S T A T U T O R Y I N S T R U M E N T S

2010 No. 1048

ROAD TRAFFIC

The A38 Trunk Road (Carminow to Colesloggett, Near Bodmin, Cornwall) (Temporary Prohibition and Restriction of Traffic) Order 2010

Made - - - -	*9 March 2010*
Coming into force - -	*12 March 2010*

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 Bodmin in Cornwall should be prohibited and restricted 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 (Carminow to Colesloggett, Near Bodmin, Cornwall) (Temporary Prohibition and Restriction of Traffic) Order 2010 and shall come into force on 12 March 2010.

2. In this Order –

"the first length of the A38" means the A38 from a point at the eastern edge of Carminow Roundabout to a point at the centre of the railway underbridge east of Colesloggett Bends;

"the second length of the A38" means the A38 eastbound from a point at the centre of Carminow Railway Bridge to the eastern edge of Turfdown Roundabout including the exit road from that roundabout;

"the third length of the A38" means the A38 westbound from the eastern edge of the Turfdown Roundabout to a point at the centre of the Carminow Railway Bridge including the entry road to that roundabout;

"the circulatory carriageway" means the circulatory carriageway at the A38 Turfdown Roundabout;

"the slip road" means the A30 westbound entry slip road at the Carminow Junction;

"layby" means an area of carriageway intended for the waiting of vehicles and 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

(**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

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;

"bus stop area" means any area of carriageway on a side of the trunk road, intended for the waiting of buses, which is comprised within and indicated by a road marking complying with diagram 1025 (1025.1 / 1025.3 / 1025.4) in schedule 6 to the Traffic Signs Regulations 2002(**a**);

"the works" mean maintenance and improvement works;

"the works period" means the period starting at 00.01 hours on Monday 15 March 2010 and ending when the said works have been completed;

"a works period" means a period of 10 hours starting at 20.00 hours on Monday 15 March 2010 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 article 7, no person shall, during the works period, drive any motor vehicle at a speed exceeding 30 miles per hour in the first length of the A38.

4. Subject as mentioned in articles 7 and 8, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the western sector of the circulatory carriageway.

5. Subject as mentioned in articles 7 and 8, no person shall, during a works period, cause or permit any vehicle:

(a) to enter or proceed in the second length of the A38;

(b) to enter or proceed in the third length of the A38;

(c) to enter or proceed in the eastern sector of the circulatory carriageway;

(d) to enter or proceed in the slip road;

(e) to enter or leave the A38 at its junctions with Turfdown Road or Lanhydrock Road.

6. Subject as mentioned in articles 7 and 8, no person shall, during a works period, cause or permit any vehicle to enter, proceed or remain in the bus stop area / layby adjacent to:

(i) the A38 eastbound situated 80 metres west of the centre of Turfdown Roundabout;

(ii) the A38 westbound situated 110 metres east of the centre of Turfdown Roundabout.

7. The provisions of articles 3, 4, 5 and 6 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 police officer in uniform.

8. The provisions of articles 4, 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.

Signed by authority of the Secretary of State

MALCOLM ROBERTS
An Area Performance Manager
in the Highways Agency

9 March 2010

(**a**) S.I. 2002/3113; Part 1