

2012 No. 2388

ROAD TRAFFIC

**The A38 Trunk Road (Little Eaton and Holbrook, Derbyshire)
(Temporary Restriction and Prohibition of Traffic) Order 2012**

Made - - - - 28th August 2012

Coming into force - - 4th September 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 lengths of that trunk road and one of those connecting roads between Little Eaton and Holbrook in 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 her in that behalf, hereby makes the following Order:-

1. This Order may be cited as the A38 Trunk Road (Little Eaton and Holbrook, Derbyshire) (Temporary Restriction and Prohibition of Traffic) Order 2012 and shall come into force on 4th September 2012.

2. In this Order –

“the first length of trunk road” means the northbound and southbound carriageways of the A38 between points 100 metres south and 100 metres north of the centre of Moor Lane bridge;

“the second length of trunk road” means –

- a) the northbound carriageway of the A38 from its roundabout junction with the A61 at Little Eaton to its junction with the slip road leading from the B6179 near Holbrook;
- b) the southbound carriageway of the A38 from its junction with the slip road leading to the B6179 near Holbrook to its roundabout junction with the A61 at Little Eaton;

“the slip road” means the slip road leading to the southbound carriageway of the A38 from the B6179 Derby Road;

“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

(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

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 21:00 hours on Sunday 9th September 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 6 and 7, no person shall, during the works period, drive any motor vehicle at a speed exceeding 50 miles per hour on the first length of trunk road.

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 on the second length of trunk road or the slip road.

5. 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 the layby adjacent to the –

- i) northbound carriageway of the A38 approximately 1900 metres north of its roundabout junction with the A61;
- ii) northbound carriageway of the A38 approximately 3400 metres north of its roundabout junction with the A61;
- iii) southbound carriageway of the A38 approximately 900 metres south of its junction with the slip road leading from the B6179 Derby Road; and
- iv) southbound carriageway of the A38 approximately 2900 metres south of its junction with the slip road from leading the B6179 Derby Road;

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.

7. The provisions of –

- a) article 3 shall not apply to any vehicle being used for special forces purposes;
- b) 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
- c) 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

28th August 2012

A Slack
A Team Leader
in the Highways Agency