

2012 No. 3177

ROAD TRAFFIC

**The A38 Trunk Road (Findern Interchange, Derbyshire)
(Temporary Prohibition of Traffic) Order 2012**

Made - - - - - *26th November 2012*

Coming into force - - - - - *3rd December 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 one of those connecting roads, at Findern, 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**), hereby makes the following Order:-

1. This Order may be cited as The A38 Trunk Road (Findern Interchange, Derbyshire) (Temporary Prohibition of Traffic) Order 2012 and shall come into force on 3rd December 2012.

2. In this Order:

“the trunk road” means the southbound carriageway of the A38 from its junction with the exit slip road leading to its roundabout junction with Rykneld Road, Dales Lane and Staker Lane (Findern Interchange) for a distance of 1.8 kilo metres in a southerly direction;

“the slip road” means the slip road leading to the southbound carriageway of the A38 from its roundabout junction with Rykneld Road, Dales Lane and Staker Lane (Findern Interchange);

“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)

(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 I.

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 Sunday 9th December 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 article 5, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the trunk road or the slip road.

4. Subject as mentioned in article 5, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the layby situated adjacent to southbound carriageway of the A38 approximately –

- i) 900 metres north of the centre of Findern Interchange; and
- ii) 1000 metres south of Findern Interchange.

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

Signed by authority of the Secretary of State

26th November 2012

V Bennett
A Team Leader
in the Highways Agency