

2009 No. 3457

ROAD TRAFFIC

**The A38 Trunk Road (Alfreton, Derbyshire) (Temporary
Restriction and Prohibition of Traffic) Order 2009**

Made - - - - 21 December 2009

Coming into force - - 28 December 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 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 2009 and shall come into force on 28 December 2009.

2. In this Order:

“the trunk road ” means the northbound carriageway of A38 from a point 50 metres north of its junction with the slip road leading to the B600 Nottingham Road to a point 215 metres north of the centre line of Birchwood Lane overbridge;

“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;

the works period” means the period starting at 2000 hours on Monday 4 January 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.

(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 1.

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 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 in the layby adjacent to the northbound carriageway of the A38 approximately 680 metres north of its junction with the slip road leading from the B600.

5. Subject as mentioned in articles 6 and 7, no person shall, during the works period, cause or permit any vehicle to enter or leave the northbound carriageway of the A38 at its junction with the link road leading to Birchwood Lane.

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) 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 officer in uniform, and

(b) 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

21 December 2009

P Cockell
A Team Leader
in the Highways Agency