

Highways Act 1980

THE CHESHIRE EAST COUNCIL (A533 MIDDLEWICH EASTERN BYPASS) (CLASSIFIED ROAD) (SIDE ROADS) ORDER 2022

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HIGHWAYS ACT 1980
THE CHESHIRE EAST COUNCIL
(A533 MIDDLEWICH EASTERN BYPASS)
(CLASSIFIED ROAD)
(SIDE ROADS ORDER) 2022

The Cheshire East Council ("the Council") make this Order in exercise of powers conferred by sections 8, 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 that length of the classified road in the Parish of Middlewich, and the Parish of Moston, in the Borough of Cheshire East and, pursuant to an agreement under section 8 of the Highways Act 1980, that length of the classified road in the Parish of Sproston, in the Borough of Cheshire West and Chester, in the County Palatine of Cheshire, to : -
 - (a) improve the lengths of highway named in the Schedules and shown on the corresponding Site Plan by cross hatching;
 - (b) stop up each length of highway described in the Schedules and shown on the corresponding Site Plan by zebra hatching;
 - (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;
 - (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; and
 - (e) provide new private means of access to premises along each route or at each location shown on a Site Plan by thin diagonal hatching.
- (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 number and letter on a Site Plan, which is also placed in the respective Schedule, and will be a road unless the word "Footpath" or "Cycle Track (with a right of way on foot)" appears beneath its reference number and letter in that Schedule, in which case it will be a Footpath or Cycle Track (with a right of way on foot) as the case may be. Each new access is given a reference number followed by a lower case letter 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 number and 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. 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.
3. In this Order:
 - (1) Distances are measured along the route of the relevant highway or private means of access to premises, as the case may be;
 - (2) A reference to a Schedule or Site Plan number is a reference to the Schedule or Site Plan so numbered;
 - (3)

(a)	"the classified road"	-	means the highway which the Council propose to construct, as the proposed A533, from a point on Pochin Way, at the eastern side of the private access road to Optima Logistics off Pochin Way, and extending south eastwards, then southwards, then south eastwards for 2.74 kilometres, to connect with the A533 just east of where it junctions with Moston Footpath 6, at a point some 70 metres south east of Tetton Bridge, and which is a proposed highway which is a classified road in accordance with section 12 of the Highways Act 1980;
(b)	"the Council"	-	means Cheshire East Council;
(c)	"improvement"	-	in relation to a highway includes raising, lowering or otherwise altering that highway, and "improved" shall be construed accordingly;
(d)	"new access"	-	means a means of access to premises authorised by this Order to be provided;
(e)	"new highway"	-	means a new highway authorised by this Order to be constructed and "new highways" shall be construed accordingly;
(f)	"Schedule"	-	means a Schedule to this Order, and "Schedules" shall be construed accordingly;
(g)	"Site Plan"	-	means one of the plans numbered 1, 2, 3, 4, 5 and 6 marked "The Cheshire East Council (A533 Middlewich Eastern Bypass) (Classified Road) (Side Roads Order) 2022" sealed with the Common Seal of the Council and deposited at the offices of the Council at Municipal Buildings, Earle Street, Crewe CW1 2BJ; a duplicate has also been deposited at the offices of the Secretary of State for Transport.

SCHEDULE 1

Site Plan 1 title –

Locality –

Pochin Way and Public Right of Way
Alterations

In the Parish of Middlewich in the Borough
of Cheshire East

Highways to be improved

Pochin Way

<u>Highways to be stopped up</u>	<u>Reference Letter of New Highway</u>
Pochin Way, from a point at the eastern side of the private access off Pochin Way to Optima Logistics, generally south eastwards for a distance of 94 metres, when measured along its western boundary.	1/A and 1/C Cycle Track (with a right of way on foot)
-	1/B
Middlewich Footpath 22 from a point 56 metres north west of its junction with the private access road to Optima Logistics, generally south eastwards, then north eastwards, for a distance of 315 metres, to its junction with Sproston Footpath 4 at the Borough boundary of Chester East and Chester West and Chester.	-
Sproston Footpath 4 from its junction with Middlewich Footpath 22 at the Borough boundary of Chester East and Chester West and Chester, generally eastwards for a distance of 70 metres, to the south eastern boundary of the Classified Road.	-

SCHEDULE 1 (CONTINUED)

<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
Access Road to Optima Logistics, from its junction with Pochin Way, south westwards for a distance of 12.5 metres (referenced 1/a on Site Plan 1).	1/1
Access to agricultural land, from its junction with Pochin Way, at a point 23 metres south east and opposite the access road to Optima Logistics, north eastwards for a distance of 5 metres (referenced 1/b on Site Plan 1).	1/2
Gated Access to United Utilities Pumping Station site, from its junction with Pochin Way, at a point 70 metres south east of the Access Road to Optima Logistics, westwards for a distance of 5 metres (referenced 1/c on Site Plan 1).	1/3
Recessed Gated Access to agricultural land, from its junction with Pochin Way, at a point 113 metres south east and opposite the access road to Optima Logistics, south eastwards for a distance of 5 metres (referenced 1/d on Site Plan 1).	1/2

SCHEDULE 2

Site Plan 2 title –

Locality –

Private Means of Access Alterations

In the Parish of Middlewich in the Borough
of Cheshire East

Highways to be improved

-

<u>Highways to be stopped up</u>	<u>Reference Letter of New Highway</u>
-	-

<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
-	2/1

SCHEDULE 3

Site Plan 3 title –

Cledford Lane and Public Right of Way
Alterations

Locality – In the Parish of Middlewich in the
Borough of Cheshire East

Highways to be improved

Cledford Lane

<u>Highways to be stopped up</u>	<u>Reference Letter of New Highways</u>
Cledford Lane where crossed by the Classified Road, a distance of 80 metres.	-
Middlewich Footpath 19, from a point 240 metres west of its junction with Sproston Footpath 4X, westwards for a distance of 68 metres.	3/A Footpath and 3/B Footpath

<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
Access to OS Field Number 2704, from its junction with Cledford Lane, at a point 208 metres west of the dogleg T-junction of Cledford Lane with Bradwall Road, southwards for a distance of 5 metres (referenced 3/a on Site Plan 3).	3/1
Gated Access to tree planted scrubland/development land lying to the north of Cledford Lane, from its junction with Cledford Lane, at a point 318 metres west of the dogleg T-Junction of Cledford Lane with Bradwall Road, north eastwards for a distance of 5 metres (referenced 3/b on Site Plan 3).	3/2
Gated Access to OS Field Number 0603, from its junction with Cledford Lane, at a point 465 metres west of the dogleg T-Junction of Cledford Lane with Bradwall Road, generally southwards for a distance of 5 metres (referenced 3/c on Site Plan 3).	3/3
-	3/4

SCHEDULE 4

Site Plan 4 title –
Cledford Lane and Private Means of
Access Alterations

Locality – In the Parish of Middlewich in the
Borough of Cheshire East

Highways to be improved

Cledford Lane

<u>Highways to be stopped up</u>	<u>Reference Letter of New Highways</u>
-	-

<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
Access to Cledford Villa, from its junction with Cledford Lane, at a point 87 metres south west of the south western boundary of the Sandbach to Northwich Railway line bridge over Cledford Lane, south eastwards for a distance of 5 metres (referenced 4/a on Site Plan 4).	4/1
Access to Cledford House, from its junction with Cledford Lane, at a point 35 metres south west of the south western boundary of the Sandbach to Northwich railway line bridge over Cledford Lane, south eastwards for a distance of 5 metres (referenced 4/b on Site Plan 4).	4/2
Access to agricultural field located to the west of the site of the former and demolished Cledford Hall, from its junction with Cledford Lane, at a point 21 metres east of the eastern end of the northern bridge parapet of the Cledford Lane bridge crossing of Sanderson's Brook, northwards for a distance of 5 metres (referenced 4/c on Site Plan 4).	4/3

SCHEDULE 4 (CONTINUED)

<u>Private means of access to be stopped up (Continued)</u>	<u>Reference number of new accesses (Continued)</u>
Access to tree planted scrubland/development land lying to the north of Cledford Lane, from its junction with Cledford Lane, at a point 147 metres east, and opposite, the eastern curtilage boundary of 'Brookfield', generally northwards for a distance of 5 metres (referenced 4/d on Site Plan 4).	4/4
Gated Access to agricultural land lying to the south of Cledford Lane, from its junction with Cledford Lane, at a point 148 metres generally east of the eastern boundary of 'Brookfield', generally southwards for a distance of 5 metres (referenced 4/e on Site Plan 4).	4/5

SCHEDULE 5

Site Plan 5 title –

Locality –

Public Right of Way and Private Means of Access Alterations

In the Parish of Middlewich in the Borough of Cheshire East

<u>Highways to be stopped up</u>	<u>Reference Letter of New Highways</u>
Middlewich Footpath 20, from a point 170 metres west of the western boundary of the Classified Road, eastwards to a point 3 metres east of the eastern boundary of the Classified Road, a distance of 233 metres,	5/A Footpath and 5/B Footpath

<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
-	5/1

SCHEDULE 6

Site Plan 6 title –
Booth Lane Alterations

Locality – In the Parish of Moston in the
Borough of Cheshire West and Chester

Highways to be improved

A533 Booth Lane

Tetton Lane

<u>Highways to be stopped up</u>	<u>Reference Letter of new highways</u>
-	6/A
A533 Booth Lane from a point 18 metres south east of the private access to 1 East Tetton Cottages, and opposite the private access to Pear Tree Cottage, north westwards for a distance of 95 metres.	6/B Cycle Track (with a right of way on foot) 6/C and 6/D
-	6/E Cycle Track (with a right of way on foot)
A length and a north eastern part width of the A533 Booth Lane from a point 8 metres south east of its junction with Moston Footpath 6, north westwards for a distance of 139 metres for its length and from that point north westwards for a distance of 20 metres, to the eastern curtilage boundary of Swanwillow Cottage, and having a width of 6 metres.	6/F and 6/G Cycle Track (with a right of way on foot)
Moston Footpath 6, from its junction with the A533 Booth Lane, generally eastwards for a distance of 23 metres	-

SCHEDULE 6 (CONTINUED)

<u>Private means of access to be stopped up</u>	<u>Reference number of new accesses</u>
Gated access to No.1 East Tetton Cottage, from the A533 Booth Lane, north eastwards for a distance of 2 metres (referenced 6/a on Site Plan 6).	6/1
A north west terminal length of private access road known as Tetton Lane, from it north west termination point, into now cleared former industrial land, south eastwards for a distance of 118 metres (referenced 6/b on Site Plan 6).	6/2
That arced length of private access road to 'Bowfields' (to be demolished), extending off the private access road known as Tetton Lane, a distance of 170 metres (referenced 6/c on Site Plan 6).	-
Access to grassland/scrubland situated between the Trent and Mersey Canal and the private access road known as Tetton Lane, from its junction with the private access road known as Tetton Lane at a point 190 metres south east of its north western termination point, south westwards for a distance of 5 metres (referenced 6/d on Site Plan 6).	-
Private access road to the former New Farm (now demolished), from its junction with the private access road known as Tetton Lane, north eastwards for a distance of 155 metres (referenced 6/e on Site Plan 6).	-
Access track to OS Field Number 2396, as runs coexistent along a length of Motson Footpath 6, from its junction with the A533 Booth Lane, generally eastwards for a distance of 23 metres (referenced 6/f on Site Plan 6).	6/3

Given under the Common Seal of the **CHESHIRE EAST COUNCIL** on the
Day of 2022

THE COMMON SEAL OF)

CHESHIRE EAST COUNCIL)

was affixed in the presence of:)

Authorised Signatory