2012 No. 932

ROAD TRAFFIC

The A38 Trunk Road (Woodpecker Junction, South Brent) (Temporary Restriction and Prohibition of Traffic) Order 2012

 Made
 22nd March 2012

 Coming into force
 31st March 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 one of those connecting roads 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 (Woodpecker Junction, South Brent) (Temporary Restriction and Prohibition of Traffic) Order 2012 and shall come into force on 31st March 2012.

2. In this Order -

"the first length of the A38" means the eastbound carriageway of the A38 near South Brent from a point 1000 metres west of the centre of the Wrangaton Junction Overbridge to a point at the centre of the River Avon Bridge;

"the second length of the A38" means the eastbound carriageway of the A38 near South Brent from a point 400 metres east of the tip of the nosing of the eastbound entry slip road at the Wrangaton Junction to a point at the centre of the River Avon Bridge;

"the slip road" means the eastbound exit slip road at the A38 Woodpecker Junction, South Brent:

"tip of the nosing" means the first point where an entry slip road joins the carriageway of a trunk road;

"overall width" has the meaning given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986(**b**);

"the works" mean improvement works at the Shell Petrol Station, near South Brent;

"a works period" means a period of 11 hours starting at 19.00 hours on Monday 2nd April 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 2nd April 2012 and ending when the said works have been completed;

⁽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) S.I. 1986 / 1078, to which there are amendments not relevant to this Order;

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 and 6, no person shall, during a works period, cause or permit any vehicle to enter or proceed in the slip road.
 - **4.** Subject as mentioned in articles 5, 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 with an overall width exceeding 6 feet 6 inches to enter or proceed in any lane other than the left hand lane of the second length of the A38;
 - (c) enter or proceed in the footpath adjacent to the eastbound carriageway of the A38, leading to the Shell Petrol Station at the A38 Woodpecker Junction.
- **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) a vehicle proceeding at the direction of, or with the permission of, a constable.
- **6**. The provisions of articles 3 and 4(b) shall not apply to a vehicle being used in connection with the said works or for traffic officer purposes.
- 7. The provisions of article 4(c) shall not apply to any police officer or any pedestrian engaged in the said works.
- **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

Malcolm Roberts
A Service Delivery Team Leader
in the Highways Agency

22nd March 2012