

2009 No. 3060

ROAD TRAFFIC

The A38 Trunk Road (Western Mill Junction to Tamar Roundabout, Plymouth) (Temporary Prohibition and Restriction of Traffic) Order 2009

Made - - - - *11 November 2009*

Coming into force - - *14 November 2009*

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 Western Mill Junction and Tamar Roundabout in the City of Plymouth 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 (Western Mill Junction to Tamar Roundabout, Plymouth) (Temporary Prohibition and Restriction of Traffic) Order 2009 and shall come into force on 14 November 2009.

2. In this Order –

“the first length of the A38” means the westbound carriageway of the A38 between a point 2800 metres east of the eastern edge of the Tamar Roundabout and a point 250 metres west of that eastern edge;

“the second length of the A38” means the westbound carriageway of the A38 between a point 200 metres east of the eastern edge of the Tamar Roundabout and a point 250 metres west of that eastern edge;

“the slip roads” mean (i) the westbound entry slip road at the A38 St Budeaux (Victoria) Junction, Plymouth; and (ii) the westbound entry slip road at the A38 Weston Mill Junction, Plymouth;

“the circulatory carriageway” means the circulatory carriageway at the A38 Tamar Roundabout between the A38 westbound entry to the roundabout and the entry from Pemros Road;

“the works” mean resurfacing and associated works;

“a works period” means a period of 10 hours starting at 20.00 hours on Monday 16 November 2009 or any subsequent day and ending when the said works have been completed;

(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.

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 6, no person shall, during a works period, drive any motor vehicle at a speed exceeding 50 miles per hour in the first length of the A38 and the slip roads.

4. Subject as mentioned in article 6, no person shall, during a works period, drive any motor vehicle at a speed exceeding 10 miles per hour in the second 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 6 and 7, no person shall, during a works period, cause or permit any vehicle to enter or proceed in the circulatory carriageway.

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 police officer in uniform.

7. The provisions of article 5 shall not apply to a vehicle being used for or in connection with the said works, for traffic officer purposes, for winter maintenance purposes or while being escorted by a works vehicle.

Signed by authority of the Secretary of State

11 November 2009

NIGEL DYSON
An Area Performance Manager
in the Highways Agency