STATUTORY INSTRUMENTS

2010 No. 179

ROAD TRAFFIC

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

Made - - - - 18 January 2010

Coming into force - - 25 January 2010

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 road and on two of those connecting roads near Ripley 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 (Near Ripley, Derbyshire) (Temporary Restriction and Prohibition of Traffic) Order 2010 and shall come into force on 25 January 2010.

2. In this Order:

"the first length of trunk road"	means the northbound carriageway of the A38 between points 2190 metres and 1440 metres south of its junction with the exit slip road leading to its roundabout junction with the A610 and the B6441;
"the second length of trunk road"	means the southbound carriageway of the A38 between points 2190 metres and 1440 metres north of its junction with the exit slip road leading to its roundabout junction with the A610 and the B6441;
"the third length of trunk road"	means the northbound carriageway of the A38 between points 1440 metres and 440 metres south of its junction with the exit slip road leading to its roundabout junction with the A610 and the B6441;
"the fourth length of trunk road"	means the southbound carriageway of the A38 between points 1440 metres and 440 metres north of its junction with the exit slip road leading to its roundabout junction with the A610 and the B6441;

(**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 fifth length of trunk road”	means the northbound carriageway of the A38 between points 440 metres south and 255 metres north of its junction with the exit slip road leading to its roundabout junction with the A610 and the B6441;
“the sixth length of trunk road”	means the southbound carriageway of the A38 between points 440 metres north and 255 metres south of its junction with the exit slip road leading to its roundabout junction with the A610 and the B6441;
“a slip road”	means – i) the slip road leading from the northbound carriageway of the A38 to its roundabout junction with the A610 and the B6441, and ii) the slip road leading from the southbound carriageway of the A38 to its roundabout junction with the A610 and the B6441;
“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;
“the works period”	means the period starting at 20.00 hours on Monday 1 February 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 8 and 9, no person shall, during the works period, cause or permit any vehicle to be driven at a speed exceeding 50 miles per hour on the first length of trunk road or the second length of trunk road.

4. Subject as mentioned in articles 8 and 9, no person shall, during the works period, cause or permit any vehicle to be driven at a speed exceeding 30 miles per hour on the third length of trunk road or the fourth length of trunk road.

5. Subject as mentioned in articles 8 and 9, no person shall, during the works period, cause or permit any vehicle to be driven at a speed exceeding 10 miles per hour on the fifth length of trunk road or the sixth 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 those lengths of road are displayed.

6. Subject as mentioned in articles 8 and 9, no person shall, during the works period, cause or permit any vehicle to enter or proceed in a slip road.

(a) S.I. 2002/3113, Part 1.

7. Subject as mentioned in articles 8 and 9, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the layby adjacent to –

(a) the northbound carriageway of the A38 approximately 125 metres north of the B6374 over bridge, and
(b) the southbound carriageway of the A38 approximately 32 metres north of Asher Lane underbridge.

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

9. The provisions of –

(a) articles 3, 4, 5, 6 and 7 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 officer in uniform, and

(b) articles 6 and 7 shall not apply to any vehicle being used in connection with the said works.

Signed by authority of the Secretary of State

A Slack
A Team Leader
in the Highways Agency

18 January 2010

(a) S.I. 2002/3113, Part 1.