S T A T U T O R Y I N S T R U M E N T S

2010 No. 1390

ROAD TRAFFIC

The A38 Trunk Road (Alfreton, Derbyshire) (Temporary Restriction and Prohibition of Traffic) Order 2010

Made - - - - 23 April 2010

Coming into force - - 30 April 2010

WHEREAS the Secretary of State for Transport, being the traffic authority for the A38 Trunk Road ("the A38"), is satisfied that traffic on lengths of that road at Alfreton 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 him in that behalf, hereby makes the following Order:-

1. This Order may be cited as the A38 Trunk Road (Alfreton, Derbyshire) (Temporary Restriction and Prohibition of Traffic) Order 2010 and shall come into force on 30 April 2010.

2. In this Order –

"the roundabout"	means the circulatory carriageway of the A38 at its roundabout junction with the M1 Junction 28 and the B6019 Mansfield Road;
"the first length of trunk road"	means the northbound carriageway of the A38 from a point 565 metres southwest of the centreline of Birchwood Lane overbridge to the roundabout;
"the second length of trunk road"	means the southbound carriageway of the A38 from the roundabout for a distance of 720 metres;
"the third length of trunk road"	means the northbound carriageway of the A38 between points 1100 metres and 10 metres southwest of the centreline of Birchwood Lane overbridge;

(**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

"the fourth length of trunk road"	means the northbound carriageway of the A38 between points 10 metres southwest and 640 metres northeast of the centreline of Birchwood Lane overbridge;
"the fifth length of trunk road"	means the northbound carriageway of the A38 from a point 640 metres northeast of the centreline of Birchwood Lane overbridge to the roundabout;
"the sixth length of trunk road"	means the northbound carriageway of the A38 from its junction with the road leading to Birchwood Lane to the roundabout;
"the seventh length of trunk road"	means the southbound carriageway of the A38 from the roundabout to its junction with Bramble Way;
"the eighth length of trunk road"	means the northbound carriageway of the A38 from its junction with the slip road leading to the B600 Nottingham Road to the roundabout;
"the ninth length of trunk road"	means the southbound carriageway of the A38 from the roundabout to its junction with the slip road leading from the B600 Nottingham 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 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;
"overall width"	has the same meaning given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986**(b)**;
"the works period"	means the period starting at 20.00 hours on Tuesday 4 May 2010 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 10 and 11, 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 or the third length of trunk road.

4. Subject as mentioned in articles 10 and 11, no person shall, during the works period, drive any motor vehicle at a speed exceeding 40 miles per hour on the first length of trunk road or the second length of trunk road.

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

(b) 1986/1078, to which there are amendments not relevant to this Order.

5. Subject as mentioned in articles 10 and 11, no person shall, during the works period, drive any motor vehicle at a speed exceeding 30 miles per hour on the fourth length of trunk road.

6. Subject as mentioned in articles 10 and 11, no person shall, during the works period, cause or permit any vehicle to be driven at a speed exceeding 10 miles per hour on lengths of the fifth length of trunk road whilst traffic signs of a character authorised under section 64 of the Road Traffic Regulation Act 1984 indicating "convoy working" on that length of road are displayed.

7. Subject as mentioned in articles 10 and 11, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the sixth length of trunk road or the seventh length of trunk road.

8. Subject as mentioned in articles 10 and 11, no person shall, during the works period, cause or permit any vehicle with an overall width exceeding 2.9 metres to enter or proceed in the eighth length of trunk road or the ninth length of trunk road.

9. Subject as mentioned in articles 10 and 11, 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 150 metres southwest of the roundabout.

10. The provisions of articles 3, 4, 5, 6, 7, 8 and 9 shall apply only during such times and to such extent as shall from time to time be indicated by traffic signs.

11. The provisions of -

(a) articles 3, 4, 5, 6, 7, 8 and 9 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

(b) articles 7, 8 and 9 shall not apply to any vehicle being used in connection with the said works.

Signed by authority of the Secretary of State

A Odey
A Team Leader
in the Highways Agency

23 April 2010