

Dated

2020

Highways Act 1980

**THE CHESHIRE EAST BOROUGH COUNCIL AND
CHESHIRE WEST AND CHESTER BOROUGH COUNCIL(MIDDLEWICH EASTERN
BYPASS)
(CLASSIFIED ROAD)
(SIDE ROADS) ORDER 2020**

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HIGHWAYS ACT 1980

CHESHIRE EAST BOROUGH COUNCIL AND
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(MIDDLEWICH EASTERN BYPASS)
(CLASSIFIED ROAD)
(SIDE ROADS ORDER) 2020

The Cheshire East Borough Council (“the Council”) makes this Order in exercise of powers conferred by sections 14 and 125 of the Highways Act 1980 and all other powers enabling them in that behalf: -

1. (1) The Council is authorised in relation to the new classified road in the Parishes of Middlewich, and Moston in the Borough of Cheshire East and (pursuant to an agreement under section 8 of the Highways Act 1980) in the Parish of Sproston in the Borough of Cheshire West and Chester to carry out the following works:
 - (a) improve, divert, raise, lower or otherwise alter the lengths of highway named in the Schedules and shown on the corresponding Site Plan by cross hatching (Section 14);
 - (b) stop up each length of highway described in the Schedules and shown on the corresponding Site Plan by zebra hatching (Section 14);
 - (c) construct a new highway along each route whose centre line is shown on a Site Plan by an unbroken black line surrounded by stipple (Section 14);
 - (d) stop up each private means of access to premises described in the Schedules and shown on the corresponding Site Plan by a solid black band (Section 125); and
 - (e) provide new private means of access to premises at each location shown on a Site Plan by thin diagonal hatching (Section 125).
- (2) Where a new highway is to be constructed wholly or partly along the same route as a new access or part of one, that new highway shall be created subject to the private rights over that new access.
- (3) Each new highway is given a reference letter on a Site Plan, which is also placed in the respective Schedule, and will be a road unless the word “bridleway”, “footpath” or “restricted byway” appears beneath its reference letter in that Schedule, in which case it will be a bridleway, footpath or restricted byway. Each new access is given a number on a Site Plan, which is also placed in the respective Schedule.
- (4) Where a new highway is to be constructed or a new access is to be provided in connection with the stopping up of a length of highway or private means of access described in a Schedule, its reference letter or number (as the case may be) is placed in the said Schedule opposite the description of that length.

- (5) Each Site Plan shows the works indicated in the respective Schedule and has the same number as that Schedule, and the route of the classified road is shown in relation to the works shown on each Site Plan.
2. The Council is satisfied –
- (a) as respects each length of highway the stopping up of which is authorised by this Order, that another reasonably convenient route is available or will be provided before that length is stopped up, and
- (b) as respects each length of private means of access the stopping up of which is authorised by this Order, that other reasonably convenient means of access to the relevant premises are available or will be provided before that length is stopped up.
3. Where immediately before a length of highway is stopped up in pursuance of this Order there is under, in, on, over, along or across that highway any apparatus of statutory undertakers or any telecommunications code system operator then, subject to section 21 of the Highways Act 1980, those undertakers, or that operator, as the case may be, shall continue to have the same rights as respects that apparatus as they had immediately before the stopping up took place.
4. In this Order:
- (a) all measurements of distances are measured along the route of the relevant highway or private means of access to premises, as the case may be;
- (b) a reference to a Schedule or Site Plan number is a reference to the Schedule or Site Plan so numbered;
- (c) “the classified road” - means the highway which the Council propose to:
 construct from 300m south east of A54 / B5309 roundabout southwards for a distance of 2.6km to Tetton Bridge tying in to the A533 Booth Lane.
 and which
 is a proposed highway which is a classified road in accordance with section 12 of the Highways Act 1980;
- “the Council” - means Cheshire East Borough Council;
- “improvement” - in relation to a highway includes diverting, raising, lowering or otherwise altering that highway, and “improved” shall be construed accordingly;
- “new access” - means a means of access to premises authorised by this Order to be provided;
- “new highway” - means a new highway authorised by this

Order to be constructed and “new highways” shall be construed accordingly;

“Schedule”

- means a Schedule to this Order, and “Schedules” shall be construed accordingly;

“Site Plan”

- means one of the plans numbered 1, 2, 3, 4, 5 or 6 contained in the Plan Folio marked “Cheshire East Borough Council (Middlewich Eastern Bypass) (Classified Road) (Side Roads Order) 2020” sealed with the Common Seal of the Council and deposited at:

Main Reception
Cheshire East Council
Municipal Buildings
Earle Street
Crewe
CW1 2BJ

duplicates have also been deposited at:

Middlewich Library
22 Lewin Street
Middlewich
CW10 9AS

and at the offices of the Secretary of State for Transport, and may be viewed online at:

<http://www.cheshireeast.gov.uk/MEB>

SCHEDULE 1

Locality – Middlewich and Sproston

Plan title – Pochin Way and Public Right of Way Alterations (Plan No. 1)

<u>Highways to be improved</u>
Pochin Way over a distance of approximately 210m between access to Kinderton Lodge Farm and the bridge over the River Croco.

<u>Highways to be stopped up</u>	<u>Particulars of new highways Reference Letter</u>
Middlewich FP22 and Sproston FP4 Public Right of Way to be stopped up over length of 370m	
	A
	B
	C

	<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
a	Access to Optima Logistics (Plot xxx).	1
b	Access to United Utilities Pumping Station (Plot xxx).	2

A 210m section of Pochin Way between the access to Kinderton Lodge Farm and the bridge over the River Croco incorporating Private Means of Access to Optima Logistics (Plot xxx) and a surface water pumping station owned by United Utilities (Plot xxx) will be improved. Within the improvements the access to Optima Logistics will be maintained with alterations to the central pedestrian refuge, the access to the United Utilities pumping stations will be maintained, and the alignment of the combined footway/cycleway will be altered to separate it from the edge of carriageway.

New lengths of highway shown as A & B on the plan will be constructed to tie Pochin Way into the new northern roundabout forming the start of the Middlewich Eastern Bypass.

A 370m long section of Middlewich FP22 and Sproston FP4 Public Rights of Way will be stopped up and replaced by new / improved footpaths provided as part of the highway in the improvements described above, 290m of new footpath on the new bypass and 40m of new Public Right of Way shown as C on the plan.

SCHEDULE 2

Locality – Middlewich

Plan title – Private Means of Access Alterations (Plan No. 2)

<u>Highways to be improved</u>
N/A

<u>Highways to be stopped up</u>	<u>Particulars of new highways Reference Letter</u>
N/A	

	<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
	N/A	
		1 (new private means of access to be created).

A new Private Means of Access to the western section of Plot xxx which will be severed by the bypass will be provided as shown as 1 on the plan. The access will be formed off an access track which provides for maintenance of the highway drainage system. The PMA does not replace an existing access which is being stopped up as a result of the scheme.

SCHEDULE 3

Locality – Middlewich

Plan title – Cledford Lane and Public Right of Way Alterations (Plan No. 3)

Highways to be improved

Cledford Lane to be improved 80m east and 245m west of new roundabout junction with the bypass

<u>Highways to be stopped up</u>	<u>Particulars of new highways Reference Letter</u>
Middlewich FP19 Public Right of Way to be stopped up over a distance of 35m.	A and B
Cledford Lane to be stopped up over a distance of 60m in a westerly direction from a point 195m from junction with Bradwall Lane	

	<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
a	Field access to Plot xxx.	1
b	Access to non-operational area of Plot xxx	2
c	Field access to Plot xxx	3

A 35m long section of Middlewich FP19 Public Right of Way will be stopped up and replaced by 80m of new Public Right of Way shown as A & B on the plan to enable pedestrians to cross the bypass in a safe location.

A 60m section of Cledford Lane including Private Means of Access a will be stopped up to enable construction of the new roundabout junction between Cledford Lane and the bypass. Private Means of Access a will be replaced by a new PMA to the same field shown as 1 on the plan.

Private Means of Access b and c will be stopped up and recreated in altered locations as 2 and 3 as shown on the plan to accommodate a scheme of improvement to Cledford Lane which includes incorporation of a segregated footway / cycleway, improvements to drainage, and improvements to the carriageway.

The line of National Cycle Network Route 71 will be diverted around the new roundabout.

SCHEDULE 4

Locality – Middlewich

Plan title – Cledford Lane and Private Means of Access Alterations (Plan No. 4)

<u>Highways to be improved</u>
Cledford Lane to be improved over a distance of 595m eastwards commencing from 18m east of junction with Faulkner Drive

<u>Highways to be stopped up</u>	<u>Particulars of new highways Reference Letter</u>
N/A	N/A

	<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
a	Access to Cledford Villa to be stopped up and recreated in the same location to new levels.	1
b	Access to Cledford House to be stopped up and recreated in the same location to new levels.	2
c	Field access to Plot xxx to be stopped up and recreated in the same location to new levels	3
d	Field access to Plot xxx to be stopped up and recreated in the same location to new levels	4
e	Field access to Plot xxx to be stopped up and recreated 5m south of current location.	5
f	Field access to Plot xxx to be stopped up and recreated in the same location to new levels	6
g	Field access to Plot xxx to be stopped up and recreated 5m south of current location.	7

Improvements to Cledford Lane consisting of incorporation of segregated footway / cycleway, carriageway improvements, drainage improvements, and introduction of passing places impacts on 7 Private Means of Access as described below:

PMA a providing access to Cledford Villa is stopped up and recreated in the same location shown as 1.

PMA b providing access to Cledford House is stopped up and recreated in the same location shown as 2.

PMA c providing access to fields (Plot xxx) and Middlewich FP20 is stopped up and recreated in the same location shown as 3.

PMA d providing access to fields (Plot xxx) is stopped up and recreated in the same location shown as 4.

PMA e providing access to fields (Plot xxx) is stopped up and recreated 5m from it's current location shown as 5.

PMA f providing access to fields (Plot xxx) is stopped up and recreated in the same location shown as 6.

PMA g providing access to fields (Plot xxx) is stopped up and recreated 5m from it's current location shown as 7.

Access to the Cledford Hall site is unaffected by the proposals and subject only to minor tying in alterations within the highway boundary.

SCHEDULE 5

Locality – Middlewich

Plan title – Public Right of Way and Private Means of Access Alterations (Plan No. 5)

<u>Highways to be improved</u>
N/A

<u>Highways to be stopped up</u>	<u>Particulars of new highways Reference Letter</u>
Middlewich FP19 Public Right of Way to be stopped up over a distance of 35m.	A and B

<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
N/A	
	1 (new private means of access to be created)

A 275m long section of Middlewich FP20 Public Right of Way will be stopped up and replaced by 275m of new Public Right of Way shown as A & B on the plan to enable pedestrians to cross the bypass in a safe location.

A new Private Means of Access to the eastern section of Plot xxx which will be severed by the bypass will be provided as shown as 1 on the plan. The access will be formed off an access track which provides for maintenance of the highway drainage system. The PMA does not replace an existing access which is being stopped up as a result of the scheme.

SCHEDULE 6

Locality – Moston

Plan title – Booth Lane Alterations (Plan No. 6)

<u>Highways to be improved</u>
A533 Booth Lane to be improved over a distance of 570m in a north-westerly direction from Tetton Bridge.
A533 Booth Lane to be improved over a distance of 110m in a south-easterly direction commencing 160m south east of Tetton Bridge.

<u>Highways to be stopped up</u>	<u>Particulars of new highways Reference Letter</u>
A533 Booth Lane to be stopped up over a distance of 140m commencing 15m south east of Tetton Bridge	F (new highway access to Tetton Lane) G (new footway / cycleway)
A533 Booth Lane to be stopped up over a distance of 22m commencing 395m north west of Tetton Bridge	B (Footway / cycleway) A and D (new accesses to Trent and Mersey Canal Towpath) C
	E

	<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
a	Field access to Plot xxx to be stopped up and recreated 25m north east	1
b	Access to No. 1 East Tetton Cottage to be stopped up and recreated 25m South east	2

Booth Lane south of Tetton Bridge will be stopped up over a length of 145m and Public Right of Way Moston FP6 will be stopped up over a length of 23m as shown in Inset 1.
 Booth Lane north of Tetton Bridge will be stopped up over a length of 80m as shown in Inset 2.
 Private Means of Access a to Plot xxx will be stopped up and recreated 25m northeast shown as 1 on the plan.
 Private Means of Access b to No. 1 East Tetton Cottages will be stopped up and recreated 25m south shown as 2 on the plan.

80m of new cycleway / footway will be formed on the stopped up section of Booth Lane shown as B on the plan.

New pedestrian accesses to the towpath of the Trent and Mersey Canal of 43m total length will be formed shown as A and D on the plan.

210m of new highway will be formed between the roundabout forming the end of the bypass and Booth Lane heading towards Middlewich, shown as C on the plan.

360m of new highway will be formed between the roundabout forming the end of the bypass and Booth Lane heading towards Sandbach, shown as E on the plan.

65m of new highway will be formed between the realigned Booth Lane and Tetton Bridge shown as F on the plan.

115m of new cycleway / footway will be form on the stopped up section of booth Lane shown as G on the plan.

Given under the Common Seal of the Cheshire East Borough Council on the
Day of [] 2020

THE COMMON SEAL OF

CHESHIRE EAST BOROUGH COUNCIL

was affixed in the presence of:

Authorised Signatory