2013 No. 1210

ROAD TRAFFIC

The A27 Trunk Road (Falmer) (24 Hours Clearway and Waiting Restrictions) Order 2013

 Made
 8th April 2013

 Coming into force
 4th May 2013

The Secretary of State for Transport, in exercise of the powers conferred by sections 1(1) and (2), 2(1) and (2), and 4(1) of the Road Traffic Regulation Act 1984(a), makes the following Order:-

1. This Order may be cited as the A27 Trunk Road (Falmer) (24 Hours Clearway and Waiting Restrictions) Order 2013 and shall come into force on 4th May 2013.

2. In this Order:

"the trunk road" means the A27 Trunk Road in the City of Brighton and Hove and the County of East Sussex between points 200 metres west of the road leading to the A270 at Coldean and 200 metres east of Housedean Farm overbridge east of Falmer, a total distance of approximately 3000 metres;

"a slip road" means any road leading to or from the trunk road at Falmer Interchange (B2123);

"a road" means the trunk road or a slip road;

"carriageway" means a way consisting of, or comprised in, a road being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles and a surface suitable for the exercise of that right;

"verge" means any part of a road which is not a carriageway; and

"lay-by" means an area of carriageway, intended for the waiting of vehicles, bounded partly by a road marking on the outer edge of that carriageway complying with diagram 1010 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002(**b**).

- **3.** Save as provided in article 4 below, no person shall except upon the direction of, or with the permission of, a constable or traffic officer in uniform, cause or permit any vehicle to wait
 - (a) at any time on any day on any part of a road or verge other than a lay-by; or
 - (b) between 0001 and 2359 hours on any day in a lay-by
 - (i) for a period exceeding 1 hour, or
 - (ii) if a period not exceeding 2 hours has elapsed since the previous period of waiting by the same vehicle in that layby.

(b) S.I. 2002/3113.

⁽a) 1984 c.27; sections 1(1) and 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (c.22) section 168 and Schedule 8, paragraphs 17(2) and 18(2) and (3); and section 122A was inserted by section 24 of that Act.

- **4.** Nothing in article 3 above shall apply:
 - (a) to render it unlawful to cause or permit a vehicle to wait on any part of a road, for so long as may be necessary to enable that vehicle to be used in connection with –
 - (i) the removal of any obstruction to traffic,
 - (ii) the maintenance, improvement, reconstruction or operation of the trunk road,
 - (iii) the laying, erection, inspection, maintenance, alteration, repair, renewal or removal in or near the trunk road of any sewer, main pipe, conduit, wire, cable or other apparatus for the supply of gas, water, electricity or any telecommunications apparatus as defined in Schedule 2 to the Telecommunications Act 1984(a), or
 - (iv) any building operation or demolition;
 - (b) in relation to a vehicle being used -
 - (i) for police, ambulance, fire and rescue authority or traffic officer purposes,
 - (ii) in the service of a local authority, safety camera partnership or Vehicle and Operator Services Agency in pursuance of statutory powers or duties,
 - (iii) in the service of a water or sewerage undertaker within the meaning of the Water Industry Act 1991(b), or
 - (iv) by a universal service provider for the purposes of providing a universal postal service as defined by the Postal Service Act 2000(c); or
 - (c) in relation to a vehicle waiting when the person in control of it is
 - (i) required by law to stop,
 - (ii) obliged to stop in order to avoid an accident, or
 - (iii) prevented from proceeding by circumstances outside his or her control.
- 5. No person shall cause or permit any vehicle to wait on any part of a road for the purposes of selling, or dispensing of, goods from that vehicle, unless the goods are immediately delivered at, or taken into, premises adjacent to the land on which the vehicle stood when the goods were sold or dispensed.

Signed by authority of the Secretary of State for Transport

G Threader A Service Delivery Team Leader in the Highways Agency

8th April 2013

EXPLANATORY NOTE

(This note is not part of the Order)

This Order imposes a 24 hours clearway and waiting restrictions on the A27 Trunk Road Falmer. This is in the interests of road safety to prohibit vehicles waiting on the trunk road and the verge and supersedes a temporary Order to this effect.

⁽a) 1984 c. 12.(b) 1991 c.56.

⁽c) 2000 c.26.