

2011 No. 3099

ROAD TRAFFIC

The A38 Trunk Road (Dobwalls to Bodmin) (Temporary Prohibition and Restriction of Traffic) Order 2011

Made - - - - *23rd December 2011*

Coming into force - - *6th January 2012*

WHEREAS the Secretary of State for Transport, being the traffic authority for the A38 Trunk Road (“the A38”), is satisfied that traffic on lengths of that road between Dobwalls and Bodmin in Cornwall should be prohibited and restricted 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), hereby makes the following Order:-

1. This Order may be cited as the A38 Trunk Road (Dobwalls to Bodmin) (Temporary Prohibition and Restriction of Traffic) Order 2011 and shall come into force on 6th January 2012.

2. In this Order –

“the first length of the A38” means the A38 from the eastern edge of the Turfdown Roundabout, Bodmin, to the western edge of the Twelve Woods Roundabout (junction with the A390);

“the second length of the A38” means the A38 from the eastern edge of the Turfdown Roundabout, Bodmin to its junction with North Hill Road (C0021);

“the local roads” mean the U6159 and U6141 county roads leading to and from the A38 at White Lodge;

“the works” mean construction of new earthworks, surface water drainage system, culvert extension, vehicle restraint system works, kerbing and other associated and maintenance works;

“a works period” means a period of 10 hours starting at 20.00 hours on Sunday 8th January 2012 or any subsequent day and ending when the said works have been completed;

“the works period” means the period starting at 00.01 hours on Sunday 8th January 2012 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 5, 6, 7 and 8, no person shall, during a works period:

(a) cause or permit any vehicle to enter or proceed in the first length of the A38;

(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) drive any motor vehicle at a speed exceeding 10 miles per hour on the second length of the A38 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;

4. Subject as mentioned in articles 5, 6 and 8, no person shall, during the works period:

- (a) drive any motor vehicle at a speed exceeding 30 miles per hour on the second length of the A38;
- (b) cause or permit any vehicle to overtake any other moving vehicle on the second length of the A38;
- (c) cause or permit any vehicle to enter or leave the A38 at its junctions with the local roads.

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 and shall not apply to:

- (a) a vehicle being used for police, fire and rescue authority or ambulance purposes;
- (b) anything done at the direction of, or with the permission of, a constable.

6. The provisions of articles 3(a), 4(b) and (c) shall not apply to a vehicle being used in connection with the said works or for traffic officer purposes.

7. The provisions of article 3(a) shall not apply to a vehicle proceeding to or from Bodmin Parkway Station or premises that are accessible from and only from the A38.

8. No speed limit imposed by this order applies to vehicles falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011 when used in accordance with regulation 3(5) of those Regulations.

Signed by authority of the Secretary of State

23rd December 2011

Malcolm Roberts
A Service Delivery Team Leader
in the Highways Agency