

TOWN AND COUNTRY PLANNING ACT 1990

THE STOPPING UP OF HIGHWAY (NORTH WEST) (NO.) ORDER 20..

The Secretary of State makes this Order in exercise of powers under section 247 of the Town and Country Planning Act 1990 ("the Act").

1. The Secretary of State authorises the stopping up of the highway described in the Schedule to this Order and shown on the plan, in order to enable development to be carried out in accordance with the planning permission granted under Part III of the Act by Barrow in Furness Borough Council under reference B06/2015/0179.

2. No part of the said highway shall be stopped up pursuant to this Order until the Council certify to the developer that the provisions of article 3 (1) of this Order have been complied with.

3. (1) The developer shall, to the reasonable satisfaction of the Council, provide new highway and improvement of the highway, in line with their specified planning agreement.

(2) The new highway shall be, for the purposes of the Highways Act 1980, highway maintainable at the public expense and the Council shall be the highway authority for it.

4. Where immediately before the date of this Order there is any apparatus of statutory undertakers under, in, on, over, along or across any highway authorised to be stopped up pursuant to this Order then, subject to section 261(4) of the Act, those undertakers shall have the same rights as respects that apparatus after that highway is stopped up as they had immediately beforehand.

5. In this Order -

"the Council" means Cumbria County Council

"the developer" means BAE Systems Submarines

"the plan" means the plan numbered NATTRAN/NW/S247/S247/3048, marked "Highway at Barrow in Furness in the County of Cumbria", signed by authority of the Secretary of State and deposited at the Department for Transport, Deposit Document Service, F Floor, Ashdown House, St Leonards-on-Sea, Hastings, East Sussex TN37 7GA.

6. This Order shall come into force on the date on which notice that it has been made is first published in accordance with section 252(10) of the Act, and may be cited as the Stopping Up of Highway (North West) (No.) Order 20...

Signed by authority of
the Secretary of State

DAVE CANDLISH
An Official in the
National Transport Casework Team
Department for Transport

THE SCHEDULE

Description of highway to be stopped up

The highway to be stopped up is at Barrow in Furness in the County of Cumbria, shown on the plan as a length of Burnaby Street, at the junction of the existing roundabout between Burnaby Street, North Road and Bridge Approach. Commencing 15 metres east of the centre of the roundabout (which is marked point 1 on the plan), it extends in a general north easterly direction for a maximum distance of 12 metres (marked points 2 - 3 on the plan).

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