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

2013 No. 2291

ROAD TRAFFIC

The A38 Trunk Road (Dartbridge Junction, near Buckfastleigh, Devon) (Temporary Prohibition and Restriction of Traffic) Order 2013

Made - - - -	*3rd September 2013*
Coming into force - -	*6th September 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 in the District of South Hams in the County of Devon 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 (Dartbridge Junction, near Buckfastleigh, Devon) (Temporary Prohibition of Traffic) Order 2013 and shall come into force on 6th September 2013.

2. In this Order –

"the first length of the A38" means the westbound carriageway of the A38 near Buckfastleigh from the tip of the nosing of the westbound exit slip road at Linhay Hill, Ashburton to the tip of the nosing of the westbound entry slip road at the Lower Dean Junction;

"the second length of the A38" means the eastbound carriageway of the A38 near Buckfastleigh from the tip of the nosing of the eastbound exit slip road at Lower Dean Junction to the tip of the nosing of the eastbound entry slip road at the Peartree Interchange, Ashburton;

"the third length of the A38" means the westbound carriageway of the A38 near Buckfastleigh from the tip of the nosing of the westbound exit slip road at the Peartree Interchange, Ashburton to the tip of the nosing of the westbound entry slip road at Lower Dean Junction, Buckfastleigh;

"the slip roads" mean (i) the eastbound exit slip road at the A38 Dartbridge Junction; (ii) the westbound exit slip road at the A38 Dartbridge Junction; (iii) the westbound entry slip road at the A38 Dartbridge Junction from the tip of the nosing's on the A384 to the tip of the nosing with the A38; (iv) the eastbound entry slip road at the A38 Dartbridge Junction and (v) the westbound entry slip road at the A38 Peartree Interchange;

"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

(**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;

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 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 maintenance works including removal of bridge deck, surfacing, replacement of deck waterproofing, expansion joints and parapets;

"a works period" means a period of 11 hours starting at 19.00 hours on Sunday 8th September 2013 or on 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 8th September 2013 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 50 miles per hour on the first length of the A38, the second length of the A38:

4. Subject as mentioned in article 8, no person shall, during a works period cause or permit any vehicle to enter or proceed in the second length of the A38 and the third length of the A38;

5. Subject as mentioned in article 8, no person shall, during the works period cause or permit any vehicle to enter or proceed in the slip roads;

6. Subject as mentioned in article 8, no person shall, during the works period cause or permit any vehicle to:

(a) enter, proceed or remain in the layby adjacent to the westbound carriageway of the A38 situated 400 metres east of the westbound exit slip road at Dartbridge Junction;

(b) enter, proceed or remain in the layby adjacent to the eastbound carriageway of the A38 situated 300 metres east of Pridhamsleigh overbridge;

7. The provisions of article 3 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 vehicle being used for police, traffic officer, fire and rescue authority or ambulance purposes;

8. The provisions of articles 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) anything done at the direction of, or with the permission of, a constable or traffic officer in uniform;

(b) a vehicle being used for or in connection with the said works.

9. 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

Alexis Field
A Service Delivery Team Leader
in the Highways Agency

3rd September 2013

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