

2010 No. 1044

ROAD TRAFFIC

**The A34 Trunk Road (Gore Hill, Northbound Carriageway)
(Lay-By Closure and Restriction on Use of Offside Lane)
(Experimental) Order 2010**

Made - - - - *8th March 2010*

Coming into force - - *29th March 2010*

The Secretary of State for Transport, in exercise of the powers conferred by sections 9(1) to (3) and 10(2) of the Road Traffic Regulation Act 1984(a), and vested in the Secretary of State(b), makes the following Order:-

1. This Order may be cited as the A34 Trunk Road (Gore Hill, Northbound Carriageway) (Lay-By Closure and Restriction on Use of Offside Lane) (Experimental) Order 2010 and shall come into force on 29th March 2010.

2. In this Order:

“the specified length of carriageway” means that part of the northbound carriageway of the A34 Trunk Road in the District of West Berkshire which lies between points 645 metres north of East Ilsley Junction and 1960 metres north of that junction, as indicated by traffic signs;

“lay-by” means an area of carriageway, intended for the waiting of vehicles, bounded partly by a road marking on the outer edge of that carriageway complying with diagram 1010 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002(c); and

“traffic officer” means an individual designated as such by the Secretary of State, or by a person authorised by the Secretary of State, in accordance with section 2 of the Traffic Management Act 2004.

3. No person shall cause or permit any vehicle to enter or proceed in, or wait on, the lay-by in the northbound carriageway of the trunk road, between points 1020 metres north of East Ilsley Junction and 1220 metres north of that junction.

4.—(1) No heavy commercial vehicle(d) shall be driven or moved in the right hand or offside lane of the specified length of carriageway at any place where both the lanes are open for use by traffic proceeding in the same direction, between the hours of 0600 and 2000 on any day.

(2) Nothing in this article shall have effect so as to require a heavy commercial vehicle to change lane during a period when it would not be reasonably practicable for it to do so without involving danger of injury to any person or inconvenience to other traffic.

(a) 1984 c.27; new sections 9(1) and 10(2) were substituted by the New Roads and Street Works Act 1991 (c.22), section 168 and Schedule 8, paragraphs 23(2) and (3) and 24(2).

(b) S.I. 1981/238.

(c) S.I. 2002/3113.

(d) See section 138 of the Road Traffic Regulation Act 1984 (c.27) for the definition of “heavy commercial vehicle”

5. The prohibition in article 3 shall not apply to –
- (a) any vehicle being used for the maintenance, repair, cleaning, clearance, alteration or improvement of the northbound carriageway of the A34 north of East Ilsley Junction;
 - (b) a vehicle being used for police, ambulance, fire and rescue authority or traffic officer purposes; or
 - (c) any vehicle being used for the erection, laying, placing, maintenance, testing, alteration, repair or removal of any structure, works or apparatus in, on, under or over any part of the northbound carriageway of the A34 north of East Ilsley Junction.

6. The restriction in article 4 shall not apply -
- (a) to any person using the right hand or offside lane of the specified length of carriageway, where it is done in accordance with –
 - (i) any direction or permission given by a constable;
 - (ii) any direction or permission given by a traffic officer in uniform; or
 - (iii) any indication given by a traffic sign;
 - (b) where it is necessary for a person to use the right hand or offside lane of the specified length of carriageway to avoid or prevent an accident or due to circumstances beyond his or her control;
 - (c) to any vehicle being used by –
 - (i) a constable;
 - (ii) a traffic officer in uniform;
 - (iii) a member of an ambulance service; or
 - (iv) an employee of a fire and rescue authority;where such vehicle is being used in the exercise of their duties; and
 - (d) where it is necessary for a person to use the right hand or offside lane of the specified length of carriageway to carry out in an efficient manner –
 - (i) the maintenance, repair, cleaning, clearance, alteration or improvement of the northbound carriageway of the A34 north of East Ilsley Junction;
 - (ii) the removal of any vehicle from the northbound carriageway of the A34 north of East Ilsley Junction; or
 - (iii) the erection, laying, placing, maintenance, testing, alteration, repair or removal of any structure, works or apparatus in, on, under, or over any part of the northbound carriageway of the A34 north of East Ilsley Junction.

7. If it appears to the Area Construction Manager of the Highways Agency, Dorking, essential in the interests of the expeditious, convenient and safe movement of traffic, he may after –

- (a) consulting with the Chief Constable for Thames Valley, and
 - (b) giving such public notice as the Secretary of State may direct,
- modify or suspend the operation of this Order or any provision contained therein.

Signed by authority of the Secretary of State for Transport

8th March 2010

G BERRESFORD
An Area Construction Manager
in the Highways Agency

EXPLANATORY NOTE

(This note is not part of the Order)

This Order closes the lay-by in the northbound carriageway of the A34 between points 1020 metres north of East Ilsley Junction and 1220 metres north of that junction. It also restricts heavy goods vehicles entering the offside lane of the northbound carriageway of the A34 between points 645 metres north of east Ilsley Junction and 1960 metres north of that junction where the prohibition is indicated by traffic signs between 0600 and 2000 hours.