STATUTORY INSTRUMENTS

2013 No. 210

ROAD TRAFFIC

The A38 Trunk Road (Plymouth to Chudleigh) (Temporary Restriction and Prohibition of Traffic) Order 2013

Made - - - -	*29th January 2013*
Coming into force - -	*2nd February 2013*

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 some of those connecting roads between Plymouth and Chudleigh in the County of Devon 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 (Plymouth to Chudleigh) (Temporary Restriction and Prohibition of Traffic) Order 2013 and shall come into force on 2nd February 2013.

2. In this Order –

"the slip roads" mean (i) the eastbound entry slip road at the A38 St Budeaux Junction, Plymouth; (ii) the eastbound exit slip road at the A38 Deep Lane Junction, Plympton; (iii) the westbound entry slip road at the A38 Lower Dean Junction, near Buckfastleigh; (iv) the eastbound exit slip road at the A38 Lower Dean Junction, near Buckfastleigh; (v) the westbound exit slip road at the A38 Wrangaton Junction, near Ivybridge; (vi) the westbound exit slip road at the A38 Smithaleigh Junction, near Lee Mill; (vii) the westbound entry slip road at the A38 Goodstone Junction, near Bickington; (viii) the westbound entry slip road at the A38 Weston Mill Junction, Plymouth; (ix) the eastbound exit slip road at the A38 Clay Lane Junction, near Chudleigh; and (x) the westbound exit slip road at the A38 Forder Valley Junction, Plymouth;

"the first lengths of the A38" mean (i) the eastbound carriageway of the A38 at Ivybridge from a point 1000 metres west of the centre of the Tween-the-way overbridge to a point at the centre of the Wrangaton overbridge junction; (ii) the eastbound carriageway of the A38 at the Lower Dean junction from a point 2000 metres west of the tip of the nosing of the eastbound exit slip road to a point 1000 metres east of that tip of the nosing; and (iii) the westbound carriageway of the A38 at Smithaleigh from a point 2000 metres east of the tip of the nosing of the westbound entry slip road at the Smithaleigh junction to a point at the centre of the Merafield Road overbridge;

"the second lengths of the A38" mean (i) the eastbound carriageway of the A38 from a point at the centre of the Tween-the-way overbridge to a point at the centre of the Wrangaton

(**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;

overbridge junction; (ii) the eastbound carriageway of the A38 at the Lower Dean junction from a point 500 metres west of the tip of the nosing of the eastbound exit slip road to a point 1000 metres east of that tip of the nosing; and (iii) the westbound carriageway of the A38 at Smithaleigh from a point 500 metres east of the tip of the nosing of the westbound entry slip road at the Smithaleigh junction to a point at the centre of the Merafield Road overbridge;

"tip of the nosing" means the first point where an entry slip road joins the carriageway of a trunk road or the last point where an exit slip road leaves the carriageway of a trunk road;

"the works" mean road marking renewals and maintenance works;

"a works period" means a period of 11 hours starting at 19.00 hours on Monday 4th February 2013 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 6 and 7, no person shall, during a works period, cause or permit any vehicle to enter or proceed in the slip roads.

4. Subject as mentioned in articles 6 and 8, no person shall, during a works period, drive any motor vehicle at a speed exceeding 50 miles per hour on the first lengths of the A38.

5. Subject as mentioned in articles 6 and 8, no person shall, during a works period, drive any motor vehicle at a speed exceeding 10 miles per hour on the second lengths 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.

6. The provisions of articles 3, 4 and 5 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.

7. The provisions of article 3 shall not apply to a vehicle being used in connection with the said works or for traffic officer purposes.

8. 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

Malcolm Roberts
A Service Delivery Team Leader
in the Highways Agency

29th January 2013