STATUTORY INSTRUMENTS

2011 No. 834

ROAD TRAFFIC

The A38 Trunk Road (Trerulefoot to Liskeard, Cornwall) (Temporary Prohibition and Restriction of Traffic) Order 2011

Made - - - -	*1st March 2011*
Coming into force - -	*4th March 2011*

WHEREAS the Secretary of State for Transport, being the traffic authority for the A38 Trunk Road ("the A38"), is satisfied that traffic on lengths of that road between Trerulefoot and Liskeard 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 (Trerulefoot to Liskeard, Cornwall) (Temporary Prohibition and Restriction of Traffic) Order 2011 and shall come into force on 4th March 2011.

2. In this Order –

"the first length of the A38" means the eastbound carriageway of the A38 from the centre of the Menheniot Junction to a point at the eastern end of the dual carriageway at Catchfrench;

"the second length of the A38" means the westbound carriageway of the A38 from a point at the eastern end of the dual carriageway at Catchfrench to a point 200 metres west of the centre of the Lean Quarry Junction;

"the third length of the A38" means the A38 between a point at the eastern end of the dual carriageway at Catchfrench and the western edge of the Trerulefoot Roundabout;

"the fourth length of the A38" means the eastbound carriageway of the A38 from a point 700 metres west of the eastern end of the dual carriageway at Catchfrench to a point at that eastern end of the dual carriageway;

"the fifth length of the A38" means the westbound carriageway of the A38 from the centre of the Menheniot Junction to a point 200 metres west of the centre of the Lean Quarry Junction;

"the sixth length of the A38" means the eastbound carriageway of the A38 from the tip of the nosing of the eastbound exit slip road at the Island Shop Junction, Liskeard, to the western edge of the Trerulefoot Roundabout;

"the seventh length of the A38" means the westbound carriageway of the A38 from the western edge of the Trerulefoot Roundabout to its junction with the B3252 at the Lean Quarry Junction;

(**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.

"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(**a**); 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;

"tip of the nosing" means the last point where an exit slip road leaves the carriageway of a Trunk Road;

"the local roads" mean (i) the county road on the north side of the A38 opposite Penquite Farm; and (ii) the county road on the north side of the A38 opposite the Bake Junction;

"the works" mean improvement and maintenance works;

"a works period" means a period of 10 hours starting at 20.00 hours on Sunday 6th March 2011 or any subsequent day and ending when the said works have been completed;

"the works period" means the period starting at 00.01 hours on Sunday 6th March 2011 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 8, no person shall, during the works period:

(a) drive any motor vehicle at a speed exceeding 50 miles per hour on the first length of the A38 and the second length of the A38;

(b) drive any motor vehicle at a speed exceeding 40 miles per hour on the third length of the A38.

4. Subject as mentioned in article 8, no person shall, during a works period, drive any motor vehicle at a speed exceeding 10 miles per hour on the third length of the A38, the fourth length of the A38 or the fifth 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 and 9, no person shall, during a works period, cause or permit any vehicle to enter or proceed in the sixth length of the A38 and / or the seventh length of the A38.

6. Subject as mentioned in articles 8 and 9, no person shall, during the works period, cause or permit any vehicle to enter or leave the A38 at its junction with the local roads.

7. 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 laybys adjacent to:

(a) the A38 eastbound situated 1950 metres east of the centre of the Menheniot Junction;

(b) the A38 eastbound situated 650 metres east of the end of the dual carriageway at Catchfrench;

(c) the A38 westbound situated 650 metres east of the centre of the Menheniot Junction;

(d) the A38 westbound situated 1100 metres west of the centre of the Menheniot Junction.

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.

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

9. The provisions of articles 5, 6 and 7 shall not apply to a vehicle being used for or in connection with the said works or for traffic officer purposes.

Signed by authority of the Secretary of State

Malcolm Roberts
An Area Performance Manager
in the Highways Agency

1st March 2011