STATUTORY INSTRUMENTS

2012 No. 2049

ROAD TRAFFIC

The A40 Trunk Road (Whitchurch to Ross-on-Wye, Herefordshire) (Temporary Restriction and Prohibition of Traffic) (No. 2) Order 2012

Made - - - - 20th July 2012

Coming into force - - 27th July 2012

WHEREAS the Secretary of State for Transport, being the traffic authority for the A40 Trunk Road ("the A40"), is satisfied that traffic on lengths of that road, between Whitchurch and Ross-on-Wye in the District of the County of Herefordshire, 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)** , and of all other powers enabling her in that behalf, hereby makes the following Order: -

1. This Order may be cited as the A40 Trunk Road (Whitchurch to Ross-on-Wye, Herefordshire) (Temporary Restriction and Prohibition of Traffic) (No. 2) Order 2012 and shall come into force on 27th July 2012.

2. In this Order:

"the first length of trunk road"	means the northbound and southbound carriageways of the A40 between its junction with the A4137, north of Whitchurch and its roundabout junction with the A49 (Wilton Roundabout) near Ross-on-Wye;
"the second length of trunk road"	means the A40 between a point 200 metres and 6300 metres north of its junction with the A4137;
"the central reservation"	means that part of the trunk road which separates its northbound and southbound carriageways for the safety and guidance of vehicular traffic using that road;
"layby"	means an area of carriageway intended for the

(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.

	waiting of vehicles and bounded partly by a road marking of the type shown in diagram 1010 in Schedule 6 to the Traffic Signs Regulations 2002**(a)** and partly by the outer edge of that carriageway on the same side of the road as that on which the marking is placed; and in this definition "carriageway" means any way (other than a cycle track) comprised in a length of the trunk road over which the public have a right of way for the passage of vehicles and which has a suitable surface for the exercise of that right;
"bus stop area"	means any area of a 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 or 1025.4 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002;
"the works period"	means the period starting at 07:00 hours on Saturday 28th July 2012 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 11 and 12, no person shall, during the works period, cause or permit any vehicle to be driven at a speed exceeding 40 miles per hour on the first length of trunk road.

4. Subject as mentioned in articles 11 and 12, no person shall, during the works period, cause or permit any vehicle to enter or proceed on the first length of trunk road.

5. Subject as mentioned in articles 11 and 12, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the offside lane of the northbound carriageway of the second length of trunk road in any direction other than southwards.

6. Subject as mentioned in articles 11 and 12, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the offside lane of the southbound carriageway of the second length of trunk road in any direction other than northwards.

7. Subject as mentioned in articles 11 and 12, no person shall, during the works period, cause or permit any vehicle to enter or proceed through the gap in the central reservation:

i) opposite Pencraig Court Hotel; and
ii) opposite Boat Lane.

8. Subject as mentioned in articles 11 and 12, no person shall, during the works period, cause or permit any vehicle to enter or proceed in any layby adjacent to the first length of trunk road.

9. Subject as mentioned in articles 11 and 12, no person shall, during the works period, cause or permit any vehicle to enter or leave;

(a) S.I. 2002/3113, Part 1.

i) the northbound carriageway of the A40 at its junction with Glewstone Road, Pencraig;
ii) the northbound carriageway of the A40 at its junction with the access road leading to Home Farm, Goodrich; and
iii) the southbound carriageway of the A40 at its junction with Goodrich Road.

10. Subject as mentioned in articles 11 and 12, no person shall, during the works period, cause or permit any vehicle to enter or proceed in any bus stop area situated adjacent to the northbound carriageway of the first length of trunk road.

11. The provisions of articles 3 to 10 inclusive shall apply only during such times and to such extent as shall from time to time be indicated by traffic signs.

12. The provisions of –

a) article 3 shall not apply to any vehicle being used for special forces purposes;

b) articles 3, 4, 7, 8, 9 and 10 shall not apply to any vehicle –
i) being used for police, fire brigade or ambulance purposes; or
ii) proceeding at the direction of, or with the permission of, a police constable; and

c) articles 4, 7, 8, 9 and 10 shall not apply to any vehicle being used in connection with the said works.

13. The A40 Trunk Road (Whitchurch to Ross-on-Wye, Herefordshire) (Temporary Restriction and Prohibition of Traffic) Order 2012 **(a)** is hereby revoked.

Signed by authority of the Secretary of State

A Slack
A Team Leader
in the Highways Agency

20th July 2012

(a) S.I. 2012/1318