STATUTORY INSTRUMENTS

2009 No. 2872

ROAD TRAFFIC

The A38 Trunk Road (Holbrook to Little Eaton, Derbyshire) (Temporary Prohibition of Traffic) Order 2009

Made - - - -	*9 October 2009*
Coming into force - -	*16 October 2009*

WHEREAS the Secretary of State for Transport being the traffic authority for the A38 Trunk Road ("the A38") is satisfied that traffic on a length of that road between Holbrook and Little Eaton 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 (Holbrook to Little Eaton, Derbyshire) (Temporary Prohibition of Traffic) Order 2009 and shall come into force on 16 October 2009.

2. In this Order:

"the roundabout"	means the circulatory carriageway of the A38 at its roundabout junction with the A61, B6179 and Ford Lane (Little Eaton Roundabout);
"the trunk road"	means the southbound carriageway of the A38 from its junction with the slip road leading to the B6179 near Holbrook, to its junction with the 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 public have a right of way for the passage of vehicles and which has a suitable surface for the exercise of that right;

(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.

"the works period"	means the period starting at 20.00 hours on Tuesday 20 October 2009 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.

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 the layby adjacent to the southbound carriageway of the A38 approximately 846.5 metres north of its junction with the roundabout.

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 officer in uniform, or

(iii) being used in connection with the said works.

Signed by authority of the Secretary of State

P Cockell
A Team Leader
9 October 2009 in the Highways Agency