

2011 No. 2727

ROAD TRAFFIC

The A38 and A516 Trunk Roads (A50 Toyota Interchange to A52 Markeaton Roundabout, Derbyshire) (Temporary Restriction and Prohibition of Traffic) Order 2011

Made - - - - 24th October 2011
Coming into force - - 31st October 2011

WHEREAS the Secretary of State for Transport, being the traffic authority for the A38 Trunk Road (“the A38”), the A516 Trunk Road (“the A516”) and connecting roads, is satisfied that traffic on lengths of those roads and on some of those connecting roads, in the City of Derby and 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 and A516 Trunk Roads (A50 Toyota Interchange to A52 Markeaton Roundabout, Derbyshire) (Temporary Restriction and Prohibition of Traffic) Order 2011 and shall come into force on 31st October 2011.

2. In this Order:

“the first length of trunk road” means the northbound carriageway of the A38 from a point 1000 metres southwest of its junction with the exit slip road leading to its roundabout junction with the A50/B5008 (Toyota Interchange), to its junction with that slip road;

“the second length of trunk road” means the northbound carriageway of the A38 from its junction with the exit slip road leading to its roundabout junction with the A50/B5008 (Toyota Interchange), to its roundabout junction with the A52 (Markeaton Roundabout);

(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 third length of trunk road”	means the northbound carriageway of the A516 from the Derby City boundary, 100 metres east of its junction with the exit slip road leading to its roundabout junction with Etwall Road and Lady Bank Road, to its junction with the A38;
“the roundabout”	means western section of the circulatory carriageway at the roundabout junction of the A38 with the A5111;
“a slip road”	means – <ul style="list-style-type: none"> i) the slip road leading to the northbound carriageway of the A38 from its roundabout junction with the A50 (Toyota Roundabout), including the dedicated lane from the Toyota Manufacturing Plant; and ii) the exit and entry slip roads leading from and to the northbound carriageway of the A38 at the roundabout junction with the A5250; iii) the slip road leading to the northbound carriageway of the A516 from its roundabout junction with Etwall Road and Lady Bank Road; iv) the exit and entry slip roads leading from and to the northbound carriageway of the A38 from and to Brackensdale Avenue;
“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 7th November 2011 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) S.I. 2002/3113, Part 1.

3. Subject as mentioned in articles 7 and 8, 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 slip road leading from the northbound carriageway of the A38 to its roundabout junction with the A50/B5008 (Toyota Interchange).

4. Subject as mentioned in articles 7 and 8, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the second length of trunk road, the third length of trunk road, the roundabout or a slip road.

5. Subject as mentioned in articles 7 and 8, no person shall, during the works period, cause or permit any vehicle to enter or leave the second length of trunk road at its junction with –

- a) Findern Lane
- b) Enfield Road, and
- c) the access/egress to McDonalds near Markeaton roundabout.

6. Subject as mentioned in articles 7 and 8, 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 –

- a) 1400 metres north of the roundabout junction of the A38/A50/B5008 (Toyota Interchange);
- b) 3600 metres north of the roundabout junction of the A38/A50/B5008 (Toyota Interchange);
- c) 4000 metres north of the roundabout junction of the A38/A50/B5008 (Toyota Interchange),
and
- d) 6300 metres north of the roundabout junction of the A38/A50/B5008 (Toyota Interchange).

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

8. The provisions of:

- (a) article 3 shall not apply to any vehicle being used for special forces purposes;
- (b) articles 3, 4, 5 and 6 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;
- (c) articles 4, 5 and 6 shall not apply to any vehicle being used in connection with the said works; and
- (d) article 4 shall not apply to any vehicle proceeding in the second length of trunk road or the third length of trunk road to or from premises which are accessible for that vehicle from, and only from, that road.

Signed by authority of the Secretary of State

24th October 2011

G Littlechild
A Team Leader
in the Highways Agency