

2010 No. 2336

ROAD TRAFFIC

**The A38 Trunk Road (Derby) (Temporary Prohibition and
Restriction of Traffic) Order 2010**

Made - - - - 3 September 2010

Coming into force - - 10 September 2010

WHEREAS the Secretary of State for Transport, being the traffic authority for the A38 Trunk Road (“the A38”) and connecting roads, is satisfied that traffic on lengths of that road and one of those connecting roads in the City of Derby should be prohibited and restricted because works are proposed to be executed thereon:

NOW, THEREFORE, the Secretary of State, in exercise of the powers conferred by section 14(1)(a) of the Road Traffic Regulation Act 1984(a), and of all other powers enabling him in that behalf, hereby makes the following Order:-

1. This Order may be cited as the A38 Trunk Road (Derby) (Temporary Prohibition and Restriction of Traffic) Order 2010 and shall come into force on 10 September 2010.

2. In this Order –

- | | |
|-----------------------------------|---|
| “Palm Court Interchange” | means the A38/A6 roundabout junction, Allestree; |
| “Abbey Hill Roundabout” | means the A38/A61/B6179 roundabout junction, Breadsall; |
| “the first length of trunk road” | means the northbound carriageway of the A38 from its junction with the slip road leading to Palm Court Interchange to its junction with Ford Lane; |
| “the second length of trunk road” | means the northbound carriageway of the A38 from a point 100 metres west of Kedleston Road overbridge to a point 100 metres west of Palm Court Interchange; |
| “the first slip road” | means the slip road leading to the northbound carriageway of the A38 from Palm Court Interchange; |
| “the second slip road” | means the slip road leading from the northbound carriageway of the A38 to Palm Court Interchange; |

(a) 1984 c.27; a new section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1

“layby”	means an area of carriageway intended for the waiting of vehicles and bounded partly by a road marking of the type shown in diagram 1010 in Schedule 6 to the Traffic Signs Regulations 2002 (a) and partly by the outer edge of that carriageway on the same side of the road as that on which the marking is placed; and in this definition “carriageway” means any way (other than a cycle track) comprised in a length of the trunk road over which the public have a right of way for the passage of vehicles and which has a suitable surface for the exercise of that right;
“the layby”	means the layby adjacent to the northbound carriageway of the A38 near the River Derwent bridge
“the works period”	means the period starting at 20.00 hours on Friday 17 September 2010 and ending when the said works have been completed;

and a reference to an article followed by a number is a reference to the article in this Order which bears that number.

3. Subject as mentioned in articles 5 and 6, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the first length of trunk road, the first slip road or the layby.

4. Subject as mentioned in articles 5 and 6, no person shall, during the works period, drive any motor vehicle at a speed exceeding 50 miles per hour on the second length of trunk road or the second slip road.

5. The provisions of articles 3 and 4, shall apply only during such times and to such extent as shall from time to time be indicated by traffic signs.

6. The provisions of –

- (a) articles 3 and 4 shall not apply to any vehicle –
 - (i) being used for police, fire brigade or ambulance purposes; or
 - (ii) proceeding at the direction of, or with the permission of, a police constable; and
- (b) article 3 shall not apply to any vehicle being used in connection with the works.

Signed by authority of the Secretary of State

3 September 2010

P. Cockell
A Team Leader
in the Highways Agency

(a) S.I 2002/3113, Part I.