STATUTORY INSTRUMENTS

2014 No. 674

ROAD TRAFFIC

The A38 Trunk Road (Near Saltash) (Temporary Restriction and Prohibition of Traffic) Order 2014

Made - - - - 26th February 2014

Coming into force - - 1st March 2014

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 near Saltash in Cornwall 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 (Near Saltash) (Temporary Restriction and Prohibition of Traffic) Order 2014 and shall come into force on 1st March 2014.

2. In this Order -

"the first length of the A38" means the A38 from a point 76 metres west of the centre of the Carkeel Roundabout, Saltash, to a point at the centre of the Notter Bridge Junction;

"the second length of the A38" means the A38 from a point adjacent to the eastern slip road at the B3271 Latchbrook Junction, Saltash, to a point 200 metres west of the centre of the Stoketon Cross Junction:

"the third length of the A38" means the A38 from a point at the centre of the Stoketon Cross Junction to a point adjacent to the eastern slip road at the B3271 Latchbrook Junction, Saltash;

"the fourth length of the A38" means the A38 from a point at the western edge of the Carkeel Roundabout, Saltash, to a point at the centre of the Notter Bridge Junction;

"the slip road" means the western entry slip road at the A38 Latchbrook Junction, Saltash;

"layby" 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**); and in this definition "carriageway" means any way (other than a cycle track) comprised in the trunk road over which the public have a right of way for the passage of vehicles and which has a surface suitable for the exercise of that right;

"the works" mean maintenance and improvement works including the installation of road markings, traffic islands and traffic signs;

⁽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. 2002/3113; Part I

"the works period" means the period starting at 19.00 hours on Monday 3rd March 2014 and ending when the said works have been completed;

"a works period" means a period of 11 hours starting at 19.00 hours on Monday 3rd March 2014 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.

- **3.** Subject as mentioned in articles 8 and 11, no person shall, during the works period, drive any motor vehicle at a speed exceeding 30 miles per hour on the first length of the A38.
- **4.** Subject as mentioned in articles 8 and 11, no person shall, during a works period, drive any motor vehicle at a speed exceeding 10 miles per hour on the second 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 8, 9 and 10, no person shall, during a works period, cause or permit any vehicle to enter or proceed in the third length of the A38 and the slip road.
- **6.** Subject as mentioned in articles 8 and 9, no person shall, during the works period, cause or permit any vehicle to enter, proceed or remain in the layby adjacent to the A38 eastbound situated 600 metres east of the centre of the Stoketon Cross Junction.
- 7. Subject as mentioned in articles 8 and 9, no person shall, during the works period, cause or permit any vehicle to overtake any other moving vehicle in the fourth length of the A38.
- **8.** The provisions of articles 3, 4, 5, 6 and 7 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.
- **9.** The provisions of articles 5 and 6 shall not apply to a vehicle being used for or in connection with the said works, for traffic officer purposes or for winter maintenance purposes.
- **10.** The provisions of article 5 shall not apply to a vehicle proceeding to or from premises that are accessible from and only from the A38.
- 11. 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

Ian Parsons
A Service Delivery Team Leader
in the Highways Agency

26th February 2014