

**2012 No. 54**

**ROAD TRAFFIC**

**The A38 Trunk Road (Trerulefoot Roundabout to Stoketon Cross, Near Saltash) (Temporary Prohibition and Restriction of Traffic) Order 2012**

*Made* - - - - 4th January 2012

*Coming into force* - - 7th January 2012

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 Trerulefoot and Stoketon Cross in Cornwall, 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 (Trerulefoot Roundabout to Stoketon Cross, Near Saltash) (Temporary Prohibition and Restriction of Traffic) Order 2012 and shall come into force on 7th January 2012.

2. In this Order –

“the first length of the A38” means (i) the A38 at Tideford from a point 920 metres west of the centre of the B3249 St Germans Junction to a point 1915 metres east of the centre of that junction; and (ii) the A38 at Landrake from a point 1860 metres west of the centre of Landrake footbridge to a point 1500 metres east of the centre of the Notter Bridge Junction;

“the second length of the A38” means (i) the A38 at Tideford from a point 80 metres east of the centre of the B3249 St Germans Junction to a point 915 metres east of the centre of that junction; and (ii) the A38 at Landrake from a point 860 metres west of the centre of Landrake footbridge to a point 500 metres east of the centre of Notter Bridge Junction;

“the third length of the A38” means the A38 between the eastern edge of the Trerulefoot Roundabout and the centre of the B3249 St Germans Junction at Tideford;

“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 Schedule 6 to the Traffic Signs Regulations and General Directions 2002(b); 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;

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(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. 2002/3113; Part I

“the works” mean resurfacing and maintenance works;

“a works period” means a period of 10 hours starting at 20.00 hours on Monday 9th January 2012 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 articles 7 and 10, no person shall, during a works period, drive any motor vehicle at a speed exceeding 40 miles per hour in the first length of the A38.

**4.** Subject as mentioned in articles 7 and 10, 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 7, 8 and 9, no person shall, during a works period, cause or permit any vehicle to enter or proceed in the third length of the A38.

**6.** Subject as mentioned in articles 7 and 8, no person shall, during a works period, cause or permit any vehicle to enter, proceed or remain in:

- (a) the layby adjacent to the A38 eastbound situated 400 metres east of the centre of the Notter Bridge Junction;
- (b) the layby adjacent to the A38 westbound situated 270 metres east of the centre of Landrake footbridge.

**7.** The provisions of articles 3, 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) 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.

**8.** The provisions of articles 5 and 6 shall not apply to a vehicle being used in connection with the said works or for traffic officer purposes.

**9.** The provisions of article 5 shall not apply to a vehicle proceeding to or from premises that are accessible from and only from the A38.

**10.** 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

4th January 2012

*Malcolm Roberts*  
A Service Delivery Team Leader  
in the Highways Agency