STATUTORY INSTRUMENTS

1973 No. 1638

HIGHWAYS, ENGLAND AND WALES

The Derby—South of Stockport Trunk Road (Diversion at Ednaston) Order 1973

Made - - - *24th September* 1973

Coming into Operation *29th October* 1973

The Secretary of State for the Environment makes this Order in exercise of powers conferred by sections 7 and 44 of the Highways Act 1959(a) and section 68 of the Highways Act 1971(b) and now vested in him(c), and of all other enabling powers:—

1. The new highway which the Secretary of State proposes to construct along the route described in Schedule 1 to this Order shall become a trunk road as from the date when this Order comes into operation.

2. The centre line of the new trunk road is indicated by a heavy black line on the deposited plan.

3. The Secretary of State directs as respects any part of a highway which crosses the route of the new trunk road that—

(*a*) where the highway is a highway maintainable at the public expense by a local highway authority, the part in question shall be maintained by that authority, and

(*b*) where the highway is not a highway so maintainable and is not maintainable under a special enactment or by reason of tenure, enclosure or prescription, the Secretary of State shall be under no duty to maintain the part in question,

until, in either case, a date to be specified in a notice given by the Secretary of State to the highway authority for that highway. The date specified will not be later than the date on which the relevant route is opened for the purposes of through traffic.

4. The length of trunk road described in Schedule 2 to this Order and shown by broad striped hatching on the deposited plan shall cease to be a trunk road as from the date on which the Secretary of State notifies the County Council of Derby that the new trunk road is open for through traffic.

(a) 1959 c. 25. (b) 1971 c. 41.
(c) S.I. 1970/1681 (1970 III, p. 5551).

5. In this Order:—

"the deposited plan"	means the plan numbered HA7/2 EM49 marked "The Derby—South of Stockport Trunk Road (Diversion at Ednaston) Order 1973", signed by authority of the Secretary of State and deposited at the Department of the Environment, St. Christopher House, Southwark Street, London SE1 OTE, where it may be inspected free of charge at all reasonable hours;
"the new trunk road"	means the highway mentioned in Article 1 of this Order;
"the Trunk Road"	means the Derby—Macclesfield—South of Stockport Trunk Road (A52).

6. This Order shall come into operation on 29th October 1973 and may be cited as the Derby—South of Stockport Trunk Road (Diversion at Ednaston) Order 1973.

Signed by authority of the Secretary of State
24th September 1973.

A. E. A. Brain,
Regional Director,
East Midlands Regional Office,
Department of the Environment.

SCHEDULE 1

Route of the new trunk road

The route of the new trunk road is a route about 0·17 miles in length, starting at a point 73 yards south-east of the junction of the Trunk Road with Derby Lane at Ednaston, Derbyshire then going north-westwards for 303 yards.

SCHEDULE 2

Length of trunk road ceasing to be a trunk road

The length of trunk road ceasing to be a trunk road is that length of the Trunk Road which is situated between the starting and termination points of the route of the new trunk road described in Schedule 1 above.

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