

2012 No. 1571

ROAD TRAFFIC

The A550, A5117 and A494 Trunk Roads (Dunkirk Junction To Deeside Park Junction) (24 Hour Clearway) Order 2012

Made: 7th June 2012

Coming into force: 15th June 2012

The Secretary of State for Transport in exercise of the powers conferred by Sections 1(1) and 2(1) and (2) and paragraph 27 of Schedule 9 of the Road Traffic Regulation Act 1984(a), hereby makes the following Order on the A550, A5117 and A494 Trunk Roads in the District of Cheshire West and Chester:

1. This Order may be cited as The A550, A5117 and A494 Trunk Roads (Dunkirk Junction to Deeside Park Junction) (24 Hour Clearway) Order 2012 and shall come into force on 15th June 2012.

2. In this Order:

“the first length of trunk road” means the A494 Trunk Road from a point 278 metres north of the northern bridge at Deeside Park Junction (the England/Wales border) in a northerly and then an easterly direction to a point 228 metres east of the back of the nosing of the eastbound entry slip road leading to the A494 (and then the M56 Motorway) from the Dunkirk Junction;

“the second length of trunk road” means the A5117 Trunk Road from the point at which it meets the A540 Parkgate Road Junction in an easterly direction to the point at which the trunk road meets the circulatory carriageway at the Dunkirk Junction;

“the third length of trunk road” means the A550 Trunk Road from a point 295 metres north of the northern bridge parapet of the northern bridge at Deeside Park Junction (the England/Wales border) in a northerly direction to a point 73 metres north of the nosing of the entry slip road leading to the A494 at Woodbank Junction;

“the first slip road” means the exit slip road leading from the southbound link road from the A550 Trunk Road to where it joins the southbound exit slip road leading from the A494 Trunk Road, a point 293 metres north of where the A494 exit slip road meets the Deeside Park Junction;

(a) 1984 c.27; section 1(1) and 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (c.22), section 168 and Schedule 8, paragraphs 17(2) and 18(2) and (3).

“the second slip road” means the exit slip road leading from the southbound carriageway of the A550 Trunk Road at Woodbank Junction to the southbound carriageway of the A494 Trunk Road, a point 140 metres north of where the slip road joins the A494 Trunk Road (the England/Wales border);

“the third slip road” means the exit slip road leading from the southbound carriageway of the A494 Trunk Road and terminating 267 metres north of the Deeside Park Junction (the England/Wales border);

“the fourth slip road” means the slip road leading from the northbound carriageway of the A550 Trunk Road at Woodbank Junction to the eastbound carriageway of the A494 Trunk Road;

“the fifth slip road” means the entry slip road leading to the westbound carriageway of the A494 Trunk Road from the A540 Parkgate Road roundabout circulatory carriageway;

“the sixth slip road” means the exit slip road leading from the eastbound carriageway of the A494 Trunk Road to the A540 at the Parkgate Road Junction;

“the seventh slip road” means the exit slip road leading from the westbound carriageway of the A494 Trunk Road to the A540 Parkgate Road roundabout circulatory carriageway;

“the eighth slip road” means the exit slip road leading from the eastbound carriageway of the A494 Trunk Road to the circulatory carriageway at the A5117 Dunkirk roundabout Junction;

“the ninth slip road” means the entry slip road leading to the eastbound carriageway of the A494 (and then the M56 Motorway) from the circulatory carriageway at the A5117 Dunkirk roundabout Junction;

“layby” means an area of carriageway intended for the waiting of vehicles bounded (partly) by a road marking on the outer edge of that carriageway complying with diagram 1010 in schedule 6 to the Traffic Signs Regulations and General Directions 2002^(a); and in this definition “carriageway” means any way (other than a cycle track) comprised in the trunk road over which the public have right of way for the passage of vehicles and which has a surface suitable for the exercise of that right;

“carriageway” means a way consisting of, or comprised in, a length of trunk road or slip road defined in this article, being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles and a surface suitable for the exercise of that right;

“verge” means any part of a length of trunk road or slip road defined in this article which is not a carriageway;

"water authority" means a water or sewerage undertaker within the meaning of the Water Industry Act 1991^(b).

3. Subject as mentioned in article 4 of this Order, no person shall cause or permit any vehicle to wait on any part of a carriageway (except a layby) or verge comprised in the first, second, or third lengths of trunk road or the first, second, third, fourth, fifth, sixth, seventh, eighth or ninth slip roads.

(a) S.I. 2002/3113

(b) 1991 c.56

4. Nothing in article 3 of this Order shall apply:

(a) so as to prevent a vehicle waiting on any part of the lengths of trunk road or slip roads for so long as may be necessary to enable that vehicle to be used in connection with -

- (i) any building operation or demolition,
- (ii) the removal of any obstruction to traffic,
- (iii) the maintenance, including winter maintenance, improvement or reconstruction of the lengths of trunk road or slip roads, or

the laying, erection, inspection, maintenance, alteration, repair, renewal or removal in or near the trunk road of any sewer, main, pipe, conduit, wire, cable or other apparatus for the supply of gas, water, electricity or any telecommunications apparatus as defined in Schedule 2 of the Telecommunications Act 1984**(a)**,

(b) in relation to a vehicle being used -

- (i) for police, fire and rescue, ambulance, or traffic officer purposes,
- (ii) in the service of a local authority in pursuance of their respective statutory powers or duties,
- (iii) in the service of a water undertaker or sewerage undertaker within the meaning of the Water Industry Act 1991**(b)**,
- (iv) in connection with a safety camera partnership, Highways Agency contractors' observations and Vehicle & Operator Service Agency purposes,

(c) to a vehicle waiting when the person in control of it is -

- (i) required by law to stop,
- (ii) obliged to stop in order to avoid an accident, or

prevented from proceeding by circumstances outside his or her control.

5. No person shall cause or permit any vehicle to wait on any part of a carriageway, layby or verge comprised in the first, second, or third lengths of trunk road or the first, second, third, fourth, fifth, sixth, seventh, eighth or ninth slip roads for the purpose of selling, or dispensing, goods from that vehicle, unless the goods are immediately delivered at, or taken into, premises adjacent to the land on which the vehicle stood when the goods were sold or dispensed.

6. This Order will have the effect of varying The Various Trunk Roads (Prohibition of Waiting) (Clearways) Order 1963 **(c)**, by replacing trunk road descriptions contained in paragraphs 168 and 194 of Schedule 1 to that Order as follows:

(a) S.I. 1984 c.12.

(b) S.I. 1991 c.56

(c) S.I 1963/1172

(i) Paragraph 168 shall now describe the length of the A5117 Trunk Road included in that Order as 'Between a point 30 yards west of its junction with Chester Road (A56), Hapsford, and its junction with, and including the circulatory carriageway of, the A5117/M56 Dunkirk Junction roundabout, a distance of approximately 5.9 miles'; and

(ii) Paragraph 194 shall now describe the length of the A550 Trunk Road included in that Order as 'Between the roundabout at Queensferry at the junction of the Queensferry Bypass with Sandycroft Road (B5129) and a point 295 metres north of the northern bridge parapet of the northern bridge at Deeside Park Junction (the England/Wales border) a distance of approximately 2.4 miles.'

Signed by authority of the
Secretary of State for Transport

A Withington
Service Delivery Team Leader
Network Delivery & Development Directorate
Highways Agency

Date 7th June 2012

EXPLANATORY NOTE

(This note is not part of the Order)

A trunk road improvement scheme has been undertaken from the border of England and Wales, north of the Deeside Park Junction, to the junction with the M56 Motorway in the District of Cheshire West and Chester. The scheme has resulted in junction improvements, changed road layouts and road re-numbering.

An existing clearway order, The Various Trunk Roads (Prohibition of Waiting) (Clearways) Order 1963, does not accurately reflect the changed road layout in this area and the relevant provisions are being amended to remove references to the improved trunk road network now included in this order.

The clearway order will allow the free flow of traffic at this location by prohibiting vehicles from stopping and prohibiting roadside trading.