

Dated 4<sup>th</sup> June 2019

**Highways Act 1980**

**THE DERBYSHIRE COUNTY COUNCIL  
(WOODVILLE TO SWADLINCOTE REGENERATION ROUTE)  
(CLASSIFIED UNNUMBERED ROAD)  
(SIDE ROADS) ORDER 2019**

**Janie Berry  
Director of Legal Services  
Derbyshire County Council  
County Hall  
Matlock  
Derbyshire  
DE4 3AG**

HIGHWAYS ACT 1980

THE DERBYSHIRE COUNTY COUNCIL  
(WOODVILLE TO SWADLINCOTE REGENERATION ROUTE)  
(CLASSIFIED UNNUMBERED ROAD)  
(SIDE ROADS) ORDER 2019

The Derbyshire County 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 unnumbered road in the Parish of Woodville and the unparished area of Swadlincote in the District of South Derbyshire in the County of Derbyshire to:
  - (a) improve 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. 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 that 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 in relation to those works.

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 respect that apparatus as they had immediately before the stopping up took place.

3. In this Order:

- (a) all 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 two points respectively 23 metres and 183 metres west of the junction of Derby Road (A514) and Woodhouse Street, in a south-easterly direction for a distance of 904 metres to form a junction with the roundabout on Occupation 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 the Derbyshire County Council;

"improvement" - in relation to a highway includes diverting, raising, lowering or otherwise altering that highway, and "improve" 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 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 or 3 contained in the Plan Folio marked "The Derbyshire County Council (Woodville To Swadlincote Regeneration Route) (Classified Unnumbered Road) (Side Roads) Order 2019" sealed with the Common Seal of the Council and deposited at the offices of the Council at:

County Hall  
Bank Road  
Matlock  
Derbyshire  
DE4 3AG

Duplicates have also been deposited at:

Swadlincote Library  
Civic Way  
Swadlincote  
Derbyshire  
DE11 0AD

and at the offices of the Secretary of State for  
Transport.



SCHEDULE 1		
Locality: Swadlincote		
Plan Title: Derby Road, Swadlincote Road, Bernard Street, Woodhouse Street, Kiln Way and Other Alterations – Site Plan No. 1 & 1A		
<u>Highways to be improved</u>  Derby Road (A514) Swadlincote Road (A514) Woodhouse Street Bernard Street		
<u>Highways to be stopped up</u>		<u>Particulars of new highways</u> <u>Reference letter</u>
A length of Woodhouse Street from a point 79 metres south-west of its junction with Derby Road (A514), south-westwards for a distance of 21 metres.		<del>A</del>
<u>Private means of access to be stopped up</u>		<u>Reference number of new accesses</u>
a	Access to Unit 8 of Woodhouse Business Centre from Woodhouse Street over a width of 13 metres starting at a point 99 metres south-west of the junction between Derby Road (A514) and Woodhouse Street south-westwards.	-
b	Access to Unit 9 of Woodhouse Business Centre from Woodhouse Street over a width of 7 metres at a starting point 91 metres south-west of the junction between Derby Road (A514) south-westwards. and Woodhouse Street	-
c	Access to Unit 10 of Woodhouse Business Centre and adjacent public open space from Woodhouse Street over a width of 12 metres starting at a point 68 metres south-west of the junction between Derby Road (A514) and Woodhouse Street south-westwards.	-
d	Access to south-west side of Kiln Way from Kiln Way over a width of 15 metres starting at a point 32 metres from the junction between Woodhouse Street and Kiln Way south-eastwards.	1
e	Access to north-east side of Kiln Way from Kiln Way over a width of 22 metres starting at a point 40 metres from the junction between Woodhouse Street and Kiln Way south-eastwards.	2
f	Access to south-west side of Kiln Way from Kiln Way over a width of <del>31</del> 11 metres starting at a point 110 metres from the	3

g	<p>junction between Woodhouse Street and Kiln Way south-eastwards.</p> <p>Access to north-east side of Kiln Way from Kiln Way over a width of 7 metres starting at a point 135 metres from the junction between Woodhouse Street and Kiln Way south-eastwards.</p>	<p>4</p> <p>7</p>
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## SCHEDULE 2

Locality: Swadlincote/Woodville

Plan Title: Kiln Way, Public Footpath and Other Alterations – Site Plan No. 2

### Highways to be improved

Kiln Way

### Highways to be stopped up

### Particulars of new highways Reference letter

Public Footpath Swadlincote FP 17 in its entirety, from its north-western end in the unparished area of Swadlincote south-eastwards to its south-eastern end in the parish of Woodville, a distance of 111 metres.

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Public Footpath Woodville FP 5, from its north-western end at the boundary of the parish of Woodville, south-eastwards to a point 285 metres north of the roundabout on Occupation Lane, a distance of 219 metres.

-

### Private means of access to be stopped up

### Reference number of new accesses

h

Access to ~~north-east~~ <sup>South-east</sup> side of Kiln Way from Kiln Way over a width of 9 metres starting at a point 187 metres from the junction between Woodhouse Street and Kiln Way south-eastwards.

5

i Access to south-west side of Kiln Way from Kiln Way over a width of 7.5 metres starting at a point 156 metres from the junction between Woodhouse Street and Kiln Way south-eastwards.

b

SCHEDULE 3		
Locality: Woodville		
Plan Title: Occupation Lane and Other Alterations – Site Plan No. 3 & 3A		
<b><u>Highways to be improved</u></b>		
Northern arm of the roundabout on Occupation Lane		
<b><u>Highways to be stopped up</u></b>	<b><u>Particulars of new highways</u></b> <b><u>Reference letter</u></b>	
-	-	
<b><u>Private means of access to be stopped up</u></b>	<b><u>Reference number of new accesses</u></b>	
-	-	

Given under the Common Seal of the Derbyshire County Council on the  
4<sup>th</sup> day of June 2019

THE COMMON SEAL OF  
DERBYSHIRE COUNTY COUNCIL

was affixed in the presence of:




Authorised Signatory

Principal Solicitor

Number in ~~Seal~~  
Book 2019/578



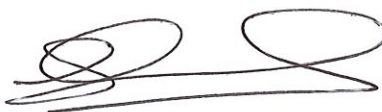


**THE DERBYSHIRE COUNTY COUNCIL (WOODVILLE TO SWADLINCOTE REGENERATION ROUTE) (CLASSIFIED UNNUMBERED ROAD) (SIDE ROADS) ORDER 2019**

The Secretary of State for Transport hereby confirms the foregoing Order with modifications shown by the red ink alterations which have been made to the text of the Order and to the Site Plans referred to therein. The Secretary of State is satisfied -

- (a) as respects each highway the stopping up of which is authorised by the Order, that another reasonably convenient route is available or will be provided before that highway is stopped up, and
- (b) as respects each private means of access the stopping up of which is authorised by the Order, that other reasonably convenient means of access to the relevant premises are available or will be provided in pursuance of the Order before that private means of access is stopped up or that no access to the relevant premises is reasonably required.

Signed by authority  
of the Secretary of State  
3 July 2020



SIMON CONNICK  
A Senior Civil Servant in the  
Department for Transport