

1974 No. 1749

HIGHWAYS, ENGLAND AND WALES

**The Penrith-Middlesbrough Trunk Road
(Appleby By-Pass and Slip Roads) Order 1974**

Made - - - 22nd October 1974

Coming into Operation 1st December 1974

The Secretary of State for the Environment makes this Order in exercise of powers conferred by sections 7 and 44 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—

- (a) along the routes described in Schedule 1 to this Order (the highways along these routes being in this Order referred to as “the main new trunk roads”), and
- (b) along the routes described in Schedule 2 to this Order which connect the main new trunk roads with other highways at the places stated in that Schedule (the highways along these routes being in this Order referred to as “the slip roads”),

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 plans.

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 purposes of through traffic.

(a) 1959 c. 25.

(b) 1966 c. 42.

(c) 1971 c. 41.

(d) S.I. 1970/1681 (1970 III, p. 5551).

4. The lengths of trunk road described in Part I of Schedule 3 to this Order and shown by broad striped hatching on plan 1 of the deposited plans shall cease to be trunk roads and the length thereof specified in Part II of the said Schedule 3 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. 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 plans” means the plans numbered 1 to 4 and contained in the plan folio numbered HA7/2-N125 marked “The Penrith-Middlesbrough Trunk Road (Appleby By-Pass and Slip Roads) 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 0TE, where it may be inspected free of charge at all reasonable hours;

“the main new trunk roads” and “the slip roads” have the meanings given in Article 1 of this Order;

“the new trunk roads” means the highways mentioned in Article 1 of this Order and “a new trunk road” means one of those highways;

“the Trunk Road” means the Penrith-Middlesbrough Trunk Road (A66).

6. This Order shall come into operation on 1st December 1974 and may be cited as the Penrith-Middlesbrough Trunk Road (Appleby By-Pass and Slip Roads) Order 1974.

Signed by authority of the Secretary of State

22nd October 1974.

D. J. King,
Regional Director,
Northern Region,
Department of the Environment.

SCHEDULE 1

ROUTES OF THE MAIN NEW TRUNK ROADS

The routes of the main new trunk roads are indicated on plan 1 of the deposited plans and are the following:—

- (1) a route about 2.92 miles in length, starting at a point 525 yards north-west along the Trunk Road from the north-western boundary of Appleby Parish, then going south-eastwards and ending at a point 300 yards west along the Trunk Road from Couplandbeck Bridge;
- (2) a route about 0.33 miles in length from a point 223 yards west along the Trunk Road from Couplandbeck Bridge, then going south-eastwards and ending at a point 390 yards south-east along the Trunk Road from the same bridge.

SCHEDULE 2

ROUTES OF THE SLIP ROADS

The routes of the slip roads are the following:—

(1) *Junction with the Trunk Road at Colby Laithes*

A route to connect the Trunk Road with the westbound carriageway of the main new trunk road referred to in paragraph (1) of Schedule 1 hereto at Colby Laithes (the new trunk road along this route being given the reference letter B on plan 2 of the deposited plans);

(2) *Junction with the Roman Road (U3215) at Fair Hill*

A route to connect the eastbound carriageway of the main new trunk road referred to in paragraph (1) of Schedule 1 hereto with the Roman Road (U3215) (as proposed to be improved) at Fair Hill (the new trunk road along this route being given the reference letter A on plan 3 of the deposited plans);

(3) *Junction with the Trunk Road at Coupland*

A route to connect the westbound carriageway of the main new trunk road referred to in paragraph (2) of Schedule 1 hereto with the Trunk Road at Coupland (the new trunk road along this route being given the reference letter C on plan 4 of the deposited plans);

(4) *Junction with a proposed new highway at Coupland*

Three routes to connect a proposed new highway with the eastbound carriageway of the main new trunk road referred to in paragraph (2) of Schedule 1 hereto at Coupland (the new trunk roads along these routes being given the reference letters D, E and F on plan 4 of the deposited plans).

SCHEDULE 3

PART I

LENGTHS OF TRUNK ROAD CEASING TO BE TRUNK ROADS

The lengths of trunk road ceasing to be trunk roads are shown by broad striped hatching on plan 1 of the deposited plans and are the following:—

- (a) a length of the Trunk Road from its junction with the southern boundary of the main new trunk road referred to in paragraph (1) of Schedule 1 hereto at Colby Laithes south-eastwards for 2.79 miles to a point 530 yards west of Couplandbeck Bridge;
- (b) a length of the Trunk Road from a point 170 yards west of Couplandbeck Bridge south-eastwards for 0.30 miles to its junction with the northern boundary of the main new trunk road referred to in paragraph (2) of Schedule 1 hereto at Sandford Thorn.

PART II

LENGTH OF SUPERSEDED ROAD TO BE CLASSIFIED

The length of superseded trunk road to be classified as a classified road is a length from a point 37 yards north-west of the north-western boundary of Appleby Parish south-eastwards for 2.56 miles to a point 530 yards west of Couplandbeck Bridge.