

**2012 No. 302**

**ROAD TRAFFIC**

**The A38 Trunk Road (Harcombe Bends to Haldon Hill)  
(Temporary Restriction and Prohibition of Traffic) Order 2012**

*Made* - - - - *1st February 2012*

*Coming into force* - - *8th February 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 near Chudleigh in the District of Teignbridge 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 (Harcombe Bends to Haldon Hill) (Temporary Restriction and Prohibition of Traffic) Order 2012 and shall come into force on 8th February 2012.

2. In this Order –

“the first length of the A38” means the eastbound carriageway of the A38 from a point at the centre of the Old Exeter Road Overbridge to a point at the centre of the Belvedere Cross Underbridge;

“the second length of the A38” means the eastbound carriageway of the A38 from a point 250 metres west of the centre of the Chudleigh Station Overbridge to a point 100 metres west of the centre of the Splatford Cross Overbridge;

“the slip roads” mean (i) the eastbound entry slip road at the A38 Chudleigh Station Junction; (ii) the eastbound exit slip road at the A38 Splatford Junction; (iii) the eastbound entry and exit slip roads at the A38 Harcombe Junction; (iv) the eastbound entry and exit slip roads at the A38 Belvedere Junction; and (v) the eastbound exit slip road at the A38 Old Haldon Hill Junction;

“the works” mean resurfacing and other maintenance works;

“the works period” means the period starting at 00.01 hours on Friday 10th February 2012 and ending when the said works have been completed;

“a works period” means a period of 11 hours starting at 19.00 hours on Friday 10th February 2012 or on 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.

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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;

**3.** Subject as mentioned in articles 6 and 8, no person shall, during the works period, drive any motor vehicle at a speed exceeding 50 miles per hour on the first length of the A38.

**4.** Subject as mentioned in articles 6 and 8, no person shall, during a works period, drive any motor vehicle at a speed exceeding 10 miles per hour on the first 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.

**5.** 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 roads.

**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 article 5 shall not apply to:

- (a) a vehicle being used for or in connection with the said works, for traffic officer purposes or for winter maintenance purposes;
- (b) a vehicle proceeding to or from 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

1st February 2012

*Malcolm Roberts*  
A Service Delivery Team Leader  
in the Highways Agency