
STATUTORY INSTRUMENTS

1997 No. 2960

ENVIRONMENTAL PROTECTION

**The Highway Litter Clearance and Cleaning
(Transfer of Responsibility) Order 1997**

<i>Made</i>	- - - -	<i>1st December 1997</i>
		<i>22nd December</i>
<i>Laid before Parliament</i>		<i>1997</i>
<i>Coming into force</i>	- -	<i>1st April 1998</i>

The Secretary of State for Transport in exercise of the power conferred by section 86(11) of the Environmental Protection Act 1990⁽¹⁾ and of all other powers enabling him in that behalf, after consultation with the Councils of the Boroughs of Castle Morpeth, Swindon and Tewkesbury, the Cities of Carlisle, Leeds and Newcastle upon Tyne and the Districts of Cotswold, Huntingdonshire, North Wiltshire, Selby and Tynedale and it appearing to him to be necessary or expedient to do so in order to prevent or minimise interference with the passage or with the safety of traffic along the highway in accordance with paragraphs (b) and (c) of that subsection, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Highway Litter Clearance and Cleaning (Transfer of Responsibility) Order 1997 and shall come into force on 1st April 1998.

Transfer of duties to the Secretary of State

2. There shall be transferred to the Secretary of State for Transport from each local authority listed in column 1 of the Schedule to this Order the responsibility for the discharge of the duties imposed by section 89 of the Environmental Protection Act 1990 as respects the part or parts of the highway or highways specified in relation to that local authority in column 2 of that Schedule.

(1) 1990 c. 43.

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Signed by authority of the Secretary of State for Transport

Helene Hayman
Parliamentary Under Secretary of State
Department of the Environment, Transport and
the Regions

1st December 1997

SCHEDULE

Article 2

<p>(1) <i>Names of local authorities</i></p>	<p>(2) <i>Parts of highways for which duties are transferred</i></p>
<p>Carlisle City Council</p>	<p>That part of the A69 trunk road from its junction with the M6 Motorway (junction 43) eastwards to the boundary between the Counties of Cumbria and Northumberland at Temon Bridge.</p>
<p>Castle Morpeth Borough Council</p>	<p>That part of the A69 trunk road from the boundary between the District of Tynedale and the Borough of Castle Morpeth approximately 200 metres east of the junction between the A69 and the C257 county road leading to Wylam and Rudchester eastwards to the boundary between the Borough of Castle Morpeth and the City of Newcastle upon Tyne.</p>
<p>Cotswold District Council</p>	<p>That part of the A419 trunk road from the boundary between the Districts of North Wiltshire and Cotswold north westwards to its junction with the A417 trunk road.</p> <p>That part of the A417 trunk road from its junction with the A419 trunk road north westwards to the boundary between the District of Cotswold and the Borough of Tewkesbury.</p>
<p>Huntingdonshire District Council</p>	<p>That part of the A1 trunk road from a point 350 metres south of its junction with the Great North Road at Alconbury in a northerly direction to a point 280 metres north of the Fletton Parkway Interchange.</p> <p>That part of the A14 trunk road from a point 420 metres south east of its junction with Rusts Lane in a north westerly direction to its junction with the A1 trunk road.</p>
<p>Leeds City Council</p>	<p>That part of the A1 trunk road northwards from a point 520 metres south of the Old Great North Road at Micklefield to the county boundary 200 metres north of Occupation Lane.</p> <p>That part of the A1 trunk road from the county boundary 450 metres south of Spen Common Lane northwards to a point 1 kilometre north of the A64(T) Leeds Road.</p>
<p>Newcastle upon Tyne City Council</p>	<p>That part of the A69 trunk road from the boundary between the Borough of Castle Morpeth and the City of Newcastle upon Tyne eastwards to its junction with the A1 trunk road (West Road Interchange).</p>

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(1) <i>Names of local authorities</i>	(2) <i>Parts of highways for which duties are transferred</i>
North Wiltshire District Council	That part of the A419 trunk road from the boundary between the Borough of Swindon and the District of North Wiltshire north westwards to the boundary between the Districts of North Wiltshire and Cotswold.
Selby District Council	That part of the A1 trunk road that lies between the county boundary 200 metres north of Occupation Lane and the county boundary 450 metres south of Spen Common Lane.
Swindon Borough Council	That part of the A419 trunk road from its junction with the M4 Motorway (Junction 15) north westwards to the boundary between the Borough of Swindon and the District of North Wiltshire.
Tewkesbury Borough Council	That part of the A417 road from the boundary between the District of Cotswold and the Borough of Tewkesbury north westwards to the grade separated junction at Ordnance Survey Grid Reference 388500E, 217600N.
Tynedale District Council	That part of the A69 trunk road from the boundary between the Counties of Cumbria and Northumberland at Temon Bridge eastwards to the boundary between the District of Tynedale and the Borough of Castle Morpeth approximately 200 metres east of the junction between the A69 and the C257 county road leading to Wylam and Rudchester.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 89 of the Environmental Protection Act 1990 places a duty on the local authority to ensure that land comprised in the highways maintainable at the public expense within its area (other than trunk roads which are special roads) are so far as practicable kept clean and clear of litter and refuse. Section 86(11) empowers the Secretary of State to transfer responsibility for the discharge of these duties as respects all or any part of such a highway to the highway authority for that highway.

This Order transfers responsibility in respect of those parts of highways listed in the Schedule from the councils who would otherwise be responsible to the Secretary of State for Transport, who is the highway authority for them. The transfer becomes effective on 1st April 1998.

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