

2009 No. 3285

ROAD TRAFFIC

**The A49 Trunk Road (Kimbolton to Leominster) (Temporary
Restriction and Prohibition of Traffic) Order 2009**

Made - - - - 13 November 2009

Coming into force - - 20 November 2009

WHEREAS the Secretary of State for Transport, being the traffic authority for the A49 Trunk Road (“the A49”) is satisfied that traffic on lengths of that road between Kimbolton and Leominster 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 sections 14(1)(a) of the Road Traffic Regulation Act 1984(a), and of all other powers enabling him in that behalf, hereby makes the following Order:-

1. This Order may be cited as The A49 Trunk Road (Kimbolton to Leominster) (Temporary Restriction and Prohibition of Traffic) Order 2009 and shall come into force on 20 November 2009.

2. In this Order –

“the first length of trunk road” means the A49 from a point 1150 metres north of its junction with the A4112 to a point 600 metres south of its roundabout junction with the A44 at Eaton Hill;

“the second length of trunk road” means the A49 from a point 1150 metres north of its junction with the A4112 to its roundabout junction with the A44 at Eaton Hill;

“overall width” has the same meaning given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986(b);

(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

(b) S.I. 1986/1078, to which there are amendments not relevant to this Order

| | |
|--------------------|---|
| “layby” | means an area of carriageway intended for the waiting of vehicles and bounded partly by a traffic sign 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 sign 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; |
| "the works period" | means the period starting at 00:01 hours on Monday 23 November 2009 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 the works period, drive any motor vehicle at a speed exceeding -

- (a) 10 miles per hour on a length of the first length of trunk road whilst traffic signs of a character authorised under section 64 of the Road Traffic Regulation Act 1984 indicating “convoy working” on that length of road are displayed; or
- (b) 40 miles per hour on a length of the first length of trunk road whilst such traffic signs in relation to that length are not displayed.

4. Subject as mentioned in articles 6 and 7, no person shall, during the works period, cause or permit any vehicle with an overall width exceeding 2.9 metres to enter or proceed in the second length of trunk road.

5. Subject as mentioned in articles 6 and 7, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the layby adjacent to the northbound carriageway of the A49 approximately 800 metres north of its junction with the A4112.

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.

7. The provisions of:

- (a) articles 3, 4 and 5 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 officer in uniform;

- (b) articles 4 and 5 shall not apply to any vehicle being used in connection with the said works;
- (c) article 4 shall not apply to any vehicle proceeding in the second length of trunk road to or from premises which are accessible for that vehicle from, and only from, that road.

Signed by authority of the Secretary of State

13 November 2009

A Slack
A Team Leader
in the Highways Agency

[DFT 1475]