STATUTORY INSTRUMENTS

1981 No. 83

HIGHWAYS, ENGLAND AND WALES

The North of Newcastle-under-Lyme—Tarvin Trunk Road (A51 Tarvin South Western By-Pass) Order 1981

Made - - - -	23*rd January* 1981
Coming into Operation	2*nd March* 1981

The Minister of Transport makes this Order in exercise of the powers conferred upon him by sections 10, 12 and 41 of the Highways Act 1980(a) and of all other enabling powers:—

1. The new highway which the Minister 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 Minister 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 Minister 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 Minister 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 the 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 and shall be classified as a classified road as from the date on which the Minister notifies the County Council of Cheshire that the new trunk road is open for through traffic.

(a) 1980 c.66.

5. In this Order:—

(i) all measurements of distance are measured along the route of the relevant highway:

(ii) "classified road" as a classification for a highway, means that the highway is not a principal road for the purposes of enactments or instruments which refer to highways classified as principal roads but it is a classified road for the purpose of every enactment and instrument which refers to highways classified by the Minister and which does not specifically refer to their classification as principal roads;

(iii) "the deposited plan" means the plan numbered HA7/1 CNW 154 marked "The North of Newcastle-under-Lyme—Tarvin Trunk Road (A51 Tarvin South Western By-Pass) Order 1981" signed by authority of the Minister and deposited at the Department of Transport, Becket House, Lambeth Palace Road, London SE1 7ER, where it may be inspected free of charge at all reasonable hours;

(iv) "the new trunk road" means the highway mentioned in Article 1 of this Order; and

(v) "the Trunk Road" means the North of Newcastle-under-Lyme—Nantwich—Tarporley—Tarvin Trunk Road (A51).

6. This Order shall come into operation on 2nd March 1981 and may be cited as the North of Newcastle-under-Lyme—Tarvin Trunk Road (A51 Tarvin South Western By-Pass) Order 1981.

K. E. C. Sorensen,
Regional Director
North West Region
Department of
Transport.

Signed by authority of
the Minister of Transport
23rd January 1981.

SCHEDULE 1

ROUTE OF THE NEW TRUNK ROAD

The route of the new trunk road is a route at Tarvin in Cheshire about 1.2 miles (1.9 kilometres) in length, starting at a point on the Trunk Road approximately 520 metres south west of its junction with the A54 and then going in a south easterly direction to rejoin the Trunk Road approximately 335 metres south east of its junction with Cross Lane.

SCHEDULE 2

LENGTH OF TRUNK ROAD CEASING TO BE A TRUNK ROAD

That length of the Trunk Road situated between its junction with the A54 and a point approximately 335 metres south east of its junction with Cross Lane.