repealed an earlier enactment passed for this purpose.<sup>132</sup>

230. The Act authorised works to the following roads-

- ◆ from the town of Stroud through Bowbridge and Brimscombe to the Bourne (parish of Stroud), through Chalford (parish of Bisley) to the Seventh Mile stone in Sapperton to join the existing Cirencester to Stroud turnpike road
- ◆ from Bourne to Burcomb Bottom (parish of Bisley) to join the existing Chalford to Bisley turnpike road
- ◆ from Brimscombe to the Cross Ways on Hampton Common to join the existing Rodborough to Minchinhampton turnpike road.

231. The 1855 Act was expressed to last for 21 years from November 1855. In the event it expired on 1 November 1877 by virtue of the ATCA 1877.<sup>133</sup> It may therefore now be formally repealed.

#### **Dean Forest Turnpike Roads Act 1858 (21 & 22 Vict. c.lxxxvi)/ Forest of Dean Turnpike Trust Abolition Act 1888 (51 & 52 Vict. c.cxciii)**

232. This 1858 Act was passed to repeal an earlier enactment<sup>134</sup> relating to the Dean Forest turnpike roads and to replace it with new provisions for the repair and

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<sup>130</sup> 6 Geo.4 c.xxiii (1825).

<sup>131</sup> The 1877 Act, s 2, Sch 2.

<sup>132</sup> 54 Geo.3 c.lxxx (1814).

maintenance of the roads within the Forest. The Act also provided for the construction of a new road near the railway station at Lydney.

233. This 1858 Act was expressed to last for 32 years from August 1858. Subsequently its expiration date was extended to 1 November 1891 by virtue of the ATCA 1885.<sup>135</sup> However that date was brought forward by the Forest of Dean Turnpike Trust Abolition Act 1888, section 1 of which provided for the 1858 Act to expire on 1 November 1888. Accordingly the 1858 Act may now be formally repealed as may the Forest of Dean Turnpike Trust Abolition Act 1888 itself (which became spent upon taking effect in 1888).

#### **Winchcomb Roads Act 1865 (28 & 29 Vict. c.clxxi)**

234. This Act was passed to authorise the management and repair of certain roads in Gloucestershire and Worcestershire. It superseded and repealed an earlier enactment passed for this purpose.<sup>136</sup>

235. The Act authorised works to the following roads-

- ◆ the Gloucestershire road from Sudeley Hill through Winchcombe<sup>137</sup> to the seventh milestone on the Tewkesbury to Stow turnpike road
- ◆ from Wyman's Brook in Prestbury (Gloucestershire) to Sedgeberrow (Worcestershire)
- ◆ the Gloucestershire road from Winchcombe to Newtown (near Tewkesbury).

236. The Act was expressed to last for 7 years from July 1865. In the event it expired on 1 May 1874 by virtue of the ATCA 1873.<sup>138</sup> It may therefore now be formally repealed.

#### **Huntley Roads Act 1866 (29 & 30 Vict. c.c)**

237. This Act was passed to authorise the management and repair of certain roads in Gloucestershire and Herefordshire. It superseded and repealed an earlier enactment passed for this purpose.<sup>139</sup>

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<sup>133</sup> The 1877 Act, s 2, Sch 2.

<sup>134</sup> 1 & 2 Vict. c.xxxviii (1838).

<sup>135</sup> The 1885 Act, s 3, Sch 3.

<sup>136</sup> 3 & 4 Will.4 c.xi (1833).

<sup>137</sup> Spelled *Winchcomb* in the Act.

<sup>138</sup> The 1873 Act, s 5, Sch 7.

<sup>139</sup> 3 & 4 Will.4 c.lxxv (1833).

238. The Act authorised works to the following existing turnpike roads-<sup>140</sup>

- ◆ from Huntley to Castle End (near Lea in Herefordshire)
- ◆ from Huntley turnpike gate to Mitcheldean
- ◆ through Mitcheldean
- ◆ from Mitcheldean to Lea Line (near Lea)
- ◆ from Mitcheldean to Castle End
- ◆ from Mitcheldean to the Stender's toll gate (near the Forest of Dean)
- ◆ from Mitcheldean to Gun's Mills (in Abinghall)
- ◆ from the Flat (Westbury-upon-Severn) to Littledean
- ◆ from Jordan Hill (in Elton) to Gun's Mills
- ◆ from Elton toll gate to Hawkin's Pill (Newnham).

239. The Act was expressed to last for 13 years from July 1866. In the event it expired on 1 November 1880 by virtue of the ATCA 1880.<sup>141</sup> It may therefore now be formally repealed.

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<sup>140</sup> Except where otherwise indicated, all the places are in Gloucestershire.

<sup>141</sup> The 1880 Act, s 2, Sch 2.

## GROUP 2 - SURREY

240. The first turnpike road in Surrey ran from Crawley to Reigate and was established in 1696. By 1755 Brighton was becoming a fashionable seaside resort and it was necessary to improve the whole turnpike road. In 1794 a turnpike obelisk was erected through public subscription in the High Street at Cranleigh. William Cobbett, writing in 1822 while travelling through Surrey “not to see inns and turnpike roads, but to see the *country*”<sup>142</sup> indicates how prolific turnpike roads were in Surrey. Every journey he undertakes involves using a turnpike.

241. Some towns did increase their trade with the advent of the turnpike roads. Guildford’s trading moved from textiles to coaching as the London to Portsmouth and Southampton turnpike road ran through it. Farnham’s trade was increased by the number of coaching inns, Farnham being situated on the London to Winchester turnpike road.

242. From the 1840s, however, railway lines began to open, covering the London to Brighton route. These railways were opened with a view to saving “time, money and expense”. A day trip to Brighton from London was now possible. Brighton’s population grew from 7,000 in 1801 to 120,000 in 1901. Development after the introduction of the railways increased the population in towns in Surrey and the turnpike roads could not match the speed or economy of the railways. By 1842 the mail coaches through Guildford had stopped and by 1849 the last coach service through Guildford no longer operated. By 1871 the turnpike roads were all public main roads.

### **8 & 9 Will.3 c.15 (1696) (Highways Surrey and Sussex Act)**

243. This Act authorised the repair of the roads between Reigate in Surrey and Crawley in West Sussex. The highway was described as being “very ruinous and almost impassable”.

244. The Act was expressed to last for 20 years from its passing. It therefore expired in 1716 and may now be formally repealed.

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<sup>142</sup> *Rural Rides September 25 to 29 1822: Kensington to Uphusband (published 1830).*

#### **4 Geo.1 c.4 (1717) (London, East Grinstead, Sutton and Kingston Roads Act)**

245. This Act authorised the building of roads from Southwark in London to East Grinstead in Sussex and from London to Sutton and Kingston in Surrey.

246. The 1717 Act was expressed to last for 21 years from 25 March 1718 and was extended by Acts of 1719 (c.26), 1723 (c.13) and 1736 (c.23). All these Acts are proposed for repeal below.

#### **4 Geo.1 c.5 (1717) (Southwark, Greenwich and Lewisham Roads Act)**

247. This Act authorised the building of a road leading from Stones End in Kent Street in the parish of St George's, Southwark to the Lime Kilns in East Greenwich and from New Cross to Lewisham Church.

248. The 1717 Act was expressed to last for 11 years from 25 March 1718 and was extended by Acts of 1719 (c.26) and 1737 (c.36). All these Acts are proposed for repeal below.

#### **6 Geo.1 c.26 (1719) (Surrey and Kent Roads Act)**

249. This Act was passed to authorise the repair of the two roads authorised by the two 1717 Acts referred to above. These roads were formerly in the counties of Surrey and Kent but are now wholly within Greater London. This Act also authorised the repair of a road from Westminster through Lambeth and New Cross to Deptford.

250. The 1719 Act continued the London, East Grinstead, Sutton and Kingston Roads Act of 1717 for an additional two years from the expiry of the initial 21 years term. The Southwark, Greenwich and Lewisham Roads Act of 1717 was extended for 10 years from the expiry of the initial 11 years term granted. The 1719 Act is proposed for repeal below.

#### **10 Geo.1 c.13 (1723) (Surrey and Sussex Roads Act)**

251. This Act extended the London, East Grinstead, Sutton and Kingston Roads Act of 1717. It covered the following roads:

- Southwark to Highgate in Sussex
- Kingston to Burton Common in Surrey.

252. The 1723 Act granted an additional term of 21 years from the expiry of the terms granted under the 1717 and 1719 Acts, extending the 1717 Act to 1752. This Act is proposed for repeal below.

#### **10 Geo.2 c.23 (1736) (Sutton and Sussex Roads Act)**

253. This Act extended the London, East Grinstead, Sutton and Kingston Roads Act of 1717, the 1719 Act and the 1723 Act. It covered the following roads:

- ◆ Southwark to Highgate in Sussex
- ◆ Kingston to Burton Common in Surrey
- ◆ Cuddington in Surrey.

254. The 1736 Act was expressed to last for 15 years from 25 March 1752. It therefore expired in 1767 and may now be formally repealed together with the 1717 Act (c.4), the 1719 Act (so far as that Act related to the 1717 Act (c.4)) and the 1723 Act.

#### **11 Geo.2 c.36 (1737) (Surrey and Kent Roads Act)**

255. This Act extended the Southwark, Greenwich and Lewisham Roads Act of 1717 and the 1719 Act.

256. The 1737 Act was expressed to last for 38 years from 25 March 1739. It therefore expired in 1777 and may now be formally repealed together with the 1717 Act (c.5) and the 1719 Act (so far as that Act related to the 1717 Act (c.5)).

#### **25 Geo.2 c.51 (1751) (South London Roads Act)**

257. This Act was passed to amend the road-repairing powers given to the trustees appointed under-

- ◆ the London, East Grinstead, Sutton and Kingston Roads Act of 1717 (4 Geo.1 c.4)
- ◆ the Surrey and Kent Roads Act of 1719 (6 Geo.1 c.26)
- ◆ the Surrey and Sussex Roads Act of 1723 (10 Geo.1 c.13)
- ◆ the Sutton and Sussex Roads Act of 1736 (10 Geo.2 c.23).

All four enactments have already been proposed for formal repeal (see above).

258. In particular this 1751 Act authorised the trustees for the repair of the roads from the City of London to East Grinstead, Sutton and Kingston to erect a new turnpike on the road from Newington to Camberwell. Part of the toll receipts were to be paid to the trustees for the repair of the road from Newington through Camberwell to New Cross.

259. This 1751 Act was not expressed to last for a specified period. However, since it was supplementary to the four earlier expired enactments, it ceased to have effect along with those enactments in 1767. Its formal repeal is now proposed.

### **31 Geo.2 c.77 (1757) (Leatherhead and Guildford Road Act)**

260. This Act<sup>143</sup> was passed to authorise the repair and widening of the Surrey road from the Swan Inn at Leatherhead to the maypole at the upper end of Spital or Somerset Street in the parish of Stoke, near Guildford.

261. The Act was expressed to last for 21 years from 1757. Thereafter it was continued by an Act of 1779 (19 Geo.3 c.104), an Act of 1800 (39 & 40 Geo.3 c.xxvii), and an Act of 1822 (3 Geo.4 c.xcvii). All these Acts are proposed for repeal below.

### **31 Geo.2 c.78 (1757) (Guildford and Farnham Road Act)**

262. This Act<sup>144</sup> was passed to authorise the repair and widening of the Surrey road from Guildford to the directing post near Farnham.

263. The Act was expressed to last for 21 years from 1757. Thereafter it was continued by an Act of 1780 (20 Geo.3 c.96), by an Act of 1801 (41 Geo.3 c.xliii) and by an Act of 1822 (3 Geo.4 c.lxvii). All these Acts are proposed for repeal below.

### **10 Geo.3 c.82 (1770) (Surrey and Sussex Roads Act)**

264. This Act amended a 1748 Act.<sup>145</sup> This 1770 Act authorised the repair and widening of the road leading from Kingston-upon-Thames in Surrey to Sheet Bridge

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<sup>143</sup> Although the *Chronological Table of the Statutes* indicates that this 1757 Act was repealed by later enactments (3 Geo.4 c.xcvii (1800) and by the Annual Turnpike Acts Continuance Act 1867) it is clear that the 1757 Act has never been formally repealed.

<sup>144</sup> Although the *Chronological Table of the Statutes* indicates that this 1757 Act was repealed by later enactments (3 Geo.4 c.lxvii and by the Annual Turnpike Continuance Act 1876), it is clear that the 1757 Act has never been formally repealed.

<sup>145</sup> 22 Geo.2 c.35 (Surrey and Sussex Roads). This Act was repealed by 43 Geo.3 c.cxi (1803).

near Petersfield in Southampton, and a road from Hindhead Heath through Fenchurch Lane and Midbury to Chichester.

265. The 1748 Act granted a term of 21 years from 24 June 1749. This was further extended by the Highways and Turnpike Roads Act 1755<sup>146</sup> which contained a provision to extend, by 5 years, all previous turnpike Acts.<sup>147</sup> The 1770 Act granted an additional 21 years from the expiry of the previous terms, meaning that the 1770 Act extended the term to 1796. The 1770 Act therefore expired in 1796 and so may now be formally repealed.

### **19 Geo.3 c.104 (1779) (Surrey Roads Act)**

266. This Act<sup>148</sup> was passed to authorise the continuation of the Act of 1757 (c.77) Act referred to above.

267. The 1779 Act (together with the 1757 Act) was expressed to last a further 21 years from 1779. Thereafter both Acts were continued by Acts of 1800 (39 & 40 Geo.3 c.xxvii) and 1822 (3 Geo.4 c.xcvii). All these Acts are proposed for repeal below.

### **20 Geo.3 c.96 (1780) (Guildford to Farnham Road Act)**

268. This Act<sup>149</sup> extended the term and powers of the Act of 1757 (c.78).

269. This 1780 Act was expressed to last until 1801. However it was thereafter continued by an Act of 1801 (41 Geo.3 c.xliii) and by an Act of 1822 (3 Geo.4 c.lxvii). All these Acts are proposed for repeal below.

### **39 & 40 Geo.3 c.xxvii (1800) (Leatherhead and Stoke (Surrey) Road Act)**

270. This Act was passed to authorise the continuation of the Acts of 1757 (c.77) and 1779 (c.104) referred to above.

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<sup>146</sup> 28 Geo.2 c.17.

<sup>147</sup> The 1755 Act lowered tolls generally, and the extension provision was to avoid any suspicion that lessening the tolls might be prejudicial to those creditors who had lent money upon the security of the tolls.

<sup>148</sup> Although the *Chronological Table of the Statutes* indicates that this 1779 Act was repealed by later enactments (3 Geo.4 c.xcvii and by the Annual Turnpike Acts Continuance Act 1867) it is clear that the 1779 Act has never been formally repealed.

<sup>149</sup> Although the *Chronological Table of the Statutes* indicates that this 1780 Act was repealed by later enactments (3 Geo.4 c.lxvii and by the Annual Turnpike Acts Continuance Act 1876), it is clear that this 1780 Act has never been formally repealed.

271. This Act (together with the 1757 and 1779 Acts) was expressed to last for a further 21 years from 1800. Thereafter all three Acts were continued by an Act of 1822 (3 Geo.4 c.xlvii, referred to below). All these Acts are proposed for repeal below.

**41 Geo.3 c.xliii (1801) (Guildford to Farnham Road Act)**

272. This Act was passed to continue the Acts of 1757 (c.78) and 1780 (c.96) proposed for repeal above.

273. This Act (together with the 1757 and 1780 Acts) was expressed to last for 21 years from July 1801. Thereafter all three Acts were continued by an Act of 1822 (c.lxvii). All these Acts are proposed for repeal below.

**55 Geo.3 c.xlviii (1815) (Sutton (Surrey), Reigate and Povey Cross Road Act)**

274. This Act authorised the repair and improvement of the following Surrey roads-

- ◆ from the 12 mile stone in Sutton through Reigate by Sidlow Mill to Povey Cross in the parish of Charlwood
- ◆ from Sutton through Cheam, over Howell Hill to Ewell
- ◆ from Tadworth upon Walton Heath by the windmill at the bottom of Pebble Hill to Betchworth, Leigh and Charlwood
- ◆ from Povey Cross to the oak dividing the counties of Surrey and Sussex
- ◆ from Woodhatch to Peteridge Lane
- ◆ from Woodhatch to the further end of Horsehills Lane in the parish of Horley
- ◆ from the beginning of Peteridge Lane to the further end of Bonehurst (or Boner's) Lane in Horley
- ◆ from Sidlow Bridge (south end) on the road from Sutton, through Reigate to Povey Cross
- ◆ from certain enclosed lands in Horley and Charlwood to the north side of Hookwood Common in Charlwood, over the Common to a bridge in the road leading from Sutton to Povey Cross.

The 1815 Act was expressed to last for 21 years from May 1815. It eventually expired on 1 November 1881 by virtue of the ATCA 1877.<sup>150</sup> The Act may therefore now be formally repealed.

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<sup>150</sup> The 1877 Act, s 4, Sch 4.

### **56 Geo.3 c.xxx (1816) (Road from Gatton Lodge to Povey Cross (Surrey) Act)**

275. This Act authorised the making and maintaining of a road between Gatton Lodge and Povey Cross in Surrey. The existing turnpike road from Croydon via Reigate to Crawley was felt to be unsatisfactory, being too circuitous and hilly. The new road would run from Gatton Lodge, cross Aleswood Common to Petteridge Wood, and pass through Horley and Horley Common to join the existing turnpike at Povey Cross.<sup>151</sup>

276. The 1816 Act was expressed to last for 21 years from May 1816. In the event the Act was discontinued on 14 August 1850 by virtue of the ATCA 1850.<sup>152</sup> The Act may therefore now be formally repealed.

### **3 Geo.4 c.lxvii (1822) (Guildford to Farnham Road Act)**

277. This Act was passed to continue the Acts of 1757 (c.78), 1780 (c.96) and 1801 (c.xliii) referred to above.

278. This Act (together with the 1757, 1780 and 1801 Acts) was expressed to last for 21 years from May 1822. In the event this Act expired on 1 November 1876 by virtue of the ATCA 1876.<sup>153</sup> The 1822 Act may therefore now be formally repealed together with the 1757, 1780 and 1801 Acts.

### **3 Geo.4 c.xcvii (1822) (Road from Leatherhead to Stoke (Surrey) Act)**

279. This Act was passed to authorise the continuation of the Acts of 1757 (c.77), 1779 (c.104) and 1800 (c.xxvii) referred to above.

280. This Act (together with the 1757, 1779 and 1800 Acts) was expressed to last for a further 21 years until 1843. The 1822 Act expired on 1 November 1867 by virtue of the ATCA 1867.<sup>154</sup> The 1822 Act may therefore now be formally repealed together with the 1757, 1779 and 1800 Acts.

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<sup>151</sup> According to the preamble to the Act, this new road would speed up trade between London and the coast, particularly in regard to the supply of fish in the mackerel and herring seasons.

<sup>152</sup> The 1850 Act, s 1.

<sup>153</sup> The 1876 Act, s 2, Sch 2.

<sup>154</sup> The 1867 Act, s 1, Sch 1.

#### **7 Geo.4 c.xiii (1826) (Godalming and Pains Hill Road Act)**

281. This Act was passed to authorise the making and maintaining of a Surrey road from Godalming, through Hascombe, to Pains Hill (near Cranleigh) where the new road would join the existing turnpike road running between Guildford and Horsham.

282. The Act was expressed to last for 21 years from March 1826. In the event the Act expired on 1 November 1875 by virtue of the ATCA 1872.<sup>155</sup> The Act may therefore now be formally repealed.

#### **7 Geo.4 c.lxxx (1826) (Farnham and Petersfield Turnpike Road Act)**

283. This Act was passed to authorise the making and maintaining of a road from Coxbridge (near Farnham in Surrey) to Ramshill near Petersfield (in Hampshire). The road was to pass through the Hampshire towns of Binsted, Kingsley, Headley, Selborne, Greatham, Liss Steep, Sheet to Petersfield.

284. The Act was expressed to last for 21 years from May 1826. In the event it expired on 31 January 1873 by virtue of the ATCA 1872.<sup>156</sup> It may therefore now be formally repealed.

#### **10 Geo.4 c.xx (1829) (Wrotham Heath and Croydon and Godstone Road Act)**

285. This Act was passed to authorise the improvement and repair of the turnpike road from Wrotham Heath (Kent) to the turnpike road at Godstone (Surrey). The Act superseded and repealed earlier enactments passed for this purpose.<sup>157</sup> The road passed from Wrotham, Ightham, Seal, Sevenoaks, Chevening, Sundridge, Brasted and Westerham (all in Kent) to Tatsfield, Lympsfield, Oxted and Godstone (all in Surrey).

286. The Act was expressed to last for 31 years from April 1829. It eventually expired on 30 June 1870 by virtue of the ATCA 1869.<sup>158</sup> It may therefore now be formally repealed.

#### **10 Geo.4 c.lxiv (1829) (Guildford and Alfold Bars Road Act)**

287. This Act was passed to provide new powers to repair and widen the road from the north end of the Dapdon (*now* Dapdune) Wharf in Guildford, Surrey to Alfold Bars

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<sup>155</sup> The 1872 Act, s 10, Sch 11.

<sup>156</sup> The 1872 Act, s 5, Sch 6.

<sup>157</sup> 5 Geo.3 c.68 (1765); 27 Geo.3 c.70 (1787); 48 Geo.3 c.xxxvii (1808).

(then in Surrey but now in West Sussex). The Act repealed earlier enactments passed for this purpose.<sup>159</sup>

288. The 1829 Act was expressed to last for 31 years from May 1829, so as to expire in 1860. In the event it expired on 1 November 1877 by virtue of the ATCA 1876.<sup>160</sup> It may therefore now be formally repealed.

#### **11 Geo.4 & 1 Will.4 c.vi (1830) (Road from Horsham Act)**

289. This Act was passed to authorised the repair and improvement of roads in Surrey and West Sussex. The Act superseded and repealed an earlier enactment passed for this purpose.<sup>161</sup>

290. The 1830 Act authorised works to the following roads-

- (a) the road from the Black Horse Inn in Horsham (West Sussex) to Alfold<sup>162</sup> Crossways (Surrey) up to the turnpike road leading to Guildford
- (b) a branch road from (a) from Platter's Hill Coppice through Slinfold and Warnham to the road from Horsham to Dorking near Kingsfold Toll Gate (West Sussex)
- (c) a branch road from (a) from Platter's Hill Coppice over Alfold Dean Bridge to Park Street Corner in Slinfold (West Sussex)
- (d) the road from Slaughterford Bridge towards Rowhook (West Sussex) via Furzon Gate to join the Rudgwick to Guildford road and terminating at Ellen's Green (Surrey).

291. The Act was expressed to last for 31 years from March 1830. In the event the Act expired on 1 November 1873 by virtue of the ATCA 1873.<sup>163</sup> It may therefore now be repealed formally.

#### **1 Will.4 c.v (1831) (Hounslow Heath and Egham Hill Road Act)**

292. This Act was passed to authorise the repair and improvement of the road from the Powder Mills on Hounslow Heath<sup>164</sup> to the 20-mile stone on Egham Hill (Surrey). The Act superseded and repealed earlier enactments passed for this purpose.<sup>165</sup>

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<sup>158</sup> The 1869 Act, s 2, Sch 2.

<sup>159</sup> These earlier enactments were 30 Geo.2 c.60 (1757), 18 Geo.3 c.110 (1778); 39 Geo.3 c.xxxiv (1799) and 49 Geo.3 c.48 (so far as these enactments related to the road between Dapdon Wharf and Alfold Bars).

<sup>160</sup> The 1876 Act, s 4, Sch 4.

<sup>161</sup> 49 Geo.3 c.xii (1809).

<sup>162</sup> Spelt in the Act as "Aldford" or "Aldfold".

293. The Act was expressed to last for 31 years from March 1831. It eventually expired on 1 November 1877 by virtue of the ATCA 1875.<sup>166</sup> It may therefore now be repealed formally.

#### **1 Will.4 c.xxviii (1831) (Milford and Haslemere Road Act)**

294. This Act was passed to authorise the repair and maintenance of the Surrey roads-

- ◆ leading from Milford, over Milford Heath, through Brook and Haslemere to the 43<sup>rd</sup> milestone at Carpenter's Heath (in Haslemere)
- ◆ from Carpenter's Heath to the bridge in Haslemere near the Blue Bell Inn.<sup>167</sup>

The Act superseded and repealed earlier enactments passed for this purpose.<sup>168</sup>

295. The 1831 Act was expressed to last for 31 years from March 1831, and so expired in 1862. The ATCA 1863 provided that the 1831 Act should not be continued further than this expiry date.<sup>169</sup> It may therefore now be formally repealed.

#### **1 Will.4 c.xlii (1831) (Horley Common, Black Corner and Cuckfield Road Act)**

296. This Act was passed to authorise the repair and maintenance of a road from Horley (Surrey) to Cuckfield (West Sussex). The road ran from the Chequers Inn on Horley Common, across Horley Common to Black Corner, through Worth and Balcombe to Whiteman's Green in Cuckfield. The Act superseded and repealed an earlier enactment passed for this purpose.<sup>170</sup>

297. The Act was expressed to last for 31 years from March 1831, and so expired in 1862. The ATCA 1863 provided that the 1831 Act should not be continued further than this expiry date.<sup>171</sup> The 1831 Act may therefore now be formally repealed.

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<sup>163</sup> The 1873 Act, s 3, Sch 4.

<sup>164</sup> At the time, Hounslow Heath was situated in the county of Middlesex. Today it is part of the London Borough of Hounslow. The mills manufactured gunpowder. The last one closed in 1927.

<sup>165</sup> 49 Geo.3 c.lviii (1809); 54 Geo.3 c.cxx (1814).

<sup>166</sup> The 1875 Act, s 4, Sch 4.

<sup>167</sup> According to the 1831 Act, the stream beneath the bridge was known as "Houndley's Water".

<sup>168</sup> 4 Geo.3 c.63 (1764); 27 Geo.3 c.95 (1787); 48 Geo.3 c.cxxxviii (1808).

<sup>169</sup> The 1863 Act, s 2.

<sup>170</sup> 49 Geo.3 c.xciv (1809).

<sup>171</sup> The 1863 Act, s 2.

### **3 & 4 Will.4 c.xxxviii (1833) (Egham Hill and Bagshot Road Act)**

298. This Act was passed to authorise the repair and improvement of the Surrey road from the 20-mile stone on Egham Hill to Basingstone, near Bagshot in the parish of Windlesham. The Act superseded and repealed an earlier enactment.<sup>172</sup>

299. The Act was expressed to last for 31 years from May 1833. It eventually expired on 1 November 1877 by virtue of the ATCA 1875.<sup>173</sup> It may therefore now be formally repealed.

### **3 & 4 Will.4 c.liii (1833) (Ockley and Warnham Road Act)**

300. This Act was passed to authorise the repair and maintenance of the road from Stone Street Hatch at Ockley in Surrey to Warnham in West Sussex (to join a branch of the Horsham to Guildford turnpike road). The Act superseded and repealed an earlier enactment.<sup>174</sup>

301. The 1833 Act was expressed to last for 31 years from May 1833, and so expired in 1864. The ATCA 1865 provided that the 1833 Act should not be continued further than this expiry date.<sup>175</sup> It may therefore now be formally repealed.

### **Croydon and Reigate Turnpike Road Act 1850 (13 & 14 Vict. c.xlix)**

302. This Act was passed to authorise the management and repair of the road from Foxley Heath in Croydon<sup>176</sup> to Reigate in Surrey. The Act superseded and repealed an earlier enactment.<sup>177</sup>

303. The road ran through the parishes of Croydon, Beddington, Coulsdon, Chipstead, Merstham and Gatton and the boroughs of Santon (otherwise known as Lingfield Street) and Reigate.

304. The 1850 Act was expressed to last for 21 years from August 1850. It expired on 5 August 1872 by virtue of the ATCA 1871.<sup>178</sup> It may therefore now be formally repealed.

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<sup>172</sup> 56 Geo.3 c.xviii (1816).

<sup>173</sup> The 1875 Act, s 4, Sch 4.

<sup>174</sup> 52 Geo.3 c.xxvi (1812).

<sup>175</sup> The 1865 Act, s 1.

<sup>176</sup> Croydon today is a London borough. Foxley Heath today is in Purley (part of that London borough).

<sup>177</sup> 7 & 8 Geo.4 c.xiii (1827).

<sup>178</sup> The 1871 Act, s 12.

**Godstone and Highgate Turnpike Trust Liquidation of Debt Act 1850 (13 & 14 Vict. c.lxxxiv)**

305. This Act was passed to authorise the continuance of the Godstone and Highgate Turnpike Trust for a period of 9 years to enable the trust to pay off its mortgage debts.

306. The Act superseded and repealed an earlier enactment<sup>179</sup> which authorised the trust to repair the road from Godstone (Surrey) to Highgate in East Grinstead (West Sussex).

307. The 1850 Act was expressed to last for 9 years from August 1850, with a provision for the Act to expire before that date in the event of the trust's debts being paid off earlier than expected.<sup>180</sup> It therefore expired no later than 1859 and may therefore now be formally repealed.

**Surrey and Sussex Roads Act 1850 (13 & 14 Vict. c.lxxxv)**

308. This Act was passed to authorise the repair and improvement of certain roads in areas that now fall within Surrey, East and West Sussex and the London Boroughs of Southwark, Lambeth, Croydon, Sutton, Merton and Kingston-upon-Thames. The Act superseded and repealed earlier enactments.<sup>181</sup>

309. The Act authorised works to the following roads-

- ◆ from *The Mansion House public house* in Kennington Road in the parish of St Mary Lambeth through Croydon, Godstone (Surrey), East Grinstead and Highgate (West Sussex), to Witchcross (*now* Wych Cross) (East Sussex)
- ◆ from Kennington Road by Kennington Common, through Clapham, Tooting and Mitcham to Sutton<sup>182</sup>
- ◆ from the Wandsworth Road in the parish of St Mary Lambeth, through Wandsworth to the *King's Arms Inn* in Kingston-upon-Thames<sup>183</sup>
- ◆ from the South Lambeth Road in the parish of St Mary Lambeth, through South Lambeth and Stockwell to the Kennington Road at Brixton Causeway

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<sup>179</sup> 9 Geo.4 c.cx (1828).

<sup>180</sup> The 1850 Act, s 22.

<sup>181</sup> 9 Geo.4 c.cxx (1828); 12 & 13 Vict. c.xlvii (1849).

<sup>182</sup> Sutton was part of Surrey in 1850. Today it is a London Borough.

<sup>183</sup> Kingston-upon-Thames was part of Surrey in 1850. Today it is a London Borough.

- ◆ from Harleyford Street (on the eastern side of Kennington Oval) to Camberwell Green
- ◆ from the Walworth Road in the parish of St Mary Newington, through Walworth, Camberwell and Peckham to Peckham Lane
- ◆ from Camberwell Green to the *Fox Public House* at Denmark Hill.

310. The 1850 Act was expressed to last for 11 years from August 1850. In the event it expired on 5 July 1865 by virtue of the ATCA 1865.<sup>184</sup> It may therefore now be formally repealed.

### **Bramley and Ridgewick Turnpike Road Act 1852 (15 & 16 Vict. c.xcii)**

311. This Act was passed to authorise the maintenance and repair of roads in Surrey and Sussex. The Act superseded and repealed an earlier enactment passed for this purpose.<sup>185</sup>

312. The Act authorised works to the following roads-

- ◆ the Surrey road from Bramley to Wonersh
- ◆ the road from Wonersh, through Cranleigh<sup>186</sup> and Ewhurst to Rudgwick<sup>187</sup> (linking with the Brighton to London road) in West Sussex.

313. The Act was expressed to last for 21 years from October 1852. In the event it expired on 1 November 1874 by virtue of the ATCA 1874.<sup>188</sup> It may therefore now be formally repealed.

### **Petworth Turnpike Roads Act 1854 (17 & 18 Vict. c.lxxi)**

314. This Act was passed to authorise the maintenance of certain roads in Surrey and Sussex. It superseded and repealed earlier enactments passed for this purpose.<sup>189</sup>

315. The Act authorised works to the following roads-

- ◆ from Milford (Surrey) through Witley and Chiddingfold (also Surrey) and then through Northchapel, Petworth, Duncton, Upwaltham to Sebbage

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<sup>184</sup> The 1865 Act, s 1.

<sup>185</sup> 58 Geo.3 c.lxix (1818).

<sup>186</sup> Spelled "Cranley" in the Act.

<sup>187</sup> Spelled "Ridgewick" or "Rudgewick" in the Act.

<sup>188</sup> The 1874 Act, s 3, Sch 3.

<sup>189</sup> 30 Geo.2 c.50 (1757); 5 Geo.3 c.57 (1765); 39 & 40 Geo.3 c.ix (1800); 1 Geo.4 c.xliv (1820).

Gate (on the boundary of the parishes of Eartham and Boxgrove (all in West Sussex)

- ◆ from Petworth, through Fittleworth to Stopham Bridge (all in West Sussex).

316. The 1854 Act was expressed to last for 21 years from November 1854. It therefore expired in 1875 and may now be formally repealed.

#### **Horsham and Dorking Turnpike Road Act 1858 (21 & 22 Vict. c.xlix)**

317. This Act was passed to authorise the repair and maintenance of certain roads in Surrey and Sussex. The Act superseded and repealed an earlier enactment passed for this purpose.<sup>190</sup>

318. The Act authorised works to the following roads-

- ◆ from Horsham (West Sussex) through Capel, Dorking, Mickleham and Leatherhead to Epsom (all Surrey)
- ◆ the Surrey road from Capel to Stone Street in Ockley.

319. The Act was expressed to last for 21 years from October 1858. In the event it expired on 1 November 1880 by virtue of the ATCA 1880.<sup>191</sup> It may therefore now be formally repealed.

#### **Kingston and Leatherhead Turnpike Road Act 1861 (24 & 25 Vict. c.xxvii)**

320. This Act was passed to authorise the repair and maintenance of the turnpike road from Kingston-upon-Thames to Leatherhead in Surrey. The Act superseded and repealed an earlier enactment passed for this purpose.<sup>192</sup>

321. The road ran from Seething Wells (in Surbiton, within the Royal Borough of Kingston-upon-Thames), through the Surrey parishes of Kingston-upon-Thames, Hook, Chessington and Malden to the *Swan Inn* in Leatherhead.

322. The 1861 Act was expressed to last for 21 years from October 1861. In the event it expired on 1 November 1883 by virtue of the ATCA 1883.<sup>193</sup> It may therefore now be formally repealed.

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<sup>190</sup> 4 Geo.4 c.lxxxvi (1823).

<sup>191</sup> The 1880 Act, s 2, Sch 2.

<sup>192</sup> 6 Geo.4 c.xlvi (1825).

<sup>193</sup> The 1883 Act, s 2, Sch 2.

## GROUP 3 – LONDON TO HOLYHEAD

### *Holyhead Road Acts*

#### *Introduction*

323. This final part of the note proposes the repeal of a number of obsolete enactments relating to the finance, construction, repair and maintenance of the roads between London and Holyhead (in Anglesey). Tolls under the turnpike legislation continued to be charged on parts of these roads until 1895.<sup>194</sup>

324. The origins of the roads between London and Holyhead (Anglesey) pre-date the Roman occupation of Britain. Ancient tracks already existed when the Romans paved the route from London through St Albans (Verulanium) to Wroxeter (near Shrewsbury) around 65AD, with one section proceeding to Holyhead and another going via Chester to Scotland. The London to Wroxeter part of this road was known as Watling Street and is today the route of the A5 road.<sup>195</sup>

325. The departure of the Romans by the start of the 5<sup>th</sup> century was followed by a long period of neglect when the road fell into disrepair, although as from the early eighteenth century turnpike trusts were set up to repair parts of the road.<sup>196</sup> However, the turnpikes were organised in a piecemeal manner, with no single body in control of the entire route. Instead the London to Holyhead turnpike road was controlled by seven different turnpike trusts. In 1769, the London to Holyhead Road started in London with an arch so low that a moderately low stage wagon could not pass through it and finished with excessive gradient changes across Snowdonia and a treacherous crossing at Menai. In 1781, the Coventry to Birmingham road (turnpiked in 1723-1745) was regarded as being as bad as the Birmingham to Dudley Road which was considered despicable beyond description.

326. By the early nineteenth century, however, the need to shorten the journey-time (3 days) between Holyhead and London had become urgent. The stretch between Holyhead and Shrewsbury was the most difficult and included a ferry journey across the Menai Straits to reach or leave Anglesey. Moreover the union with Ireland in

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<sup>194</sup> The last remaining trust in England and Wales expired on 1 November 1895. The trust covered the Anglesey portion of the Shrewsbury to Holyhead road. See Shrewsbury and Holyhead Road (Anglesey and Carnarvon) Act 1890 (c.clxxxv), s 1, Sch.

<sup>195</sup> *Watling* derives from the Anglo-Saxon name *Waecelinga*. Watling Street also ran from London through Canterbury to Dover, today the route of the A2.

<sup>196</sup> For example the St Albans and South Mimms Turnpike Trust was established in 1715, responsible for 11 miles of road from South Mimms to Shafford.

1800<sup>197</sup> meant that the 100 newly-elected Irish MPs needed a safer and quicker route to the Westminster Parliament.<sup>198</sup>

327. In 1810 Thomas Telford, the surveyor of public works for Shropshire, was commissioned by the British Government to report on the state of the roads between London and Holyhead. The following year he presented Parliament with his plan to re-build the 260 mile road. These plans included the building of the Menai and Conway Suspension Bridges. In 1815 Parliament approved his plans and passed legislation that granted £20,000 for the repair and rebuilding of the road.<sup>199</sup> Existing turnpike trusts were deployed in part of this rebuilding work. Thomas Telford's work on the road, including improving its route, was largely completed by 1826, the year when his Menai Suspension Bridge was opened.

328. Although Thomas Telford reduced the journey time of the mail coach between Holyhead and London to 27 hours, the project was costly. The supervision of the Holyhead Road Commission meant that individual turnpike trusts had little say in the decisions affecting their roads even though they had to bear the cost. Just 12 years after the London to Holyhead turnpike road was finished, it was superseded by superior technology. In 1846 the Chester to Holyhead railway opened and the mail moved to the railways. The turnpike trusts were ultimately all wound up by the end of the nineteenth century.

329. The enactments in the *first* part of this Group (*Finance*) mostly relate to the public finance, in the form of Treasury grants or loans, required to construct and improve the road between London and Holyhead in the early 19<sup>th</sup> century. They include provisions for controlling the functions of the various turnpike trusts that had already acquired statutory powers to repair stretches of the road and charge tolls to those using it. The enactments in the *second* part of this Group (*Turnpike*) date from 1775 and are the statutory vehicles that gave these turnpike trusts their powers to carry out the repairs and charge tolls.

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<sup>197</sup> The Act of Union 1800 unified Great Britain and Ireland.

<sup>198</sup> Improving the links between Holyhead and London were also needed to speed up the carrying of mail between Ireland and London. Holyhead had long been a port used for the transit of such mail.

<sup>199</sup> 55 Geo.3 c.152 (Holyhead Roads Act).

## (1) FINANCE

### 55 Geo.3 c.152 (1815) (Holyhead Roads Act)

330. According to its long title, the purpose of this Act was-

*for granting to His Majesty the Sum of Twenty thousand Pounds, to be issued and applied towards repairing Roads between London and Holyhead, by Chester, and between London and Bangor, by Shrewsbury.*

331. The 1815 Act provided as follows-

- (a) £20,000 was to be made available by HM Exchequer to the Commissioners appointed under the Act (*“the 1815 Act Commissioners”*). The Commissioners had to determine which roads between (1) London and Holyhead via Chester and (2) London and Bangor Ferry via Shrewsbury should be constructed, altered or repaired
- (b) the Commissioners were authorised to enter into contracts and acquire land for the purpose of construction, alteration and repair of the roads
- (c) the Commissioners must report on their progress by 5 July 1816.

332. All the property and powers vested in the Commissioners appointed under this 1815 Act were subsequently vested in the Commissioners appointed under an Act of 1823.<sup>200</sup> Since the purpose of this 1815 Act (the construction of the London to Holyhead road) was completed in 1826 the Act is spent and may now be repealed.

### 1 Geo.4 c.70 (1820) (Roads (London to Chirk) Act)

333. According to its long title, the purpose of this 1820 Act was-

*for improving the Roads between London and Chirk, in the County of Denbigh, by Coventry, Birmingham, and Shrewsbury.*

334. The *preamble* to the 1820 Act recorded that more money was needed to improve and alter the roads between London and Chirk<sup>201</sup> via Coventry, Birmingham and Shrewsbury.

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<sup>200</sup> 4 Geo.4 c.74, s 23. The 1815 Act Commissioners were discharged from their functions at the same time: the 1823 Act, s 3.

<sup>201</sup> Chirk was then in Denbighshire, but today falls within Wrexham County Borough in Clwyd.

335. The 1820 Act provided as follows-

- (a) *the 1815 Act Commissioners* were appointed as Commissioners for carrying out the purposes of this 1820 Act and to improve the roads set out in the Schedule to the Act, having first determined which of the roads should be improved
- (b) the turnpike trustees responsible for repairing and maintaining any road that *the 1815 Act Commissioners* so determine should be improved were required to pay over to the 1815 Act Commissioners the cost of such improvement.<sup>202</sup> The paying trustees were to be reimbursed by the *Commissioners for the Issue of Exchequer Bills* (“*the Exchequer Commissioners*”)<sup>203</sup> appointed under an Act of 1817<sup>204</sup>
- (c) provisions to empower *the 1815 Act Commissioners* to carry out the necessary works
- (d) the Schedule to the 1820 Act listed the existing road/turnpike trusts affected by the Act as follows-
  - ◆ Shrewsbury to Holyhead
  - ◆ Shrewsbury District of Watling Street
  - ◆ Wellington (near Shrewsbury)
  - ◆ Shifnal (near Telford)
  - ◆ Wolverhampton
  - ◆ Bilstone (near Wolverhampton)
  - ◆ Birmingham and Wednesbury
  - ◆ Birmingham and Stone Bridge
  - ◆ Stone Bridge and Dunchurch (near Rugby)
  - ◆ Dunchurch and Stratford
  - ◆ Stratford and Hockliffe (near Dunstable)
  - ◆ Whetstone (near Barnet).

336. Since the purpose of this 1820 Act (the construction of the roads between London and Chirk) was completed in 1826 the Act is spent and may now be repealed.

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<sup>202</sup> Such turnpike trustees or Commissioners were appointed by local Act of Parliament and given the power to charge tolls in respect of the roads that they were required to construct and maintain pursuant to that Act.

<sup>203</sup> These Exchequer Commissioners were part of what is today known as HM Treasury. The Exchequer was abolished in 1833 when the Treasury became a ministerial department under the Chancellor of the Exchequer.

<sup>204</sup> 57 Geo.3 c.34 (Public Works Loans).

**1 & 2 Geo.4 c.30 (1821) (Holyhead Roads Act)**

337. According to its long title, the purpose of this 1821 Act was-

*for further improving the Road between London and Holyhead, by Coventry, Birmingham and Shrewsbury.*

338. The *preamble* to the 1821 Act recorded that more money was needed to alter and improve the roads between London and Shrewsbury, by Coventry and Birmingham.

339. The 1821 Act provided as follows-

- (a) *the 1815 Act Commissioners* were appointed as Commissioners for carrying out the purposes of this 1821 Act and to improve the roads set out in the Schedule to the Act
- (b) *the Exchequer Commissioners* were authorised to lend *the 1815 Act Commissioners* up to £31K (repayable at 5% interest) to meet the cost of the road improvements
- (c) the trustees of the various turnpike roads being improved were authorised to increase their tolls to cover the cost of the loans
- (d) *the 1815 Act Commissioners* were authorised to take steps to secure repayment of the advances made to each set of turnpike trusts, including taking possession of toll gates and toll moneys
- (e) a new line of road in Birmingham was to be vested in the turnpike trustees acting in execution of a 1794 Act.<sup>205</sup> They were then to set up toll gates on that road
- (f) other new roads (including new roads in the St Albans area), once completed, were to be vested in the turnpike trustees of the district in which those roads were situated
- (g) the Schedule (A) to the 1821 Act listed the following existing turnpike trusts where roads were to be improved pursuant to the Act-
  - ◆ Hockliffe and Old Stratford
  - ◆ Dunchurch and Stone Bridge
  - ◆ Stone Bridge and Birmingham
  - ◆ Bilston
  - ◆ Wolverhampton
  - ◆ Shifnal District of the Watling Street

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<sup>205</sup> 34 Geo.3 c.115 (Warwick Roads). This Act was repealed by 2 & 3 Will.4 c.xxxiii (1832).

◆ Wellington District of the Watling Street.

340. Since the purpose of this 1821 Act (the construction of the roads between London and Shrewsbury) was completed in 1826 the Act is spent and may now be repealed.

#### **6 Geo.4 c.100 (1825) (Holyhead Road Act)**

341. According to its long title, the purpose of this 1825 Act was-

*to extend the Powers of an Act<sup>206</sup> for vesting in Commissioners the Bridges building over the Menai Straits and the River Conway, and the Harbours of Howth and Holyhead, and the Road from Dublin to Howth; and for the further Improvement of the Road from London to Holyhead.*

342. The *preamble* to the 1825 Act recorded that more money was needed to improve the road from London to Holyhead including work to a road in or near St Albans.

343. The 1825 Act provided as follows-

- (a) HM Treasury were authorised to issue from the Consolidated Fund up to £16K to Commissioners appointed by an Act of 1823<sup>207</sup> (*“the 1823 Act Commissioners”*) for spending on roads in St Albans (within the St Albans Turnpike Trust), Wednesbury (within the Bilstone Turnpike Trust), Summer House Hill (within the Wolverhampton Turnpike Trust), and roads within the Shifnal District of the Watling Street Trust
- (b) *the 1823 Act Commissioners* were required to take steps to ensure that the necessary road works were carried out
- (c) provision for vesting in Earl Verulam the roadway between his mansion house called Gorhambury and the Peahen Inn in St Albans; road through Kingsbury Pightle to be stopped up; miscellaneous provisions as to the collection of tolls by the St Albans Trust, the Bilstone Trust, the Wolverhampton Trust and the Shifnal District of the Watling Street Trust
- (d) *the 1823 Act Commissioners* were authorised to make a branch road in Anglesey from the Menai Bridge.

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<sup>206</sup> The Act referred to is an Act of 1823 (4 Geo.4 c.74) (Holyhead etc Bridges and Roads Act). The present 1825 Act did not directly affect the bridges or harbours referred to in the long title.

<sup>207</sup> 4 Geo.4 c.74 (Holyhead etc Bridges and Roads).

344. Since the purpose of this 1825 Act (the construction of the roads between London and Holyhead) was completed in 1826 the Act is spent and may now be repealed.

#### **7 Geo.4 c.76 (1826) (Holyhead Bridges and Roads Act)**

345. According to its long title, the purpose of this 1826 Act was-

*for further extending the Powers of an Act<sup>208</sup> for vesting in Commissioners the Bridges building over the Menai Straits and the River Conway, and the Harbours of Howth and Holyhead, and the Road from Dublin to Howth, and for the further Improvement of the Road from London to Holyhead.*

346. The *preamble* to the 1826 Act recorded that it would be of great public benefit if the Treasury were to advance more money to the 1823 Act Commissioners to improve the London to Holyhead road.

347. The 1826 Act provided as follows-

- (a) HM Treasury were authorised to issue from the Consolidated Fund up to £32K to *the 1823 Act Commissioners* for spending on roads in Barnet, South Mimms (within the St Albans Trust), between Old Stratford and Dunchurch (within the Dunchurch and Stratford Trust), and near the Peahen Inn (within the St Albans Trust)
- (b) *the 1823 Act Commissioners* were required to take steps to ensure that the necessary road works were carried out
- (c) provision for the collection of tolls by the St Albans Trust and the Stratford and Dunchurch Trust.

348. Since the purposes of this 1826 Act (the construction of the roads in the Northamptonshire, Warwickshire and Hertfordshire stretch of the London to Holyhead road) have been completed, the Act is spent and may now be repealed.

#### **7 & 8 Geo.4 c.35 (1827) (London and Holyhead and Liverpool Roads Act)**

349. According to its long title, the purpose of this 1827 Act was-

*for the further Improvement of the Road from London to Holyhead, and of the Road from London to Liverpool.*

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<sup>208</sup> The Act referred to is an Act of 1823 (4 Geo.4 c.74) (Holyhead etc Bridges and Roads Act). The present 1826 Act did not directly affect the bridges or harbours referred to in the long title.

350. The *preamble* to the 1827 Act recorded that it would be of great public benefit if *the 1823 Act Commissioners* were to use the surplus of £12K left in their hands following the Treasury advances made under the 1826 Act to improve other roads between London and Holyhead.

351. The 1827 Act provided as follows-

- (a) *the 1823 Act Commissioners* were authorised to use the £12K surplus in making a new section of the London to Holyhead road from the Seven Stars Public House at Whitley in the City of Coventry, through Coventry to Allesley (the road being within the Dunchurch and Stonebridge Trust)
- (b) *the 1823 Act Commissioners* were required to take steps to ensure that the necessary road works were carried out
- (c) provision for the collection of tolls by the Dunchurch and Stonebridge Trust
- (d) provisions for application of the tolls money arising from the Bangor to Conwy road
- (e) provisions as to roads in St Albans, the road from South Mimms to Barnet, and the road from Camphill to Moxley (in the Bilstone Trust)
- (f) *the 1823 Act Commissioners* to cause surveys to be made of the roads and bridges needed from the London and Holyhead mail coach road to Liverpool to determine the layout of the new roads and bridges; provision for the trustees of the roads to borrow the estimated cost of the new roads and bridges
- (g) *the 1823 Act Commissioners* were authorised to enquire into the state of the mail coach road from London (via Coventry, Lichfield and Newcastle) to Liverpool.

352. Since the purpose of this 1827 Act (the improvement of the roads between London and Holyhead) has long since been completed, the Act is spent and may now be repealed.

#### **9 Geo.4 c.75 (1828) (Holyhead Roads Act)**

353. According to its long title, the purpose of this 1828 Act was-

*for the further Improvement of the Road from London to Holyhead, and of the Road from London to Liverpool.*

354. The *preamble* to the 1828 Act recorded that it would be of great public benefit if HM Treasury were to advance more money to *the 1823 Act Commissioners* to make further alterations and improvements to the London to Holyhead road.

355. The 1828 Act provided as follows-

- (a) HM Treasury were authorised to issue from the Consolidated Fund up to £36,700 to *the 1823 Act Commissioners* for spending on roads in the Highgate Archway Company's Trust in Highgate (north London), the road from Hockliffe to Stoney Stratford (in the Hockliffe and Stratford Trust), the road from the *Seven Stars Public House* at Whitley in the City of Coventry, through Coventry to Allesley (within the Dunchurch and Stonebridge Trust), the new section of road from the *Coach and Horses Public House* in Bilston Street to Salop Street in Wolverhampton (within the Wolverhampton Trust), and a new section of road in Shifnal (in the Shifnal District of the Watling Street Trust)
- (b) provisions for the collection and application of tolls by the various turnpike trusts
- (c) extension of the existing powers of the trustees operating under the various turnpike trusts.

356. Since the purpose of this 1828 Act (the improvement of the roads between London and Holyhead) has long since been completed, the Act is spent and may now be repealed.

#### **11 Geo.4 & 1 Will.4 c.67 (1830) (Holyhead, Liverpool Roads Act)**

357. According to its long title, the purpose of this 1830 Act was-

*to alter and amend several Acts for the Improvement of the Roads from London to Holyhead, and from London to Liverpool; and for the further Improvement of the said Roads.*

358. The *preamble* to the 1830 Act recorded that some doubts had arisen as to the powers of the St Albans Turnpike Trustees to raise tolls.

359. The 1830 Act provided as follows-

- (a) the powers of the St Albans turnpike trustees to collect tolls at the White Hart Gate, South Mimms were confirmed

- (b) clarification of the authority of the Dunchurch and Stonebridge Trust to collect certain tolls in the Coventry area; repeal of provisions in the 1828 Act (9 Geo.4 c.75) relating to a road within the Highgate Archway Trust; financial provisions concerning that road
- (c) newly-completed sections of road to be vested in the trustees of the Hockliffe and Stratford Trust and of the Wolverhampton Trust
- (d) *the 1823 Act Commissioners* were authorised to reach agreement with any of the turnpike trusts between London and Holyhead for the repair and improvement of any of the roads for which those trusts were responsible; *the 1823 Act Commissioners* were authorised to take steps to carry out such repairs and improvements.

360. Since the purpose of this 1830 Act (the improvement of the roads between London and Holyhead) has long since been fulfilled, the Act is spent and may now be repealed.

#### **4 & 5 Will.4 c.66 (1834) (Menai and Conway Bridges Act)**

361. According to its long title, the purpose of this 1834 Act was-

*for empowering the Commissioners of His Majesty's Woods, Forests, Land Revenues, Works, and Buildings*<sup>209</sup> *to pay the net Proceeds of the Tolls of the Menai and Conway Bridges into the Receipt of His Majesty's Exchequer at Westminster, to the account of the Consolidated Fund.*

362. The *preamble* to the 1834 Act recorded that it was expedient that the net tolls received at the turnpike or toll gates erected at the Menai and Conwy Bridges should be paid direct to HM Treasury.

363. The background to this 1834 Act is that an Act of 1833<sup>210</sup> had transferred to the Commissioners of *His Majesty's Woods, Forests, Land Revenues, Works and Buildings* all the powers and property of *the 1823 Act Commissioners*. This involved the transfer of all the functions concerning the roads, harbours and bridges vested in *the 1823 Act Commissioners* including those relating to (1) the road from London to

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<sup>209</sup> The functions of these Commissioners were, pursuant to the Crown Lands Act 1851, vested in (a) the Commissioners of Works and Public Buildings, and (b) the Commissioners of Woods, Forests and Land Revenues. Today the functions of (a) are vested in the Secretary of State for Culture, Media and Sport, whilst the functions of (b) are vested in the Crown Estate pursuant to the Crown Estate Act 1961.

<sup>210</sup> 3 & 4 Will.4 c.43 (Holyhead Roads Act).

Holyhead (2) the bridges over the Menai Straits and the river Conwy (3) Holyhead Harbour and (4) the harbour at Howth (near Dublin) and the roads around Dublin.

364. The 1834 Act provided as follows-

- (a) the net toll receipts from the Menai and Conwy Bridges should be paid direct to HM Treasury (into the Consolidated Fund)
- (b) the trustees of the St Albans Trust, the Hockliffe and Stratford Trust, the Dunchurch and Stonebridge Trust, and the Shifnal District of the Watling Street Trust were authorised to continue charging tolls to enable them to repay the sums lent to them by *the 1823 Act Commissioners*, the repayment to be made to the *Commissioners of Woods, Forests, Land Revenues, Works and Buildings*.

365. The principle purpose of this 1834 Act related to the tolls charged at the turnpike gates on the Menia and Conwy bridges. These tolls have long ceased to be charged. The toll-charging provisions relating to the trustees of the St Albans and other trusts referred to in the Act ceased to have effect pursuant to the *Holyhead Road Relief Act 1861* (proposed for repeal below). Accordingly the 1824 Act has become unnecessary and may now be repealed.

#### **5 & 6 Will.4 c.21 (1835) (Shrewsbury to Bangor Road Act)**

366. According to its long title, the purpose of this 1835 Act was-

*to amend and alter an Act of the Fifty-ninth Year of His late Majesty King George the Third<sup>211</sup>, for vesting in Commissioners the Line of Road from Shrewsbury in the County of Salop to Bangor Ferry in the County of Carnarvon; and for discharging the Trustees under several Acts ... from the future Repair and Maintenance thereof; and for repealing so much of the said Acts as affect the said Line of Road.*

367. The *preamble* to the 1835 Act recites the fact that the new road from Bangor Ferry to Holyhead authorised by an Act of 1819 (59 Geo.3 c.48) had been vested, pursuant to that Act, in Commissioners appointed under an earlier 1819 Act (59 Geo.3 c.30); and that some amendments to that earlier 1819 Act were necessary.

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<sup>211</sup> (1819) 59 Geo.3 c.30.

368. The 1835 Act provided as follows-

- (a) changes in the constitution of the Commissioners appointed under the earlier 1819 Act changes in the powers of those Commissioners to levy tolls in respect of the road between Shrewsbury and Holyhead
- (b) penalties for damaging or obstructing the roads between Shrewsbury and Holyhead.

369. This 1835 Act has long been obsolete. The earlier 1819 Act that it amended ceased to have effect in Anglesey on 1 November 1895 and was repealed in respect of Carnarvon on 1 November 1890 so far, in either case, as it related to the Shrewsbury to Holyhead road.<sup>212</sup> The penalties for damaging or obstructing roads are today provided by modern legislation.<sup>213</sup> Accordingly the 1835 Act is no longer necessary and may now be repealed.

**6 & 7 Will.4 c.35 (1836) (London and Holyhead Road Act)**

370. According to its long title, the purpose of this 1836 Act was-

*for further improving the Road between London and Holyhead, by Coventry, Birmingham, and Shrewsbury.*

371. The *preamble* to this 1836 Act recorded that it would be of great public benefit if HM Treasury were to advance further sums to the *Commissioners of Woods, Forests, Land Revenues, Works and Public Buildings* to permit improvements to the London to Holyhead road.

372. The 1836 Act provided as follows-

- (a) the *Commissioners of Works, Forests, Land Revenues, Works and Public Buildings* were appointed as Commissioners for giving effect to this Act and carrying out the relevant road improvements
- (b) HM Treasury were authorised to advance to these Commissioners a sum not exceeding £64.5k
- (c) the improvements were to be carried out on roads within the areas of the Dunstable Trust, the Puddle Hill Trust, the Hockliffe and Stratford Trust, the Stratford and Dunchurch Trust, the Dunchurch and Stonebridge Trust and the Shrewsbury and Holyhead Trust

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<sup>212</sup> Shrewsbury and Holyhead Road (Anglesey and Carnarvon) Act 1890 (53 & 54 Vict. c.clxxxv), ss 1, 2.

<sup>213</sup> Highways Act 1980, Part 9 (especially sections 131 and 137).

- (d) powers given by the Acts of 1826 (7 Geo.4 c.76) and 1833 (3 & 4 Will.4 c.43) to be extended to these Commissioners
- (e) these Commissioners were required to take steps to ensure the completion of the improvements authorised by this Act
- (f) powers for each set of turnpike trusts to collect tolls; application of the toll moneys
- (g) these Commissioners ceased to be responsible for the roads between Dublin and Howth Harbour and for Howth Harbour itself, and transferred the same to *the Commissioners of Works in Ireland* acting pursuant to an Act of 1831 (1 & 2 Will.4 c.33)<sup>214</sup> who would thereafter assume responsibility for their repair and maintenance; toll moneys to be diverted to those Commissioners of Works.

373. The purpose of this 1836 Act (the improvement of the roads between London and Holyhead) has long since been completed. Accordingly the Act is spent and may now be repealed.

#### **Holyhead Road Relief Act 1861 (24 & 25 Vict. c.28)**

374. According to its long title, the purpose of this 1861 Act was “*to relieve certain Trusts on the Holyhead Road from Debts*”.

375. The *preamble* to the 1861 Act recorded that the sums repayable by a number of turnpike trusts to the *Commissioners of Her Majesty’s Works and Public Buildings*<sup>215</sup> were secured on the tolls chargeable by those trusts; and that the establishment of the railways had reduced the traffic on parts of the London to Holyhead road to such an extent that the additional tolls needed to secure the debts were heavy burdens on the districts affected.

376. The 1861 Act provided for the extinguishment, on or before 30 April 1876, of all debts owed to the *Commissioners of Her Majesty’s Works and Public Buildings*, in respect of the London to Holyhead Road enactments described earlier in this note, by the following turnpike trusts-

- ◆ St Albans and Barnet Trust
- ◆ Highgate Archway Company

<sup>214</sup> Public Works (Ireland) Act of 1831 which was repealed finally by the Statute Law Revision Act 1953.

<sup>215</sup> The functions of the Commissioners of Her Majesty’s Works and Public Buildings are today vested in the Secretary of State for Culture, Media and Sport.

- ◆ Hockliffe and Stratford Trust
- ◆ Shifnal District of the Watling Street Road Trust
- ◆ Dunstable Road Trust
- ◆ Puddle Hill Road Trust
- ◆ Stratford and Dunchurch Road Trust.

377. The 1861 Act also provided for the phasing out of the tolls charged by these turnpike trusts on or before 20 August 1876.

378. The purpose of this 1861 Act was achieved when the extinguishment of debt and the phasing out of toll charges was completed during 1876. Thereafter the Act became spent and may now be repealed.

#### **Highgate Archway Act 1884 (47 & 48 Vict. c.xxi)**

379. This 1884 Act was passed to provide for the winding up of the affairs and the dissolution of the *Highgate Archway Company* (“The Company”).

380. The Company was incorporated by an Act of 1810<sup>216</sup> for the purposes of-  
*making and maintaining a road partly by an archway through the east side of Highgate Hill communicating with the present turnpike road from London to Barnet at Upper Holloway in the parish of St Mary Islington and near the brook below the fifth milestone in the parish of Hornsey in the county of Middlesex.*<sup>217</sup>

381. This north London road was duly completed in 1813. Tolls on this road ceased and it became a highway maintainable at public expense during the late 1870s pursuant to the terms of the *Holyhead Road Relief Act 1861*. The purposes for which the Company had been established thereupon ceased. The 1884 Act was therefore passed to provide for the winding-up of the Company and the distribution of its remaining assets prior to its dissolution. *Section 4* of the 1884 Act provided that “the Company shall be by this Act dissolved and shall wholly cease to exist” upon notification in the *London Gazette* that the Company’s affairs had been wound up. Such notification was published on 12 July 1887.<sup>218</sup>

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<sup>216</sup> Known as the St Mary Islington Road Act (50 Geo.3 c.lxxxviii).

<sup>217</sup> The 1810 Act, long title.

<sup>218</sup> *The London Gazette*, 12 July 1887, page 3775.

382. The 1884 Act became spent upon the dissolution of the Company and so may now be formally repealed.

## (2) TURNPIKE ACTS

### **15 Geo.3 c.73 (1775) (Old Stratford to Dunchurch Road Act)**

383. This 1775 Act<sup>219</sup> was passed to authorise the repair of the roads from Old Stratford (Northamptonshire) to Dunchurch (Warwickshire). It superseded and repealed earlier enactments passed for that purpose.<sup>220</sup>

384. The Act was expressed to last for 21 years from June 1775. Thereafter it was continued by an Act of 1796 (36 Geo.3 c.141, referred to below), by an Act of 1814 (54 Geo.3 c.cxxvi, also referred to below) and by an Act of 1822 (3 Geo.4 c.xci, also referred to below). All these Acts are proposed for repeal below.

### **18 Geo.3 c.88 (1778) (Salop Roads Act)**

385. This 1778 Act<sup>221</sup> was passed to authorise the repair and widening of the Shropshire road from the Birches Brook through the parishes of Buildwater, Leighton, Eaton Constantine and Wroxeter to Buildwas Bridge, and from there to join the Watling Street turnpike road at Tern Bridge.

386. The Act was expressed to last for 21 years from June 1778. Thereafter it was continued by an Act of 1799 (29 Geo.3 c.xvi, referred to below) and an Act of 1820 (60 Geo.3 & 1 Geo.4 c.v, also referred to below). All these Acts are proposed for repeal below.

### **32 Geo.3 c.159 (1792) (Dunstable to Hockliffe Road Act)**

387. According to its long title, the purpose of this 1792 Act was-

*for amending and more effectually repairing the Road from the Black Bull Inn in Dunstable, in the County of Bedford, to the King's Arms in Hockliffe, in the said County.*

388. Accordingly the 1792 Act was passed to authorise the repair of the Bedfordshire road between Dunstable and Hockliffe.

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<sup>219</sup> Although the *Chronological Table of the Statutes* indicates that this 1775 Act was repealed by later enactments (3 Geo.4 c.xci; 38 & 39 Vict. c.cxciv), it is clear that the 1775 Act has never been formally repealed.

<sup>220</sup> 6 Ann. c.77 (1707); 11 Geo.1 c.25 (1724); 10 Geo.2 c.11 (1736); 13 Geo.2 c.5 (1739); 31 Geo.2 c.57 (1757).

389. The 1792 Act was expressed to last from July 1792 to April 1800 and for 21 years thereafter. However it was subsequently continued by an Act of 1814 (c.cxxi). Both Acts are proposed for repeal below.

**36 Geo.3 c.141 (1796) (Old Stratford and Dunchurch Road Act)**

390. This 1796 Act<sup>222</sup> extended the Act of 1775 (c.73) referred to above to repair the roads from Old Stratford (Northamptonshire) to Dunchurch (Warwickshire).

391. The 1796 Act was expressed to last for 21 years from June 1796. Thereafter it was continued by an Act of 1814 (54 Geo.3 c.cxxvi, referred to below) and by an Act of 1822 (3 Geo.4 c.xci, also referred to below). All these Acts are proposed for repeal below.

**39 Geo.3 c.xvi (1799) (Watling Street Turnpike Road Act)**

392. This 1799 Act extended the part of the Act of 1778 (c.88) referred to above that authorised the repair and widening of the Shropshire road from the Buildwas Bridge to the Watling Street turnpike road at Tern Bridge.

393. The 1799 Act was expressed to last for 21 years from April 1799. Thereafter it was continued by an Act of 1820 (60 Geo.3 & 1 Geo.4 c.v, referred to below). All these Acts are proposed for repeal below.

**48 Geo.3 c.lxv (1808) (Watling Street Road Act)**

394. According to its long title, the purpose of this 1808 Act was-

*for the more effectually repairing a certain Road called The Watling Street Road, and other Roads therein mentioned, in the Counties of Salop and Stafford.*

395. The 1808 Act superseded and repealed earlier enactments passed for this purpose. It authorised the repair and maintenance of the following roads, divided into three districts-

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<sup>221</sup> Although the *Chronological Table of the Statutes* indicates that this 1778 Act was repealed by later enactments (60 Geo.3 & 1 Geo.4 c.v; 38 & 39 Vict. c.cxciv), it is clear that the 1778 Act has never been formally repealed.

<sup>222</sup> Although the *Chronological Table of the Statutes* indicates that this 1796 Act was repealed by later enactments (3 Geo.4 c.xci; 38 & 39 Vict. c.cxciv), it is clear that the 1796 Act has never been formally repealed.

◆ *the Shrewsbury District*

the Shropshire roads from the town of Shrewsbury to Uckington and Longnor Green; and from Atcham Bridge to the Cross Houses on the Bridgeworth turnpike road

◆ *the Wellington District*

the Shropshire roads from Uckington to Oakengates; and from Shrewsbury to Newport at Cotwell and Crudgington; and from Shawbirch through Hadley and Wombridge to Oakengates

◆ *the Shifnal District*

the Shropshire roads from Oakengates to Weston and to Shifnal.

396. The 1808 Act was expressed to last for 21 years from June 1808. It therefore expired in 1829 and may now be formally repealed. However, the 1808 Act was partly repealed by an Act of 1825 (6 Geo.4 c.clxi) so far as it related to the Shifnal District in June 1825; by an Act of 1829 (10 Geo.4 c.lxxiv) so far as it related to the Shrewsbury District in June 1829; and by an Act of 1830 (11 Geo.4 & 1 Will.4 c.i) so far as it related to the Wellington District in March 1830. The Acts of 1825 and 1829 are also proposed for repeal below.

**52 Geo.3 c.lvii (1812) (Roads through Coventry Act)**

397. According to its long title, the purpose of this 1812 Act was-

*for improving the Public Roads in and through the City of Coventry.*

398. The *preamble* to the 1812 Act recorded that the City of Coventry was situated on the road from London to Birmingham, Chester, Liverpool and Holyhead. However some of the main streets of Coventry (including Broad Gate) needed to be widened and straightened for the safety of persons passing through the city. Moreover new road was needed from Smithford Street in the parish of St Michael to join the turnpike road leading from the city to Warwick.

399. Accordingly the 1812 Act authorised the works necessary to create, widen or straighten the streets specified in the Act. The Act also authorised the charging of tolls to meet the costs of those works.

400. The 1812 Act was expressed to last for 21 years from April 1812. It therefore expired in 1833 and so may now be formally repealed.

#### **54 Geo.3 c.cxxi (1814) (Road from Dunstable to Hockliffe Act)**

401. According to its long title, the purpose of this 1814 Act was-

*for continuing and amending an Act of His present Majesty, for repairing the Road from Dunstable to Hockliffe, in the County of Bedford.*

402. This 1814 Act extended the Act of 1792 (c.159) that authorised the repair of the Bedfordshire road between Dunstable and Hockliffe.

403. The 1814 Act was expressed to last for 21 years from July 1814. In the event the Act expired on 1 November 1873 by virtue of the ATCA 1873.<sup>223</sup> The 1814 Act may therefore now be formally repealed together with the 1792 Act.

#### **54 Geo.3 c.cxxvi (1814) (Old Stratford and Dunchurch Road Act)**

404. This 1814 Act extended the Acts of 1775 (c.73) and 1796 (c.141) referred to above to repair the roads from Old Stratford (Northamptonshire) to Dunchurch (Warwickshire).

405. The 1814 Act was expressed to last for 21 years from June 1814. Thereafter it was continued by an Act of 1822 (3 Geo.4 c.xci, referred to below). All these Acts are proposed for repeal below.

#### **60 Geo.3 & 1 Geo.4 c.v (1820) (Buildwas Bridge and Tern Bridge Road Act)**

406. This 1820 Act extended the Acts of 1778 (c.88) and 1799 (c.xvi) referred to above to repair the Shropshire road from the Birches Brook to the Buildwas Bridge and on to the Watling Street turnpike road at Tern Bridge.

407. This 1820 Act was expressed to last for 21 years from February 1820. In the event the Act expired on 1 November 1875 by virtue of the ATCA 1875.<sup>224</sup> The 1820 Act may therefore now be formally repealed together with the 1778 and 1799 Acts.

#### **1 & 2 Geo.4 c.cvii (1821) (Dunstable and Pondyards Road Act)**

408. According to its long title, the purpose of this 1821 Act was-

*for more effectually repairing the Road from Dunstable, in the County of Bedford, to the Pondyards in the County of Hertford.*

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<sup>223</sup> The 1873 Act, s 2, Sch 2. As explained in the introduction to this note 'ATCA' is an abbreviation of *Annual Turnpike Acts Continuance Act*.

<sup>224</sup> The 1875 Act (c.cxciv), s 2, Sch 2.

409. Accordingly this 1821 Act was passed to authorise the repair and improvement of the road from Dunstable (Bedfordshire) to the Pondyards or Verulam House (near St Albans, Hertfordshire). It superseded and repealed earlier enactments passed for that purpose.<sup>225</sup>

410. The 1821 Act was expressed to last for 21 years from June 1821. In the event the Act expired on 1 November 1872 by virtue of the ATCA 1871.<sup>226</sup> It may therefore now be formally repealed.

### **3 Geo.4 c.xci (1822) (Old Stratford and Dunchurch Road Act)**

411. This 1822 Act extended the Acts of 1775 (c.73), 1796 (c.141) and 1814 (c.cxxvi) referred to above to repair the roads from Old Stratford (Northamptonshire) to Dunchurch (Warwickshire).

412. This 1822 Act was expressed to last for 21 years from June 1822. In the event the Act expired on 31 January 1876 by virtue of the ATCA 1875.<sup>227</sup> The 1822 Act may therefore now be formally repealed together with the 1775, 1796 and 1814 Acts.

### **6 Geo.4 c.viii (1825) (Bridgnorth (Salop) and Shifnal Road Act)**

413. This 1825 Act was passed to authorise the repair and improvement of the Shropshire road from Bridgnorth to Shifnal. The road ran through the parishes of Worfield, Stockton, Sutton Maddock and Kimberton before reaching Shifnal. It superseded and repealed earlier enactments passed for this purpose.<sup>228</sup>

414. This 1825 Act was expressed to last for 21 years from April 1825. In the event the Act expired on 1 November 1875 by virtue of the ATCA 1873.<sup>229</sup> It may therefore now be formally repealed.

### **6 Geo.4 c.cix (1825) (Shifnal Roads Act)**

415. This 1825 Act was passed to authorise the maintenance and improvement of the Shropshire roads in Shifnal<sup>230</sup> and those running from Oakengates to Weston. It superseded and partly repealed an Act of 1808 (48 Geo.3 c.lxv) proposed for repeal above.

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<sup>225</sup> 26 Geo.3 c.130 (1786); 41 Geo.3 c.xcix (1801).

<sup>226</sup> The 1871 Act, s 11, Sch 11.

<sup>227</sup> The 1875 Act (c.cxciv), s 3, Sch 3.

<sup>228</sup> 3 Geo.3 c.59 (1763); 23 Geo.3 c.105 (1783); 44 Geo.3 c.xii (1804).

<sup>229</sup> The 1873 Act, s 7, Sch 9.

416. This 1825 Act was expressed to last for 21 years from June 1825. In the event it expired on 31 December 1875 by virtue of the ATCA 1875.<sup>231</sup> The 1825 Act may therefore now be formally repealed.

#### **7 & 8 Geo.4 c.xv (1827) (Roads from Watling Street, Birches Brook and Ball's Hill (Salop) Act)**

417. This 1827 Act was passed to authorise the repair and improvement of roads in Shropshire near Watling Street. The Act superseded and repealed earlier enactments passed for that purpose.<sup>232</sup>

418. The 1827 Act authorised works to the following roads-

- ◆ from the *Bucks Head* at Watling Street to Beckbury and the *New Inn*
- ◆ from the Birches Brook to the Hand Post in the parish of Kemberton
- ◆ from Ball's Hill in the parish of Dawley to Wellington.

419. The 1827 Act was expressed to last for 21 years from April 1827. In the event it expired on 1 November 1867 by virtue of the ATCA 1867.<sup>233</sup>

#### **10 Geo.4 c.lxxiv (1829) (Watling Street Road (Shrewsbury District) Act)**

420. This 1829 Act was passed to authorise the improvement and maintenance of the Shrewsbury District of the Watling Street Road in Shropshire. It superseded and partly repealed an Act of 1808 (48 Geo.3 c.lxv) proposed for repeal above.

421. This 1829 Act was expressed to last for 31 years from June 1829. It therefore expired in 1860 and may therefore now be formally repealed. Before then, however, it was partly repealed by an Act of 1833 (3 & 4 Will.4 c.xcix)<sup>234</sup> proposed for repeal below.

#### **11 Geo.4 & 1 Will.4 c.lxxxiii (1830) (Hockliffe and Stony Stratford Road Act)**

422. This 1830 Act was passed to authorise the repair and maintenance of the road between Hockliffe in Bedfordshire and Stony Stratford in Buckinghamshire. The Act superseded and repealed earlier enactments.<sup>235</sup>

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<sup>230</sup> The modern town of Shifnal was spelled "Shiffnal" in 1825.

<sup>231</sup> The 1875 Act, s 3, Sch 3.

<sup>232</sup> 4 Geo.3 c.81 (1764); 25 Geo.3 c.101 (1785); 46 Geo.3 c.viii (1806).

<sup>233</sup> The 1867 Act, s 1, Sch 2

<sup>234</sup> The 1833 Act, s 1.

423. This 1830 Act was expressed to last for 31 years from July 1830. In the event it expired on 1 November 1867 by virtue of the ATCA 1867.<sup>236</sup> The 1830 Act may therefore now be formally repealed.

**1 Will.4 c.xiv (1831) (Watling Street, and Manchester<sup>237</sup> (Warwickshire) and Wolvey Heath Road Act)**

424. This 1831 Act was passed to authorise the repair and improvement of parts of Watling Street and connecting roads in the counties of Leicestershire and Warwickshire. The Act superseded and repealed earlier enactments.<sup>238</sup>

425. The 1831 Act authorised works to the following roads-

- ◆ from Burbage (described as *Burbach* in the Act) in Leicestershire into Warwickshire via Nuneaton Gap, Witherley Bridge, Atherstone, Wilnecot and Blythe Bridge
- ◆ from Burbage to Smockington (Warwickshire)
- ◆ from Whitacre through Ansley to Nuneaton Common (all in Warwickshire)
- ◆ from Manchester through Nuneaton and Attleborough to Wolvey Heath (all in Warwickshire).

426. This 1831 Act was expressed to last for 31 years from March 1831. In the event it expired on 1 November 1875 by virtue of the ATCA 1872.<sup>239</sup> It may therefore now be formally repealed.

**1 & 2 Will.4 c.lxiii (1831) (Aylesbury and Hockliffe Road Act)**

427. This 1831 Act was passed to authorise the repair and improvement of the road from Aylesbury (Buckinghamshire) to the Watling Street in Hockliffe (Bedfordshire). The Act superseded and repealed an earlier enactment passed for this purpose.<sup>240</sup>

428. This 1831 Act was expressed to last for 31 years from September 1831. In the event it expired on 1 November 1868 by virtue of the ATCA 1868.<sup>241</sup>

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<sup>235</sup> 13 Geo.2 c.9 (1739); 27 Geo.2 c.21 (1754); 26 Geo.3 c.143 (1786); 49 Geo.3 c.xvi (1809).

<sup>236</sup> The 1867 Act, s 1, Sch 2.

<sup>237</sup> The modern spelling of Manchester is *Mancetter*.

<sup>238</sup> 2 Geo.3 c.69 (1762); 21 Geo.3 c.85 (1781); 50 Geo.3 c.cxxxv (1810).

<sup>239</sup> The 1872 Act, s 8, Sch 9.

<sup>240</sup> 50 Geo.3 c.xciv (1810).

<sup>241</sup> The 1868 Act, s 2, Sch 2.

**2 & 3 Will.4 c.iv (1832) (Road from Hardington to Old Stratford (Northamptonshire) Act)**

429. This 1832 Act was passed to authorise the repair and improvement of the Northamptonshire road from Hardingstone<sup>242</sup> to Old Stratford. The Act superseded and repealed earlier enactments passed for this purpose.<sup>243</sup>

430. The 1832 Act was expressed to last for 31 years from February 1832. In the event it expired on 1 November 1877 by virtue of the ATCA 1876.<sup>244</sup> It may therefore now be formally repealed.

**3 & 4 Will.4 c.xcix (1833) (Watling Street (Shrewsbury and Wellington Districts) Act)**

431. This 1833 Act was passed to authorise the repair and improvement of the Shrewsbury District of the Watling Street in Shropshire. It superseded and partly repealed earlier enactments (including an Act of 1829 (c.lxxiv) proposed for repeal above).<sup>245</sup>

432. This 1833 Act was expressed to last for 31 years from July 1833. In the event it expired on 10 August 1866 by virtue of the ATCA 1866.<sup>246</sup> The 1833 Act may therefore now be formally repealed.

**EXTENT AND CONSULTATION**

*Extent*

433. The Acts proposed for repeal in this note extended only to the geographical areas in England and Wales to which they applied. In the case of *Groups 1 and 2* these areas are principally *Gloucestershire, Oxfordshire and Surrey*. However, many of the Acts extended to adjacent counties. Accordingly many of the Acts in *Group 1 (Gloucestershire and Oxfordshire)* provided for turnpike roads that extended over county boundaries to Berkshire, Bristol, Buckinghamshire, Herefordshire, Northamptonshire, Warwickshire, Wiltshire or Worcestershire. Similarly many Acts in *Group 2 (Surrey)* extended into Hampshire, Kent or West Sussex or, because of boundary changes over the years, into the London boroughs. The Acts in *Group 3*

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<sup>242</sup> Spelled *Hardington* in the 1832 Act.

<sup>243</sup> 8 Geo.3 c.52 (1768); 13 Geo.3 c.102 (1773); 50 Geo.3 c.lxxiii (1810).

<sup>244</sup> The 1876 Act, s 4, Sch 4.

<sup>245</sup> The other Act superseded and repealed by the 1833 Act was 11 Geo.4 c.i (1830).

<sup>246</sup> The 1866 Act, s 1.

*(London to Holyhead)* extended along a line running from North London/Hertfordshire to Anglesey.

*Consultation*

434. HM Treasury, the Department for Transport, the Department for Communities and Local Government, the Department for Culture, Media and Sport, the Local Government Association, the Welsh Local Government Association, the City of Westminster, the county councils for Buckinghamshire, Gloucestershire, Hampshire, Herefordshire, Hertfordshire, the Isle of Anglesey, Kent, Leicestershire, Northamptonshire, Oxfordshire, Shropshire, Somerset, Surrey, West Sussex, Warwickshire and Worcestershire, Bedford Borough Council, Birmingham City Council, Bristol City Council, Coventry City Council, Central Bedfordshire Council, Dunstable Town Council, Reading Borough Council, Rugby Borough Council, South Gloucestershire Council, the Forest of Dean District Council, St Albans District Council, Telford and Wrekin Council, West Berkshire Council, Wolverhampton City Council and the London boroughs of Croydon, Greenwich, Haringey, Kingston-upon-Thames, Lambeth, Lewisham, Merton, Southwark and Sutton have been consulted about these repeal proposals.

**(32-195-173) LAW/005/013/06  
March 2010**

## ANNEX

### The turnpike system – its rise and decline

#### *Background*

1. Throughout the 17<sup>th</sup>, 18<sup>th</sup> and most of the 19<sup>th</sup> centuries, the authority responsible for repairing and maintaining the highways of England and Wales was the parish.<sup>247</sup> Within each parish every able-bodied resident was subject to a duty of *statute labour*, which meant 6 days a year of unpaid labour repairing the roads. This duty was easily avoided: the poor sent their children as labourers, the rich paid instead of providing manual labour, and the surveyors were reticent about enforcing statute labour against their neighbours. As a result, the roads were often left in a bad state of repair.
2. The responsibility for organising and enforcing road maintenance rested with the county justices of the peace. However, “all the indirect evidence indicates that the vast majority of the eighteenth century Justices never realised that they had any administrative responsibility at all for the management of the roads”.<sup>248</sup> Those justices who took their responsibilities seriously were often unwilling to enforce statute labour because of its inefficiency.
3. Their only alternative was the unwieldy criminal procedure of parochial presentment and indictment. Any individual could make a presentation to the local quarter sessions in respect of an ill-maintained road in the area. If they could show that a specific person had responsibility for that right of way, the quarter sessions would enforce that obligation. If not, then the entire parish would be indicted and a fine levied if the repairs were not completed by a certain date. Over-reliance on this mechanism undermined the value of statute labour – people were even less likely to do their statute duty since they would not be exempted from the parochial fines if the roads were indicted in the future – and resulted in shoddy repairs – they were usually done at the very last minute to avoid the fine.

#### *A New Road Management System*

4. A massive increase in road traffic during the 18<sup>th</sup> century, coinciding with the build up to the Industrial Revolution later that century, gave rise to a proliferation of turnpikes. Though there had been turnpike statutes enacted in the late 17<sup>th</sup> century<sup>249</sup>, it was in the 18<sup>th</sup> and 19<sup>th</sup> centuries that more than a thousand were enacted, each one establishing a turnpike trust. There were two main reasons for this development.
5. First there was the inadequacy of the parish machinery and of the resources for maintaining highways requisite for the new increased traffic to which an expanding commerce was giving rise. The new road users, principally merchants and traders<sup>250</sup>, expected the roads to be kept in good condition whilst seeing no need for any contribution on their part. Secondly there was a feeling amongst parish residents (especially amongst farmers and country landowners) that it was only fair that those who had the benefit of the road should pay for its upkeep.

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<sup>247</sup> It was not until the Local Government Act 1894 that provision was made for the elimination of the parish as a highway authority.

<sup>248</sup> Webb, S *The Story of the King's Highway* (1963)

<sup>249</sup> The first turnpike statute was passed in 1663 to establish a turnpike road in Wadesmill, Hertfordshire.

<sup>250</sup> The main instigator for change was the fish industry. In order for fresh fish to reach the cities from the coast, the roads needed to be easily traversable at high speeds. This required hard, smooth surfaces, rather than soft dirt roads.

6. Accordingly, from the time of the Restoration, Parliament adopted the device of giving statutory powers to certain bodies of persons to charge tolls, and to use the money raised to repair and maintain the roads. Initially these bodies were the county justices. After 1711, however, Parliament began establishing *ad hoc* turnpike trusts responsible for collecting tolls and maintaining specified stretches of road.
7. In theory these bodies of turnpike trustees were temporary. They were intended to be a short term device, designed to cope with the exceptionally ruinous state into which a length of road had fallen because of increased usage. Their powers, and the Acts containing them, were generally expressed to last for a limited period, typically 21 years. It is likely that the temporary character of these Acts helped to prevent opposition to them. In reality, however, these trusts were far from temporary. Without fail, shortly before their Acts were due to expire, the turnpike trustees would apply for a renewal, usually on the basis that their debts were still outstanding, the roads were not in a sufficient state of repair, and the area would benefit from a continuing toll system. Indeed, the power given by these Acts to borrow, on the security of the tolls, the money needed to repair and maintain the roads made it necessary that they should be permanent. Otherwise the trustees could not have offered the lenders adequate security.
8. The turnpike Acts gave wide powers to the trustees named in each Act. There were powers to construct and maintain a specified road or roads between two or more towns or parishes; powers to levy tolls for different types of road user and to exempt certain persons or classes of person; powers to borrow money on the security of the tolls; powers to employ servants, to purchase material and to erect toll gates and toll houses. In order to avoid opposition, all the influential persons in the district were often named in the Act as trustees (sometimes numbering 200 or more).
9. Although in the earlier Acts, the county justices were sometimes given power to supervise the manner in which the trustees carried out their duties, later Acts contained no such provision. Indeed the powers of the trustees tended to increase each time their Acts were renewed, so that gradually they acquired a wide range of powers the exercise of which was unsupervised.
10. The parish remained the principal highway authority in England and Wales in the 18<sup>th</sup> and 19<sup>th</sup> centuries, despite the existence of turnpike Acts. In 1838, when turnpikes were in their heyday, only about 22,000 miles of road came under the jurisdiction of the turnpike trusts whilst 104,770 miles were the responsibility of the parish. Moreover, the creation of a turnpike trust did not exempt the parish from its obligation to maintain the roads in its area; a rule that operated harshly on a parish if a turnpike trust in its area was ineffective. Nor did the existence of a turnpike trust exempt the local residents from their duty of statutory labour, a duty which could be enforced by the county justices imposing default penalties on a parish in the event of a poorly maintained turnpike road.
11. The proliferation of turnpike trusts, each existing within its own Act or series of Acts, made it necessary for Parliament to enact legislation of general application to all turnpike trusts. This legislation was consolidated by the Turnpike Roads Act 1822 which, together with numerous subsequent amending enactments, provided a code or framework to govern the multitude of (mostly) local Acts providing for turnpike trusts. Nearly all the legislation comprising this code or

framework (including the 1822 Act itself) was repealed in 1981.<sup>251</sup> However this repeal did not affect the individual turnpike trusts Acts, many of which have never been formally repealed.

*A less than perfect system?*

12. The turnpike system suffered from a number of serious weaknesses. An obvious weakness was the lack of any coherent structure or strategic planning in the building and maintenance of principal highways. This weakness was inherent in the piecemeal approach of turnpike trusts. It took nearly a century of disconnected effort before even such national arteries as the Great North Road from London to Edinburgh, the road from London to Holyhead or the Great Western Road from London to Exeter came, for the whole of their length, under the administration of turnpike trusts.
13. Whether or not a particular stretch of road came under such a trust depended on the initiative of the inhabitants of particular districts. And the direction taken by the roads was often determined, not by any consideration of the needs of their users, but by personal or local considerations. The jealousy of existing trusts sometimes blocked proposals for the construction of new and better roads for fear that their profits would be hit.
14. Another weakness of the turnpike system lay in the absence of any central control over the manner in which the trustees used their powers. They were slow to appoint efficient paid officers. The treasurer would often keep toll receipts with his own money. There was little effective control over the toll-men who were often illiterate and unable to maintain accounts. And the process of mortgaging the tolls was sometimes carried to such lengths that there was little income left over to spend on the roads. Ultimately there was no practical method of holding a defaulting, hopelessly incompetent or dishonest turnpike trust to account. Subject to no official supervision or central control, under no inspection, rendering no accounts, it could use or neglect its powers as it chose. A trust could not even be prosecuted for letting its roads become impassable.
15. A principal weakness of the turnpike system lay in its financial structure and administration. The trusts were burdened by heavy capital debts incurred at their inception, and some tolls did little more than pay the cost of their collection. By 1830, there were cases of trusts which had not paid interest on their bonds for 50 years. The advent of the railways reduced many trusts to a state of chronic insolvency. Within 10 years of the building of the railways a great many trusts were virtually bankrupt, with the result that the work of keeping the roads in repair fell on the very ratepayers who were paying the tolls.
16. The inability of many trusts to maintain their roads, together with abuses in the collection of tolls, caused mounting public dissatisfaction: in South Wales it led to the Rebecca Riots of 1842-43.<sup>252</sup> By 1876, all Welsh roads had been “disturnpiked” and the maintenance obligations had been passed to newly created County Road Boards. Central Government provided funds to discharge all outstanding debts, giving financial stability to the Welsh road system. This was not to be the case in England. It took another half century before the turnpike era finally ended. From 1864 onwards, on the initiative of the House of Commons

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<sup>251</sup> Statute Law (Repeals) Act 1981, s 1(1), Sch 1, Pt 10.

<sup>252</sup> These riots saw the destruction of many toll-gates by men dressed in women's clothes. They justified themselves by the biblical prophecy that Rebecca's seed should possess “the gates of those who hate them” (Genesis 24:60).

committees to which Bills renewing trusts were referred, a positive policy of winding up as many trusts as possible was embarked upon. Thereafter the trusts began to disappear rapidly. Whereas in the 1830s there had been approximately 1100 trusts, by 1871 there were 854, reducing to 588 by 1875 and to just two in 1890. The process was completed for England and Wales in 1895 when the last turnpike trust, that for the Anglesey portion of the Shrewsbury and Holyhead Road, finally expired.

*A valuable system, despite its problems*

17. Turnpike roads, administered by the statutory bodies of turnpike trustees, became the main roads of Britain in the 18<sup>th</sup> century. Until the development of a network of railways, turnpike roads constituted the principal means of communication for the transit of goods and passengers. At the height of the turnpike system, in the mid-1830s, there were about 1100 separate bodies of trustees administering between them some 22,000 miles of road and having an annual toll income in excess of £1.5 million.
18. There is little doubt that turnpike trusts, in their day, provided a great service to the nation. The turnpike regime was probably the most effective means at the time of implementing an upgrade of national road transport. It is difficult to see by what other expedient the roads could have been improved. It would have been impossible to persuade Parliament to give the necessary powers to any department of central Government, still less to persuade it to vote a sum of money equal to that raised by the tolls. It would have been equally impossible for the county justices to raise the necessary amount by local taxation.<sup>253</sup> The turnpike trust and its toll was the only practicable option.

*Road management after turnpike trusts*

19. At the same time as the changes in the turnpike regime, the rest of the English road administration system was being reorganised. The Highway Act 1835 (“the 1835 Act”) consolidated and amended the existing law as to highways in England. Although it did not affect highways that were under the jurisdiction of turnpike trusts, the 1835 Act confirmed the parish as the principal authority with responsibility for repairing and maintaining other highways in England. Parishes and county justices were given new powers and duties in relation to highways. Parishes could consolidate themselves into highway districts upon application to the county justices. A surveyor for each parish or district had to be elected or appointed and such surveyors were required to make a return to the justices as to the state of the roads.
20. The weakness of the 1835 Act was its reliance on the parish as the unit of administration. In reality a much larger geographical area – such as the county – was needed to secure a strategic highways policy, rather than the 15,000 or more “highway parishes” in England and Wales existing at that time. Although the Highways Act 1862 gave the justices power to group parishes into highway districts, there was no requirement to do this. The 1862 Act was unpopular with parishes, many of which used provisions in the Local Government Act 1858 to become “Urban Sanitary Districts” and retain control over their roads.

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<sup>253</sup> “Without the local initiative and local support fostered by the thousand separate Trusts; without the emulation and mutual instruction which their several experiments promoted; without the large revenues which the toll drew from the multitudinous but politically helpless road users, no considerable improvement in the highways of England would have taken place for, at any rate, the first three-quarters of the eighteenth century, and very little would have been achieved before the passing of the Reform Bill.”: Webb, S *The Story of the King’s Highway* (1963) p 145.

21. Parochial road administration was dealt its fatal blow by the Highways and Locomotives (Amendment) Act 1878 which created a single highway rate, and thus prevented the parishes being financially independent. The Local Government Act 1894 completed the change by eliminating the parish as a highway authority. By 1900, the responsibility for maintaining highways resided with county councils.
22. Once it became clear that turnpike trusts were an inefficient control mechanism the Government had to find a suitable alternative to execute the maintenance obligations. Whether through accident or design, the parochial obligation had never been removed; it was just no longer enforced. The Application of Highway Rates to Turnpikes Act 1841 provided for a proportion of the highway rates to be used for turnpike roads, and thus reinstated the parochial duty of maintenance. As discussed above, at paragraph 16, the dual contribution forced on parishioners led to violent protests against the turnpikes. In Wales, this resulted in a very quick disturnpiking process. In England, the move away from turnpikes was much slower.
23. In 1864, a Select Committee of the House of Commons<sup>254</sup> recommended that “the abolition of turnpike trusts ‘would be both beneficial and expedient’”.<sup>255</sup> The Government did not formulate any policy on the matter, and it was left to the annual Committee on Turnpike Trust Bills to execute the winding up of trusts.
24. The Highways and Locomotives (Amendment) Act 1878 provided that, from then on, all disturnpiked roads were to be reclassified as “main roads”, which were maintainable by the county justices at quarter sessions.<sup>256</sup> The responsibility for “main roads” was transferred to county councils and county borough councils by the Local Government Act 1888<sup>257</sup> and the Local Government Act 1929.<sup>258</sup>
25. Roads which were previously managed by turnpike trusts now fall within the remit of the general law concerning highways and are repairable and maintainable as such.

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<sup>254</sup> Report from the Select Committee on Turnpike Trusts: together with the proceedings of the committee, minutes of evidence and appendix, (1864) (383-1)

<sup>255</sup> Webb, S *The Story of the King's Highway* (1963) p 221.

<sup>256</sup> The 1878 Act, ss 13, 15, 38.

<sup>257</sup> The 1888 Act, ss 3, 11, 34-36, 40, 41.

<sup>258</sup> The 1929 Act, s 29.