
STATUTORY INSTRUMENTS

1998 No. 467

ENVIRONMENTAL PROTECTION

**The Highway Litter Clearance and Cleaning
(Transfer of Responsibility) Order 1998**

<i>Made</i>	- - - -	<i>19th February 1998</i>
<i>Laid before Parliament</i>		<i>9th March 1998</i>
<i>Coming into force</i>	- -	<i>1st April 1998</i>

The Secretary of State for the Environment, Transport and the Regions 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 East Staffordshire, Harrogate, Hartlepool, Middlesbrough, Redcar and Cleveland, Stafford and Stockton on Tees, the City of Sunderland, the Districts of Derbyshire Dales, Easington, East Devon, Hambleton, Purbeck, South Derbyshire, Staffordshire Moorlands and West Dorset and the Metropolitan Borough of South Tyneside 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 Responsibilities) Order 1998 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 the Environment, Transport and the Regions 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 the Environment, Transport and the Regions

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

19th February 1998

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>City of Sunderland</p>	<p>That part of the A19 trunk road northwards from the boundary between the District of Easington and the City of Sunderland at the railway bridge to the north of the junction with the A1018 county road at Seaton to the boundary between the City of Sunderland and the Metropolitan Borough of South Tyneside at the junction with the A1290 county road at Hylton Castle.</p>
<p>Derbyshire Dales District Council</p>	<p>That part of the A50 trunk road from the boundary between the Borough of East Staffordshire and the District of Derbyshire Dales 500 metres east of the junction with the A518 county road south eastwards to the boundary between the Districts of Derbyshire Dales and South Derbyshire 1 kilometre east of the eastern junction with the A515 county road.</p>
<p>Easington District Council</p>	<p>That part of the A19 trunk road northwards from the boundary between the Borough of Hartlepool and the District of Easington at the junction with the A179 county road at Sheraton to the boundary between the District of Easington and the City of Sunderland at the railway bridge to the north of the junction with the A1018 county road at Seaton.</p>
<p>East Devon District Council</p>	<p>That part of the A30 trunk road from its junction with the M5 motorway (Junction 29) to its junction with the A35 trunk road at Honiton.</p> <p>That part of the A35 trunk road from its junction with the A30 trunk road at Honiton eastwards to the boundary between the Counties of Devon and Dorset 200 metres west of its junction with the B3165 county road.</p>
<p>East Staffordshire Borough Council</p>	<p>That part of the A50 trunk road from the boundary between the District of Staffordshire Moorlands and the Borough of East Staffordshire 6.2 kilometres west of the junction with the A522 county road south eastwards to the boundary between the Borough of East Staffordshire and the District of Derbyshire Dales 500 metres east of the junction with the A518 county road.</p>

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(1) <i>Names of local authorities</i>	(2) <i>Parts of highways for which duties are transferred</i>
Hambleton District Council	<p>That part of the A168 trunk road eastwards from the boundary between the Borough of Harrogate and the District of Hambleton on the River Swale to its junction with the A19 trunk road at Thirsk.</p> <p>That part of the A19 trunk road northwards from its junction with the A168 road at Thirsk to the boundary between the District of Hambleton and the Borough of Stockton on Tees at its junction with the A67 county road at Crathorne.</p>
Harrogate Borough Council	<p>That part of the A168 trunk road eastwards from a point 350 metres east of the county road overbridge located 650 metres east of the A1(M) bridge over the eastbound carriageway of the A168 trunk road at Dishforth to the boundary between the Borough of Harrogate and the District of Hambleton on the River Swale together with the slip roads connecting the A168 trunk road and the county road which crosses the A168 trunk road 650 metres east of the A1(M) bridge over the eastbound carriageway of the A168 trunk road.</p>
Hartlepool Borough Council	<p>That part of the A19 trunk road northwards from the boundary between the Boroughs of Stockton on Tees and Hartlepool at the North Burn Culvert located north of the junction with the A689 county road at Wolviston to the boundary between the Borough of Hartlepool and the District of Easington at the junction with the A179 county road at Sheraton.</p>
Middlesbrough Borough Council	<p>That part of the A19 trunk road northwards from the boundary between the Boroughs of Stockton on Tees and Middlesbrough at the A1044 county road underbridge at Maltby to the boundary between the Boroughs of Middlesbrough and Stockton on Tees at the River Tees.</p> <p>That part of the A174 trunk road eastwards from its junction with the A19 trunk road at Parkway Interchange to the boundary between the Boroughs of Middlesbrough and of Redcar and Cleveland at the railway bridge over the A174 trunk road located between Marton and Ormesby.</p>

(1) <i>Names of local authorities</i>	(2) <i>Parts of highways for which duties are transferred</i>
Purbeck District Council	That part of the A66 trunk road westwards from its junction with the A19 trunk road to the boundary between the Boroughs of Middlesbrough and Stockton on Tees south of the River Tees. That part of the A35 trunk road from a point 518 metres west of its junction with the B3390 county road to the western leg of the roundabout at the junction of the A35 and A31 trunk roads north east of Bere Regis.
Redcar and Cleveland Borough Council	That part of the A174 trunk road from the boundary between the Boroughs of Middlesbrough and of Redcar and Cleveland at the railway bridge over the A174 trunk road located between Marton and Ormesby eastwards to the junction with the A1053 trunk road. The A1053 trunk road north westwards from its junction with the A174 trunk road to its junction with the A1085 county road at Grangetown.
South Derbyshire District Council	That part of the A50 trunk road from the boundary between the Districts of Derbyshire Dales and South Derbyshire 1 kilometre east of the eastern junction with the A515 county road eastwards to the junction with the A516 trunk road.
South Tyneside Metropolitan Borough Council	That part of the A19 trunk road northwards from the boundary between the City of Sunderland and the Metropolitan Borough of South Tyneside at the junction with the A1290 county road at Hylton Castle to the roundabout at the junction with the A185 county road immediately south of the southern entrance to the Tyne Tunnel.
Stafford Borough Council	That part of the A50 trunk road from the boundary between the City of Stoke on Trent and the Borough of Stafford at the junction with the A521 county road eastwards to the boundary between the Borough of Stafford and the District of Staffordshire Moorlands 600 metres east of the junction with the B5029 county road.
Staffordshire Moorlands District Council	That part of the A50 trunk road from the boundary between the Borough of Stafford and the District of Staffordshire Moorlands

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(1) <i>Names of local authorities</i>	(2) <i>Parts of highways for which duties are transferred</i>
Stockton on Tees Borough Council	<p>600 metres east of the junction with the B5029 county road south eastwards to the boundary between the District of Staffordshire Moorlands and the Borough of East Staffordshire 6.2 kilometres west of the junction with the A522 county road.</p> <p>That part of the A19 trunk road northwards from the boundary between the District of Hambleton and the Borough of Stockton on Tees at the junction with the A67 county road at Crathorne to the boundary between the Boroughs of Stockton on Tees and Middlesbrough at the A1044 county road underbridge at Maltby.</p> <p>That part of the A19 trunk road northwards from the boundary between the Boroughs of Middlesbrough and Stockton on Tees at the River Tees to the boundary between the Boroughs of Stockton on Tees and Hartlepool at the North Burn Culvert located north of the junction with the A689 county road at Wolviston.</p> <p>That part of the A66 trunk road westwards from the boundary between the Boroughs of Middlesbrough and Stockton on Tees south of the River Tees to a point 265 metres east of the overbridge to Teeside Retail Park together with the slip roads to and from the overbridge.</p>
West Dorset District Council	<p>That part of the A35 trunk road from the boundary between the Counties of Dorset and Devon at a point 200 metres west of its junction with the B3165 county road to a point 518 metres west of its junction with the B3390 county road.</p>

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

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trunk roads which are special roads) is 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 the Environment, Transport and the Regions who is the highway authority for them. The transfer becomes effective on 1st April 1998.