

2010 No. 2416

ROAD TRAFFIC

**The A38 and A516 Trunk Roads (South West of Derby)
(Temporary Restriction and Prohibition of Traffic) Order 2010**

Made - - - - 22 September 2010

Coming into force - - 29 September 2010

WHEREAS the Secretary of State for Transport, being the traffic authority for the A38 Trunk Road (“the A38”), the A516 Trunk Road (“the A516”) and connecting roads, is satisfied that traffic on lengths of those roads and three of those connecting roads in the City of Derby and the County of Derbyshire should be restricted and prohibited 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 and A516 Trunk Roads (South West of Derby) (Temporary Restriction and Prohibition of Traffic) Order 2010 and shall come into force on 29 September 2010.

2. In this Order:

“Findern Interchange” means the A38/ Rykneld Road/Staker Lane/Doles Lane roundabout junction north of Findern;

“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 (b) 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;

“overall width” has the same meaning given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986 (c);

(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

(b) S.I. 2002/3113, Part 1.

(c) S.I. 1986/1078, to which there are amendments not relevant to this Order

“the works period” means the period starting at 2000 hours on Friday 1 October 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 6 and 7, no person shall, during the works period, drive any motor vehicle at a speed exceeding 50 miles per hour on –

- (a) the southbound carriageway of the A38 from its roundabout junction with the A5111 (Kingsway Roundabout) to its junction with the slip road leading from Findern Interchange;
- (b) the link road leading to the southbound carriageway of the A38 from the A516/B5020 Uttoxeter Road roundabout junction; and
- (c) the link road leading from the southbound carriageway of the A38 to the A516.

4. Subject as mentioned in articles 6 and 7, no person shall, during the works period, cause or permit any vehicle to enter or proceed in –

- (a) the southbound carriageway of the A38 between its junction with the link road leading to the A516 and its junction with the slip road leading from Findern Interchange;
- (b) the slip road leading from the southbound carriageway of the A38 to Findern Interchange; and
- (c) the layby situated adjacent to the southbound carriageway of the A38 approximately 350 metres north of the slip road leading to Findern Interchange.

5. Subject as mentioned in articles 6 and 7, no person shall, during the works period, cause or permit any vehicle with an overall width exceeding 2.29 metres (7'6") to enter or proceed in –

- (a) offside lane of the southbound carriageway of the A38 from the centreline of the B5020 overbridge to its junction with the link road leading to the A516; and
- (b) the link road leading from the southbound carriageway of the A38 to the A516.

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

7. The provisions of –

- (a) articles 3, 4 and 5 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) articles 4 and 5 shall not apply to any vehicle being used in connection with the said works.

Signed by authority of the Secretary of State

22 September 2010

P Cockell
A Team Leader
in the Highways Agency