STATUTORY INSTRUMENTS

1988 No. 1466

HIGHWAYS, ENGLAND AND WALES

The East of Birmingham – Birkenhead Trunk Road (A41 Handley Bypass) Order 1988

Made - - - -	*11th August 1988*
Coming into force	*9th September 1988*

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 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 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 new trunk road is open for 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 Cheshire 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;

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

(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 numbered HA 10/1 CNW 273 marked "The East of Birmingham – Birkenhead Trunk Road (A41 Handley Bypass) Order 1988" signed by authority of the Secretary of State and deposited at the Department of Transport, Romney House, 43 Marsham Street, London, SW1P 3PY;
(iii)	"the new trunk road"	means the highway mentioned in article 1 of this Order; and
(iv)	"the Trunk Road"	means the East of Birmingham – Birkenhead Trunk Road (A41)

6. This Order shall come into force on 9th September 1988 and may be cited as the East of Birmingham – Birkenhead Trunk Road (A41 Handley Bypass) Order 1988.

F. Kendall
Regional Director
North West Region
Department of Transport

Signed by authority of the Secretary of State

11th August 1988

SCHEDULE 1

ROUTE OF THE NEW TRUNK ROAD

The route of the new trunk road is at Handley in the County of Cheshire and is approximately 1.16 kilometres in length, from a point on the Trunk Road approximately 340 metres south east of the point where it crosses Stonyford Brook to a point on the Trunk Road approximately 540 metres north west of its junction with Rocky Lane.

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 between the starting and termination points of the route of the new trunk road described in Schedule 1 above, a distance of approximately 1245 metres.

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

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