

2011 No. 2731

ROAD TRAFFIC

The A38 Trunk Road (Markeaton Roundabout to Little Eaton Roundabout, Derby) (Temporary Prohibition of Traffic) Order 2011

Made - - - - - *28th October 2011*

Coming into force - - - - - *4th November 2011*

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 five of those connecting roads, in the City of Derby and in the County of 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 him in that behalf, hereby makes the following Order: -

1. This Order may be cited as the A38 Trunk Road (Markeaton Roundabout to Little Eaton Roundabout, Derby) (Temporary Prohibition of Traffic) Order 2011 and shall come into force on 4th November 2011.

2. In this Order:

“the trunk road” means the northbound carriageway of the A38 from its roundabout junction with the A52 (Markeaton Roundabout) to its roundabout junction with the A61 and B6179 (Little Eaton Roundabout);

“a slip road” means –
i) the slip road leading from the northbound carriageway of the A38 to Kedleston Road;
ii) the exit and entry slip roads leading from and to the northbound carriageway of the A38 at the roundabout junction with the A6 (Palm Court Roundabout);

(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.

- iii) the exit and entry slip roads leading from and to the northbound carriageway of the A38 at Ford Lane near Allestree;

“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;

“bus stop area”

means any area of a carriageway on a side of the trunk road, intended for the waiting of buses, which is comprised within and indicated by a road marking complying with diagram 1025, 1025.1, 1025.3 or 1025.4 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002;

“the works period”

means the period starting at 20:00 hours on Tuesday 8th November 2011 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 7 and 8, 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 7 and 8, no person shall, during the works period, cause or permit any vehicle to enter or leave the A38 at its junction with the access road leading to Markeaton Park.

5. Subject as mentioned in articles 7 and 8, no person shall, during the works period, cause or permit any vehicle to enter or proceed in any layby adjacent to the trunk road.

6. Subject as mentioned in articles 7 and 8, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the bus stop area situated adjacent to the northbound carriageway of the A38 approximately 10 metres north of its junction with Markeaton Roundabout.

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

8. The provisions of articles 3, 4, 5 and 6 shall not apply to any vehicle-

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

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

- (ii) proceeding at the direction of, or with the permission of, a police constable, or
- (iii) being used in connection with the said works.

Signed by authority of the Secretary of State

28th October 2011

C Mercer
A Team Leader
in the Highways Agency