STATUTORY INSTRUMENTS

1984 No. 427

HIGHWAYS, ENGLAND AND WALES

The (A49) Shrewsbury–Warrington and the (A51) North of Newcastle-under-Lyme–Tarvin Trunk Roads (A49/51 Tarporley Bypass) Order 1984

Made - - - -	9*th March* 1984
Coming into Operation	30*th April* 1984

The Secretary of State for Transport makes this order in exercise of powers conferred by sections 10, 12 and 41 of the Highways Act 1980(**a**) and now vested in him(**b**), 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 a 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 lengths of trunk road described in Schedule 2 to this order and shown by broad striped hatching on the deposited plan shall cease to be trunk roads and shall be classified as classified roads as from the date on which the Secretary of State notifies the County Council of Cheshire that the new trunk road is open for through traffic.

(**a**) 1980 c. 66. (**b**) S.I. 1981/238.

5. In this order:—

(1) all measurements of distance are measured along the route of the relevant highway; and

(2)(i) "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 is a classified road for the purpose of every enactment and instrument which refers to highways classified by the Secretary of State and which does not specifically refer to their classification as principal roads;

(ii) "the deposited plan" means the plan contained in the folio numbered HA10/1 CNW190 marked "The (A49) Shrewsbury–Warrington and the (A51) North of Newcastle-under-Lyme–Tarvin Trunk Roads (A49/A51 Tarporley Bypass) Order 1984" signed by authority of the Secretary of State and deposited at the Department of Transport, Romney House, Marsham Street, London SW1P 3PY;

(iii) "the new trunk road" means the highway mentioned in Article 1 of this order;

(iv) "the A49 trunk road" means the Shrewsbury–Warrington Trunk Road (A49); and

(v) "the A51 trunk road" means the North of Newcastle-under-Lyme–Tarvin Trunk Road (A51)

6. This order shall come into operation on 30th April 1984, and may be cited as the (A49) Shrewsbury–Warrington and the (A51) North of Newcastle-under-Lyme–Tarvin Trunk Roads (A49/A51 Tarporley Bypass) Order 1984.

D. C. Renshaw,
Regional Director,
North West Region,
Department of Transport.

Signed by authority of the
Secretary of State
9th March 1984.

SCHEDULE 1

ROUTE OF THE NEW TRUNK ROAD

The route of the new trunk road is at Tarporley in the County of Cheshire starting at the junction of Tarporley Road (A49) with RUPP 10 (Utkinton) then going generally in a south westerly direction for a distance of about 1.25 kilometres (0.78 mile) to a roundabout junction with Rode Street (A51), and then going genèrally in a southerly direction for a distance of about 2.0 kilometres (1.24 miles) to rejoin Nantwich Road (A49) about 420 metres (459 yards) north west of its junction with Eaton Lane B5152.

SCHEDULE 2

LENGTHS OF TRUNK ROAD CEASING TO BE A TRUNK ROAD

(1) That length of the A49 trunk road which is situated between the starting and termination points of the route of the new trunk road described in Schedule 1 above.

(2) That length of the A51 trunk road which is situated between its junction with the A49 trunk road and the new trunk road.