STATUTORY INSTRUMENTS

1987 No. 1491

HIGHWAYS, ENGLAND AND WALES

The A65 Skipton–Kendal Trunk Road (Whoop Hall Diversion) Order 1987

Made - - - -	*13th August 1987*
Coming into force -	*18th September 1987*

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 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 on which this Order comes into force.

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 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 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 Secretary of State notifies the County Council of Lancashire that the new trunk road is open for through traffic.

5. In this Order:–

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

(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 princi-

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

	pal 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 numbered HA10/1CNW234 marked "The A65 Skipton–Kendal Trunk Road (Whoop Hall Diversion) Order 1987" signed by authority of the Secretary of State and deposited at the Department of Transport, Romney House, 43 Marsham Street, London, SW1 3PY;
(iii) "the new trunk road"	means the highway mentioned in article 1 of this Order; and
(iv) "the Trunk Road"	means the Skipton–Kendal Trunk Road (A65).

6. This Order shall come into force on 18th September 1987 and may be cited as the A65 Skipton–Kendal Trunk Road (Whoop Hall Diversion) Order 1987.

F. Kendall
Regional Director
North West Region
Department of Transport

Signed by authority of the Secretary of State
13th August 1987

SCHEDULE 1

ROUTE OF THE NEW TRUNK ROAD

The route of the new trunk road is between Kirby Lonsdale and Cowan Bridge in the County of Lancashire as follows:–

a route about 1 kilometre in length, between a point approximately 90 metres north west of the north western corner of the Whoop Hall Inn and then going in a south easterly direction terminating at a point approximately 96 metres north-west of Ellerbeck Bridge.

SCHEDULE 2

LENGTH OF TRUNK ROAD CEASING TO BE A TRUNK ROAD

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

UNITS OF LENGTH: 1 Kilometre = 0.621 of a mile approximately
1 Metre = 1.094 yards approximately

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