

2012 No. 1862

ROAD TRAFFIC

The A38 Trunk Road (Plymouth) (Temporary Restriction and Prohibition of Traffic) Order 2012

Made - - - - - *10th July 2012*

Coming into force - - - - - *14th July 2012*

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 at Plymouth in the County of Devon 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, and paragraph 27(1) of Schedule 9 to, the Road Traffic Regulation Act 1984(a), hereby makes the following Order:-

1. This Order may be cited as the A38 Trunk Road (Plymouth) (Temporary Restriction and Prohibition of Traffic) Order 2012 and shall come into force on 14th July 2012.

2. In this Order –

“the first length of the A38” means (i) the westbound carriageway of the A38 at Plymouth from a point at the centre of Plympton Hill Underbridge to the tip of the nosing of the westbound entry slip road at the Forder Valley Junction; and (ii) the eastbound carriageway of the A38 at Plymouth from a point at the centre of the Manadon Junction to a point at the centre of Merafield Overbridge;

“the second length of the A38” means (i) the westbound carriageway of the A38 at Plymouth from the tip of the nosing of the westbound exit slip road at the Marsh Mills Junction to the tip of the nosing of the westbound entry slip road at the Forder Valley Junction; and (ii) the eastbound carriageway of the A38 at Plymouth from the tip of the nosing of the eastbound exit slip road leading from the A38 to the A374 link road between the Forder Valley Junction and the Marsh Mills Junction to the tip of the nosing of the eastbound entry slip road at the Marsh Mills Junction;

“the third length of the A38” means (i) the westbound carriageway of the A38 at Plymouth from a point 200 metres east of the tip of the nosing of the westbound exit slip road at the Marsh Mills Junction to a point 150 metres west of the tip of the nosing of the westbound exit slip road at the Forder Valley Junction; and (ii) the eastbound carriageway of the A38 at Plymouth from a point 100 metres east of the tip of the nosing of the eastbound exit slip road leading from the A38 to the A374 link road between the Forder Valley Junction and the Marsh Mills Junction to a point 250 metres east of the tip of the nosing of the eastbound entry slip road at the Marsh Mills Junction;

(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; and paragraph 27(1) of Schedule 9 was amended by section 1(4) of that Act.

“the slip roads” mean (i) the westbound exit slip road and the eastbound entry slip roads at the A38 Marsh Mills Junction; (ii) the eastbound exit slip road leading from the A38 to the A374 link road between the Forder Valley Junction and the Marsh Mills Junction; and (iii) the westbound and eastbound exit slip roads at the A38 Forder Valley Junction;

“the slip road” means the westbound exit slip road at the A38 Forder Valley Junction;

“eastbound carriageway” and “westbound carriageway” mean, respectively, the eastbound carriageway and the westbound carriageway of the third length of the A38;

“tip of the nosing” means the first point where an entry slip road joins the carriageway of a trunk road or the last point where an exit slip road leaves the carriageway of a trunk road;

“the works” mean maintenance works to the Marsh Mills viaduct;

“a works period” means a period of 10 hours starting at 20.00 hours on Monday 16th July 2012 or on any subsequent day and ending when the said works have been completed;

“the works period” means the period starting at 00.01 hours on Monday 16th July 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 6 and 8, no person shall, during the works period, drive any motor vehicle at a speed exceeding 40 miles per hour on the first length of the A38 and the slip roads.

4. Subject as mentioned in articles 6 and 7, no person shall, during a works period, cause or permit any vehicle to enter or proceed in the second length of the A38 and the slip road.

5. Subject as mentioned in articles 6 and 7, no person shall, during the works period:

- (a) cause or permit any vehicle to enter or proceed in the westbound carriageway;
- (b) cause or permit any vehicle to enter or proceed in the outside lane of the eastbound carriageway in any direction other than westwards;
- (c) cause or permit any vehicle to enter or proceed in the eastbound carriageway;
- (d) cause or permit any vehicle to enter or proceed in the outside lane of the westbound carriageway in any direction other than eastwards.

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 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.

7. The provisions of articles 4, 5(a) and 5(c) shall not apply to a vehicle being used for or in connection with the said works or for traffic officer purposes.

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.

9. The A38 Trunk Road (Marsh Mills to Forder Valley, Plymouth) (Temporary Restriction and Prohibition of Traffic) Order 2012(a) is hereby revoked.

Signed by authority of the Secretary of State

10th July 2012

Malcolm Roberts
A Service Delivery Team Leader
in the Highways Agency