

**2013 No. 3296**

**ROAD TRAFFIC**

**The A38 Trunk Road (Markeaton to Mickleover, Derby)  
(Temporary Prohibition of Traffic) Order 2013**

*Made* - - - - *30th December 2013*  
*Coming into force* - - *6th January 2014*

WHEREAS the Secretary of State for Transport, being the traffic authority for the A38 Trunk Road (“the A38”), is satisfied that traffic on that road in the City of Derby 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), hereby makes the following Order:-

1. This Order may be cited as the A38 Trunk Road (Markeaton to Mickleover, Derby) (Temporary Prohibition of Traffic) Order 2013 and shall come into force on 6th January 2014.

2. In this Order –

- |                       |  |
|-----------------------|--|
| “Kingsway Roundabout” | means the circulatory carriageway of the roundabout junction of the A38 and the A5111;   |
| “the trunk road”      | means the southbound carriageway of the A38 from its roundabout junction with the A38 and the A52 Ashbourne Lane at Markeaton to its junction with the slip road leading from the roundabout junction of the A516 and B5020 at Mickleover including lengths of Kingsway Roundabout;  |
| “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 |

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(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

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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 00:01 hours on Thursday 9th January 2014 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 6, no person shall, during the works period, cause or permit any vehicle to enter or proceed on the trunk road or Kingsway Roundabout.

**4.** Subject as mentioned in article 6, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the layby adjacent to the southbound carriageway of the A38 approximately 200 metres north of Kingsway Roundabout.

**5.** Subject as mentioned in article 6, no person shall, during the works period, cause or permit any vehicle to enter or leave –

- (a) the southbound carriageway of the A38 at its junction with Raleigh Street; or
- (b) Kingsway Roundabout at its junction with the A5111.

**6.** The provisions of articles 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 and shall not apply to any vehicle –

- (a) being used for police, fire brigade or ambulance purposes; or
- (b) proceeding at the direction of, or with the permission of, a police constable; or
- (c) being used in connection with the said works;

Signed by authority of the Secretary of State

30th December 2013

*E Davis*  
A Team Leader  
in the Highways Agency