STATUTORY INSTRUMENTS

1974 No. 1761

HIGHWAYS, ENGLAND AND WALES

The Boroughbridge-Thirsk Trunk Road (Topcliffe and Asenby Diversion and Slip Roads) Order 1974

Made - - - - 23*rd October* 1974
Coming into Operation 19*th November* 1974

The Secretary of State for the Environment makes this Order in exercise of his powers under sections 7, 44 and 286 of the Highways Act 1959 (a), section 27 of the Local Government Act 1966 (b) and section 68 of the Highways Act 1971 (c), now vested in him (d) and of all other enabling powers:—

1. The West of Dishforth-Thirsk Trunk Road (Topcliffe and Asenby Diversion) Order 1969 (e) is hereby revoked.

2. The new highways which the Secretary of State proposes to construct—

(*a*) along the route described in Schedule 1 to this Order (the highway along this route being in this Order referred to as "the main new trunk road"), and

(*b*) along the routes described in Schedule 2 to this Order which connect the main new trunk road with other highways at the places stated in that Schedule (the highways along these routes being in this Order referred to as "the sliproads"),

shall become trunk roads as from the date when this Order comes into operation.

3. The centre lines of the new trunk roads are indicated by heavy black lines on the deposited plan.

4. The Secretary of State directs as respects any part of a highway which crosses the route of any of the new trunk roads 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.

5. The lengths of trunk road described in Schedule 3 to this Order and shown by broad striped hatching on the deposited plan shall cease to be trunk

(a) 1959 c.25.
(b) 1966 c.42.
(c) 1971 c.41.
(d) S.I. 1970/1681 (1970 III, p. 5551).
(e) S.I. 1969/625.

roads and the length thereof described in paragraph 1 of the said Schedule 3 shall be classified as a principal road as from the date on which the Secretary of State notifies the County Council of North Yorkshire, that the new trunk roads are open for through traffic.

6. In this Order:—

"the deposited plan"	means the plan numbered HA7/2-N104, marked "The Boroughbridge-Thirsk Trunk Road (Topcliffe and Asenby Diversion and Slip Roads) Order 1974", signed by authority of the Secretary of State and deposited at the Department of the Environment, St. Christopher House, Southwark Street, London SE1 0TE, where it is open to inspection free of charge at all reasonable hours;
"the main new trunk road" and "the slip roads"	have the meanings given in Article 2 of this Order;
"the new trunk roads"	means the highways mentioned in Article 2 of this Order and "a new trunk road" means one of those highways;
"principal road"	as a classification for a highway, means that the highway is a principal road for the purpose of advances under section 235 of the Highways Act 1959 and is also classified for the purpose of every enactment or instrument which refers to highways classified by the Secretary of State;
"the Trunk Road"	means the Boroughbridge-Thirsk Trunk Road (A168).

7. This Order shall come into operation on 19th November 1974 and may be cited as the Boroughbridge-Thirsk Trunk Road (Topcliffe and Asenby Diversion and Slip Roads) Order 1974.

R. WILSON,

Signed by authority of
the Secretary of State
23rd October 1974

Regional Director,
Yorkshire and Humberside Region,
Department of the Environment.

SCHEDULE 1

Route of the Main New Trunk Road

The route of the main new trunk road is a route, about 1.65 miles in length, starting at a point on the Trunk Road about 700 yards south-west of its junction with the Cundall Road (C87) then going north-eastwards and ending 503 yards north of the junction of the Trunk Road with the Dalton Road (C99).

SCHEDULE 2

Routes of the Slip Roads

The routes of the slip roads are the following:—

(1) *Junction with the Trunk Road east of Topcliffe*
Four routes to connect the northbound and southbound carriageways of the main new trunk road with the Trunk Road (the new trunk roads along these routes being respectively given the reference numbers 1, 2, 3 and 4 on the deposited plan);

(2) *Junction with the Cundall Road (C87) south-east of Asenby*
A route to connect the main new trunk road with the Cundall Road (C87) (as proposed to be realigned) south-east of Asenby (the new trunk road along this route being given the reference number 5 on the deposited plan).

SCHEDULE 3

Lengths of Trunk Road ceasing to be Trunk Roads

The lengths of trunk road ceasing to be trunk roads are shown by broad striped hatching on the deposited plan and are as follows:—

(1) that length of the Trunk Road which is situated between its junction with the starting point of the main new trunk road and its junction with the Dalton Road (C99); and

(2) that length of the Trunk Road which is situated between its junction with the southern end of the slip road numbered 1 on the deposited plan and its junction with the north-eastern end of the main new trunk road.