

2012 No. 1702

ROAD TRAFFIC

**The A38 Trunk Road (Clay Mills to Toyota Interchange)
(Temporary Prohibition of Traffic) Order 2012**

Made - - - - *11th June 2012*

Coming into force - - *18th June 2012*

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 a length of that road and on some of those connecting roads, in the Counties of Staffordshire and Derbyshire, should be 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 her in that behalf, hereby makes the following Order: -

1. This Order may be cited as the A38 Trunk Road (Clay Mills to Toyota Interchange) (Temporary Prohibition of Traffic) Order 2012 and shall come into force on 18th June 2012.

2. In this Order:

“the trunk road” means the northbound carriageway of the A38 from its junction with the exit slip road leading to the A5121 Derby Road at Clay Mills, to its junction with the slip road leading from the roundabout junction with the A50 (Toyota Interchange);

“a slip road” means –

- i) the slip road leading to the northbound carriageway of the A38 from the A5121 at Clay Mills; and
- ii) the slip road leading to the northbound carriageway of the A38 from its junction with the A5132 Carriers Road, near Egginton;

(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 works period”

means the period starting at 20:00 hours on Monday 25th June 2012 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 trunk road or a slip road.

4. 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 any layby adjacent to the trunk 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 articles 3 and 4 shall not apply to any vehicle –

(i) being used for police, fire brigade or ambulance purposes;

(ii) proceeding at the direction of, or with the permission of, a police constable;

(iii) being used in connection with the said works; or

(iv) proceeding in the trunk road to or from premises which are accessible for that vehicle from, and only from, that road.

Signed by authority of the Secretary of State

11th June 2012

A Slack
A Team Leader
in the Highways Agency

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