

2012 No. 227

ROAD TRAFFIC

**The A38 Trunk Road (Pridhamsleigh to Lower Dean,
Buckfastleigh, Devon) (Temporary Restriction and Prohibition
of Traffic) Order 2012**

Made - - - - 24th January 2012

Coming into force - - 27th January 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 two of those connecting roads between Pridhamsleigh and Lower Dean in the District of South Hams 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 the Road Traffic Regulation Act 1984(a), hereby makes the following Order:-

1. This Order may be cited as the A38 Trunk Road (Pridhamsleigh to Lower Dean, Buckfastleigh, Devon) (Temporary Restriction and Prohibition of Traffic) Order 2012 and shall come into force on 27th January 2012.

2. In this Order –

“the first length of the A38” means the eastbound and westbound carriageways of the A38 at Buckfastleigh between a point at the centre of Pridhamsleigh Overbridge and a point at the centre of Dean Prior Overbridge;

“the second length of the A38” means the eastbound carriageway of the A38 at Buckfastleigh between the tip of the nosing of the Lower Dean Junction exit slip road and the tip of the nosing of the Dart Bridge Junction entry slip road;

“the third length of the A38” means the westbound carriageway of the A38 at Buckfastleigh between the tip of the nosing of the Dart Bridge Junction exit slip road and the tip of the nosing of the Lower Dean Junction entry slip road;

“the slip roads” mean (i) the eastbound exit slip road at the A38 Dart Bridge Junction, Buckfastleigh; (ii) the westbound entry slip road at the A38 Dart Bridge Junction, Buckfastleigh;

“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;

“a bicycle” means a pedal cycle with fewer than four wheels and not being a mechanically propelled vehicle;

(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 works” mean maintenance works;

“a works period” means a period of 11 hours starting at 19.00 hours on Sunday 29th January 2012 or any subsequent day and ending when the said works have been completed;

“the works period” means the period starting at 19.00 hours on Sunday 29th January 2012 or any subsequent day 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, 7 and 8, no person shall, during the works period:

- (a) drive any motor vehicle at a speed exceeding 50 miles per hour in the first length of the A38;
- (b) cause or permit any vehicle to enter or proceed in 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 third length of the A38.

5. Subject as mentioned in article 6, no person using a bicycle shall enter or proceed in:

- (a) the second length of the A38 or the third length of the A38 during a works period;
- (b) the slip roads during the works period.

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 3(b) and 4 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.

Signed by authority of the Secretary of State

24th January 2012

Malcolm Roberts
A Service Delivery Team Leader
in the Highways Agency