STATUTORY INSTRUMENTS

2004 No. 2754

HIGHWAYS, ENGLAND

The A66 Trunk Road (Temple Sowerby Bypass and Improvements at Winderwath) Order 2004

Made - - - - -	*7th October 2004*
Coming into force - -	*10th November 2004*

The Secretary of State makes this Order in exercise of power conferred by sections 10, 41 and 106 of the Highways Act 1980(**a**) and now vested in him(**b**), and of all other powers enabling him in that behalf:—

1. This Order may be cited as the A66 Trunk Road (Temple Sowerby Bypass and Improvements at Winderwath) Order 2004, and shall come into force on 10th November 2004.

2. In this Order—

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

(2) (i)	"the main new road"	means the new highway which the Secretary of State proposes to construct along the route described in Schedule 1 to this Order;
(ii)	"the plan"	means the plan numbered HA10/OD/394, marked "The A66 Trunk Road (Temple Sowerby Bypass and Improvements at Winderwath) Order 200 ", signed by authority of the Secretary of State and deposited at DTLR Records Management Branch, Ashdown House, St. Leonards on Sea, Hastings, East Sussex TN37 7GA.

3. The main new road shall become a trunk road from the date when this Order comes into force.

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

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

(a) where the highway is 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 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

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

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

Signed by authority of the Secretary of State

Derek Drysdale
Divisional Director
7th October 2004 for the Highway Agency

SCHEDULE

ROUTE OF THE MAIN NEW ROAD

The route of the main new road is about 4.28 kilometres in length, starting from a point on the existing A66 trunk road at Temple Sowerby in the County of Cumbria, 130 metres east of the access to Whinfell House proceeding in an easterly then generally south easterly then easterly direction, to a point on the existing A66 trunk road 158 metes east of the access to Spitals Farm.

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