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STATUTORY INSTRUMENTS

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**2023 No. 609**

**HIGHWAYS, ENGLAND**

**The Cheshire East Council (A533 Middlewich Eastern Bypass – Trent and Mersey Canal Bridge) Scheme 2022 Confirmation Instrument 2023**

*Made - - - - 6th June 2023*  
*Coming into force in accordance with article 1*

The Secretary of State for Transport makes this Instrument in exercise of the powers conferred by section 106(3) of the Highways Act 1980<sup>(1)</sup>, and now vested in the Secretary of State<sup>(2)</sup>.

In accordance with section 107(1) and (2) of that Act, the Secretary of State has taken into consideration the reasonable requirements of navigation over the waters affected and includes such plans and specifications as necessary.

**1.** This Instrument may be cited as the Cheshire East Council (A533 Middlewich Eastern Bypass – Trent and Mersey Canal Bridge) Scheme 2022 Confirmation Instrument 2023 and shall come into force on the date on which notice that it has been confirmed is first published in accordance with paragraph 1 of Schedule 2 to the Highways Act 1980.

**2.** The Cheshire East Council (A533 Middlewich Eastern Bypass – Trent and Mersey Canal Bridge) Scheme 2022 (“the Scheme”) is hereby confirmed with modifications.

**3.** The Scheme including its Schedule and plan, as confirmed, is set out in the Schedule to this Instrument and copies of the Scheme with its accompanying plan are deposited at the offices of the Department for Transport, Deposited Documents Service, DLUHC, 1 Priory Square, Priory Street, Hastings, East Sussex TN34 1EA and at the offices of Cheshire East Council, Municipal Buildings, Earle Street, Crewe CW1 2BJ.

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(1) 1980 c. 66. Section 106(3) is amended by the Infrastructure Act 2015 (c. 7), section 1(6), paragraphs 1 and 34(1) and (2) of Schedule 1, Part 1.  
(2) S.I. 1981/238.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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Signed by authority of the Secretary of State

6th June 2023

*Martin Gilmour*  
A Senior Civil Servant  
in the Department for Transport

THE SCHEDULE

Article 3

**THE CHESHIRE EAST COUNCIL (A533 MIDDLEWICH EASTERN BYPASS – TRENT AND MERSEY CANAL BRIDGE) SCHEME 2022**

The Cheshire East Council (“the Council”) make this Scheme in exercise of its powers under Section 106(3) of the Highways Act 1980 and of all other powers enabling it in that behalf:

1. The Council is authorised to construct over the navigable waters of the Trent and Mersey Canal the bridge specified in the Schedule to this Scheme as part of the highway they are proposing to construct from a point on the A533 Booth Lane 30 metres north east of the private access to No. 1 East Tetton Cottages, and opposite the private access to Pear Tree Cottage, eastwards to a new roundabout junction of the proposed A533 Middlewich Eastern Bypass, in the Parish of Moston and in the Town of Middlewich, in the Borough of Chester East, in the County Palatine of Cheshire.

2. This Scheme may be cited as The Cheshire East Council (A533 Middlewich Eastern Bypass – Trent and Mersey Canal Bridge) Scheme 2022.

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Given under the Common Seal of Cheshire East Council on the 12th day of January 2022

THE COMMON SEAL  
of CHESHIRE EAST COUNCIL  
was hereto affixed  
in the presence of:

C.S

Authorised Officer

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THE SCHEDULE  
TO THE SCHEME

Article 3

**Plans and Specification of the Trent and Mersey Canal Bridge**

The location and general design of the Bridge are shown on the plan numbered BRJ10612-S-BSO\_001 rev T02, and marked “The Cheshire East Council (A533 Middlewich Eastern Bypass – Trent and Mersey Canal Bridge) Scheme 2022”.

**Points of Commencement and Termination**

**Commencement**

From a point on the east bank of the Canal whose coordinates are 371840.30E, 364060.67N.

**Termination**

To a point 6.9 metres south west of the west bank of the Trent and Mersey Canal, at the rear of towpath positioned on that bank, whose coordinates are 371814.12E, 364057.88N.

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### **Span**

A single clear square span of 17.645 metres between the faces of the abutments situated on the east and west banks of the Canal.

### **Headway**

The minimum headway is 3.26 metres over the top water level of the Canal, and 2.7 metres over the towpath level on the west bank of the Canal.

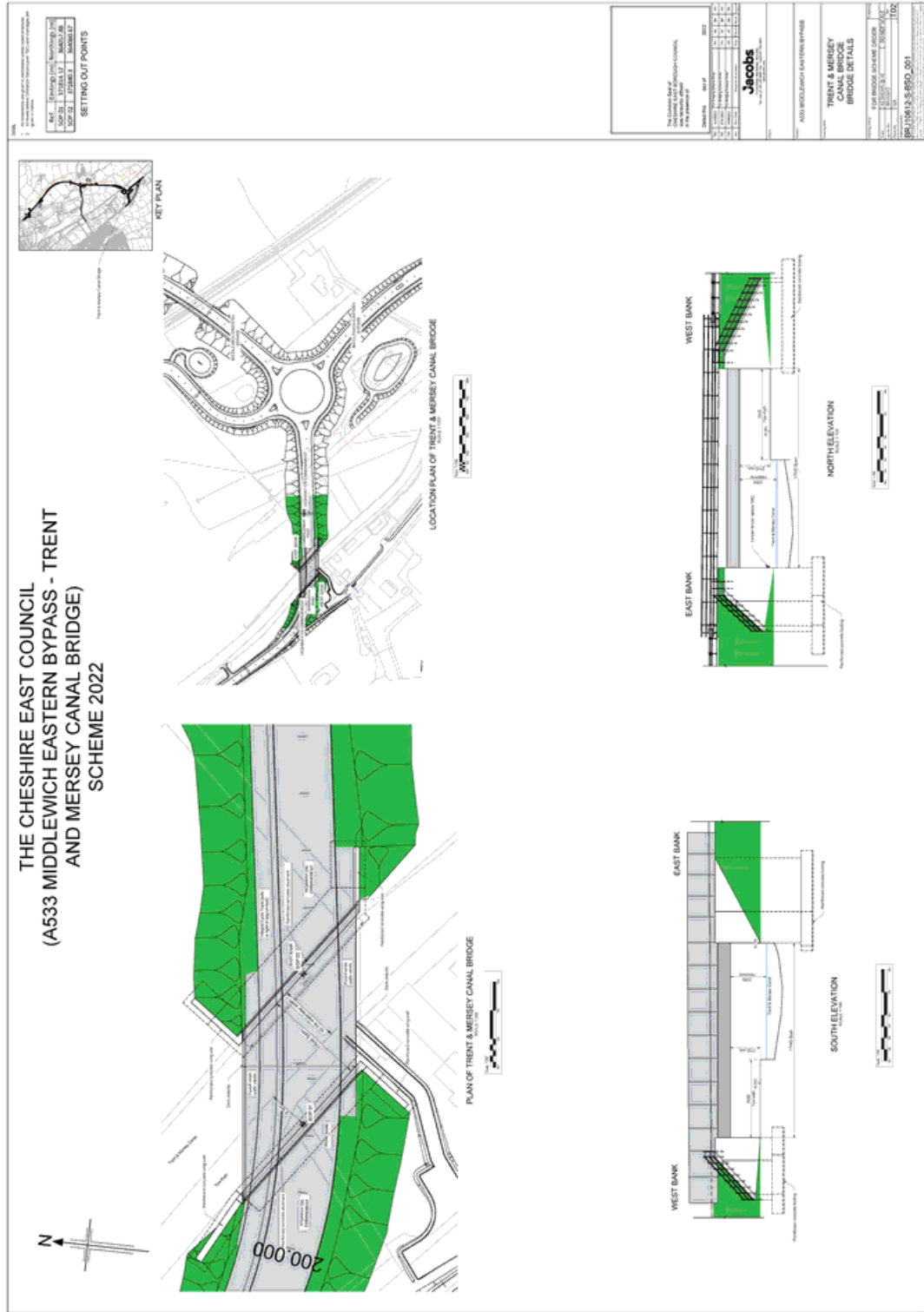
### **Waterway**

The current minimum square width of the Canal beneath the proposed Bridge of 10.7 metres is maintained.

### **Overall Dimensions**

The bridge will have an overall width of 19.855 metres and will from its north to south side carry a 0.225 metre wide parapet, a 2.96 metres wide hard verge, a 3 metre wide two-way integral Cycle Track (with a right of way on foot), a 1 metre wide hard verge, a 10 metre wide single carriageway, a 2.445 metres wide paved verge, and a 0.225 metre wide parapet.

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## EXPLANATORY NOTE

*(This note is not part of the Instrument)*

This Instrument confirms a Scheme to construct, over the navigable waters of the Trent and Mersey Canal, the bridge specified in the Schedule to that Scheme. This forms part of the highway the Council are proposing to construct from a point on the A533 Booth Lane 30 metres north east of the private access to No. 1 East Tetton Cottages, and opposite the private access to Pear Tree Cottage, eastwards to a new roundabout junction of the proposed A533 Middlewich Eastern Bypass, in the Parish of Moston and in the Town of Middlewich, in the Borough of Chester East, in the County Palatine of Cheshire.

The Secretary of State has modified this Bridge Scheme as follows:

1. In paragraph 1, for “20 metres south east” substitute “30 metres north east”, and for “north eastwards to a new roundabout junction” substitute “eastwards to a new roundabout junction”.
2. In the Schedule to the Scheme under “Plans and Specification of the Trent and Mersey Canal Bridge”, for “rev 01” substitute “rev T02”.
3. In the Schedule to the Scheme under “Waterway”, for “11.7 metres” substitute “10.7 metres”.
4. For the plan which forms part of the Schedule to the Scheme, for “Plan Drawing number BRJ10612-S-BSO\_001 rev 01” substitute “Plan Drawing number BRJ10612-S-BSO\_001 rev T02”.