

**2009 No. 3278**

**ROAD TRAFFIC**

**The A38 Trunk Road (Findern to Weeford) (Temporary  
Restriction and Prohibition of Traffic) (No. 2) Order 2009**

*Made - - - - 20 November 2009*

*Coming into force - - 27 November 2009*

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 some of those connecting roads between Findern and Weeford in the Counties of Derbyshire and Staffordshire, 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<sup>(a)</sup>, 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 (Findern to Weeford) (Temporary Restriction and Prohibition of Traffic) (No. 2) Order 2009 and shall come into force on 27 November 2009.

2. In this Order –

“Toyota Interchange”	means the A38/A50/B5008 roundabout junction at Findern;
“Weeford Island”	means the A38/A5/M6 Toll roundabout junction at Weeford;
“Swinfen Island”	means the A38/A5148/A5206 roundabout junction at Swinfen;
“Barton Turn”	means the A38/B5016 Station Road junction near Barton under Needwood;
“the first length of trunk road”	means the northbound and southbound carriageways of the A38 between a point 2 kilometres north of the centreline of the A50 underbridge at Toyota Interchange and Weeford Island;

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(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 second length of trunk road” means the A38 –

- (a) northbound and southbound carriageways between Weeford Island and Swinfen Island; and
- (b) southbound carriageway from its junction with the slip road leading to Barton Turn to the centreline of the A513 overbridge at Alrewas;

“a slip road” means the slip roads leading –

- (a) to and from the A38 at Barton Turn;
- (b) to the southbound carriageway of the A38 from Catholme Lane;
- (c) to the northbound carriageway of the A38 from the A5127 at Streethay;
- (d) from the southbound carriageway of the A38 to the A5127 at Streethay; and
- (e) to the northbound carriageway of the A38 from Weeford Island;

“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<sup>(a)</sup> 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 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 Tuesday 1 December 2009 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 7 and 8, no person shall, during the works period, cause or permit any vehicle to be driven at a speed exceeding 50 miles per hour in the first length of trunk road.

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 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 A38 –

- (a) southbound carriageway at its junction with the A5132 at Willington;
- (b) northbound carriageway at its junction with Old London Road near Swinfen; and
- (c) southbound carriageway at its junction with the access to Y-Pass Garage and Café north of its junction with the A5132.

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 laybys situated adjacent to the A38 –

- (a) northbound carriageway approximately 1060 metres south of Swinfen Island;

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<sup>(a)</sup> S.I. 2002/3113; Part 1.

- (b) southbound carriageway approximately 1500 metres north of the centreline of the B5016 Station Road overbridge at Barton Turn;
- (c) southbound carriageway approximately 1120 metres north of the centreline of the B5016 Station Road overbridge at Barton Turn;
- (d) southbound carriageway approximately 600 metres south of the centreline of the B5016 Station Road overbridge at Barton Turn; and
- (e) southbound carriageway approximately 1500 metres north of the centreline of the A513 overbridge at Alrewas.

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) 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 in uniform; and
- (b) articles 4, 5 and 6 shall not apply to any vehicle being used in connection with the said works.

Signed by authority of the Secretary of State

20 November 2009

*A Slack*  
A Team Leader  
in the Highways Agency