

2009 No. 3126

ROAD TRAFFIC

**The A64 Trunk Road (Hopgrove Roundabout to Barton Hill)
(Temporary Restriction and Prohibition of Traffic) Order 2009**

Made - - - - 18 November 2009

Coming into force - - 29 November 2009

WHEREAS, the Secretary of State for Transport, being the traffic authority for the A64 Trunk Road, in the District of York and the District of Ryedale in the County of North Yorkshire, is satisfied that traffic on that trunk road should be restricted and prohibited because resurfacing 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), makes the following Order: -

1. This Order may be cited as the A64 Trunk Road (Hopgrove Roundabout to Barton Hill) (Temporary Restriction and Prohibition of Traffic) Order 2009 and shall come into force on 29 November 2009.

2. In this Order; –

“the A64” means the A64 Trunk Road eastbound and westbound carriageways from its junction with the A1036 Hopgrove Roundabout eastwards for a distance of 9950 metres;

“a layby” means an area of carriageway intended for the waiting of vehicles and bounded partly by a traffic sign 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 sign is placed; and in this definition "carriageway" means any way (other than a cycle track) comprised in the A64 over which the public have a right of way for the passage of vehicles and which has a surface suitable for the exercise of that right;

“the works period” means a period of 10 hours starting at 20:00 hours on Monday 30 November 2009 or any subsequent night thereafter until 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 article 5 no person shall, during the works period, cause or permit any vehicle to be driven in the A64 at a speed exceeding:

- (a) 10 miles per hour whilst traffic signs of a character authorised under Section 64 of the Road Traffic Regulation Act 1984 indicating “convoy working” on that road are displayed; or
- (b) 40 miles per hour whilst such traffic signs in relation to that road are not displayed.

(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 I.

4. Subject as mentioned in article 5 no person shall, during the works period, cause or permit any vehicle to enter or wait in a layby situated adjacent to the A64:

- (a) eastbound carriageway approximately 1700 metres east and 5600 metres east of Hopgrove Roundabout; or
- (b) westbound carriageway approximately 5400 metres east and 8150 metres east of Hopgrove Roundabout.

5. The provisions of articles 3 and 4 shall apply only during such times and to such extent as shall, from time to time, be indicated by traffic signs. Nothing in article 4 shall apply to:

- (a) a vehicle being used for police, fire and rescue authority or ambulance purposes;
- (b) a vehicle being used for, or in connection with, the said works, or for winter maintenance or traffic officer purposes; or
- (c) anything done at the direction of, or with the permission of, a police officer or traffic officer in uniform;

and nothing in article 3 shall apply to any vehicle being used for a purpose specified in paragraph (a) of this article.

Signed by authority of the Secretary of State

18 November 2009

DAVID PARKER
A Regional Planning Manager
in the Highways Agency