

1999 No. 1007

ENVIRONMENTAL PROTECTION

**The Highway Litter Clearance and Cleaning (Transfer Of
Responsibility) (North West Leicestershire and South
Derbyshire) Order 1999**

Made - - - - - 26th March 1999

Laid before Parliament 30th March 1999

Coming into force 26th April 1999

The Secretary of State for the Environment, Transport and the Regions, in exercise of the power conferred by section 86(11) of the Environmental Protection Act 1990^(a) and of all other powers enabling him in that behalf, after consultation with the Councils of the Districts of North West Leicestershire and South Derbyshire and it appearing to him to be necessary or expedient to do so in order to prevent or minimize interference with the passage or with the safety of traffic along the highway in accordance with paragraphs (b) and (c) of that subsection, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Highway Litter Clearance and Cleaning (Transfer of Responsibilities) (North West Leicestershire and South Derbyshire) Order 1999 and shall come into force on 26th April 1999.

Transfer of duties of the Secretary of State

2. There shall be transferred to the Secretary of State for the Environment, Transport and the Regions from each local authority listed in column 1 of the Schedule to this Order the responsibility for the discharge of the duties imposed by section 89 of the Environmental Protection Act 1990 as respects the part of the highway specified in relation to that local authority in column 2 of that Schedule.

Signed by the authority of the
Secretary of State for the Environment,
Transport and the Regions

26th March 1999

Larry Whitty
Parliamentary Under Secretary of State
Department of the Environment, Transport and the Regions

(a) 1990 c. 43

SCHEDULE

Article 2

(1) <i>Names of the local authorities</i>	(2) <i>Parts of highways for which duties are transferred</i>
South Derbyshire District Council	That part of the A50 trunk road from the junction with the A516 trunk road eastwards to the boundary between the Counties of Derbyshire and Leicestershire on the River Trent.
North West Leicestershire District Council	That part of the A50 trunk road from the boundary between the Counties of Derbyshire and Leicestershire on the River Trent eastwards to the junction with the A6 trunk road and the B6540 county road.

EXPLANATORY NOTE

(This note is not part of the Order)

Section 89 of the Environmental Protection Act 1990 places a duty on the local authority to ensure that land comprised in the highways maintainable at the public expense within its area (other than trunk roads which are special roads) is so far as practicable kept clean and clear of litter and refuse. Section 86(11) empowers the Secretary of State to transfer responsibility for the discharge of these duties as respects all or any part of such a highway to the highway authority for that highway.

This Order transfers responsibility in respect of those parts of the A50 highway described in the Schedule for the councils who would otherwise be responsible to the Secretary of State for the Environment, Transport and the Regions who is the highway authority for them. The transfer becomes effective on 26th April 1999.

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