STATUTORY INSTRUMENTS

1974 No. 1598

HIGHWAYS, ENGLAND AND WALES

The Levens Bridge—Carlisle Trunk Road (Lindale By-Pass) Order 1974

Made - - - 3*rd September* 1974

Coming into Operation 18*th October* 1974

The Secretary of State for the Environment makes this Order in exercise of powers conferred by sections 7, 44 and 286 of the Highways Act 1959(a), section 27 of the Local Government Act 1966(b) and section 68 of the Highways Act 1971(c) and now vested in him (d), and of all other enabling powers:—

1. The new highways which the Secretary of State proposes to construct along the routes described in Schedule 1 to this Order shall become trunk roads as from the date when this Order comes into operation.

2. The centre lines of the new trunk roads are indicated by heavy black lines on the deposited plan.

3. The Secretary of State directs as respects any part of a highway which crosses the route of any of the new trunk roads 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 relevant route is opened for the purpose of through traffic.

4. The length of 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 Cumbria that the new trunk roads are open for through traffic.

5. The Levens Bridge – Broughton-in-Furness – Workington – Aspatria – Carlisle Trunk Road (Lindale Diversion) Order 1965(e) is hereby revoked.

(a) 1959 c. 25.
(b) 1966 c. 42.
(c) 1971 c. 41.
(d) S.I. 1970/1681 (1970 III, p. 5551).
(e) S.I. 1965/1783.

[DOE 18576]

6. In this Order:—

"classified road"	as a classification for a highway, means that the highway is not a principal road for the purposes of advances under section 235 of the Highways Act 1959 but is a classified road for the purpose of every enactment or instrument which refers to highways classified by the Secretary of State;
"the deposited plan"	means the plan numbered HA 7/2 CNW 104, marked "The Levens Bridge – Carlisle Trunk Road (Lindale By-Pass) Order 1974", signed by authority of the Secretary of State and deposited at the Department of the Environment, St. Christopher House, Southwark Street, London SE1 OTE, where it may be inspected free of charge at all reasonable hours;
"the new trunk roads"	means the highways mentioned in Article 1 of this Order;
"the Trunk Road"	means the Levens Bridge – Carlisle Trunk Road (A590).

7. This Order shall come into operation on 18th October 1974 and may be cited as the Levens Bridge – Carlisle Trunk Road (Lindale By-Pass) Order 1974.

Signed by authority of the Secretary of State

3rd September 1974.

D. F. Dean
Director,
North Western Road Construction Unit,
Department of the Environment.

SCHEDULE 1

Routes of the New Trunk Roads

The routes of the new trunk roads are as follows:—

(1) a route about 1·6 miles in length, starting at a point about 383 yards north-west of the junction of the A590 Trunk Road and the B5271 at Lindale (marked "A" on the deposited plan) then curving in south-easterly and north-easterly directions to terminate at a point about 240 yards east of the River Winster and about 73 yards north of the A590 Trunk Road at Meathop (marked "B" on the deposited plan);

(2) a route forming a roundabout centred on a point about 300 yards east of the River Winster and about 13 yards north of the A590 Trunk Road at Meathop (marked "C" on the deposited plan);

(3) a route starting at a point (marked "D" on the deposited plan) on the roundabout described in paragraph (2) above extending in a north-easterly direction for about 53 yards to a point on the A590 Trunk Road (marked "E" on the deposited plan).

SCHEDULE 2

Length Of Trunk Road Ceasing To Be A Trunk Road

The length of trunk road ceasing to be a trunk road is that length of the Trunk Road which is situated between a point about 383 yards north-west of the junction of A590 Trunk Road and the B5271 at Lindale (marked "A" on the deposited plan) and a point on the roundabout described in paragraph (2) of Schedule 1 to this Order (marked "F" on the deposited plan).