

1999 No. 2122

HIGHWAYS, ENGLAND

**The A41 Trunk Road (No Man's Heath and Macefen Bypass
and Detrunking) Order 1999**

Made - - - - - *23rd July 1999*

Coming into force *9th August 1999*

The Secretary of State for the Environment, Transport and the Regions makes this Order in exercise of powers conferred by sections 10 and 41 of the Highways Act 1980^(a), and now vested in him^(b), and of all other powers enabling him in that behalf:

1. This Order may be cited as the A41 Trunk Road (No Man's Heath and Macefen Bypass and Detrunking) Order 1999 and shall come into force on 9th August 1999.

2. In this Order—

- (1) all measurement of distance are measured along the route of the relevant highway;
- (2) (i) “the main new road” means the new highway which the Secretary of State proposes to construct along the routes described in Schedule 1 to this Order;
- (ii) “the new trunk road” means the main new road;
- (iii) “the plan” means the plan numbered HA10/NNMD3 and marked “The A41 Trunk Road (No Man's Heath and Macefen Bypass and Detrunking) Order 1999” signed by authority of the Secretary of State for the Environment, Transport and the Regions and deposited at Great Minster House, Marsham Street, London SW1; and
- (iv) “the trunk road” means the East of Birmingham – Birkenhead Trunk Road (A41).

3. From the date when the Order comes into force the main new road shall become a trunk road.

4. The centre line of the new trunk road is indicated by a heavy black line on the plan.

5. The Secretary of State directs as respects any part of highway which crosses the route of the new trunk road that—

- (a) where the highway is maintainable at the public expense by a local authority, the part in question shall be maintained by that authority, and
- (b) where the highway is not 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,

^(a) 1980 c. 66.
^(b) S.I. 1977/1971.

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 traffic.

6. The lengths of trunk road described in Schedule 2 to this Order, which are shown by broad black dashes on the plan, shall cease to be trunk road and shall be an unclassified road from the date on which the Secretary of State notifies the Cheshire County Council that the main new road is open for traffic.

Signed by authority of the
Secretary of State for the Environment,
Transport and the Regions

23rd July 1999

Derek Oddy
Divisional Director
Highways Agency

SCHEDULE 1

The routes of the main new road are:

- (a) about 1.42 kilometres in length from a point 445 metres north west of the junction of Old Coach Road and the existing A41 Trunk Road (marked '1' on the plan) to a point 320 metres north west of the junction of Flag Lane and the existing A41 Trunk Road (marked '2' on the plan), and
- (b) about 0.47 kilometres in length from a point 168 metres north west of the junction of Flag Lane and the existing A41 Trunk Road (marked '3' on the plan) to a point 155 metres north of the junction of Bradley Green Road and the existing A41 Trunk Road (marked '4' on the plan),

both at Hampton in the City of Chester in the County of Cheshire.

SCHEDULE 2

The lengths of the trunk road ceasing to be a trunk road are both situated between the starting and termination points of the new Trunk Road:

- (a) from a point 445 metres north west of the junction of Old Coach Road and the existing A41 Trunk Road (marked 'A' on the plan) to a point 472 metres north west of the junction of Flag Lane and the existing A41 Trunk Road (marked 'B' on the plan), and
- (b) from the junction of Flag Lane and the existing A41 Trunk Road (marked 'C' on the plan) to a point 165 metres north of the junction of Bradley Green Road and the existing A41 Trunk Road (marked 'D' on the plan),

both at Hampton in the City of Chester in the County of Cheshire.

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