

2011 No. 1050

ROAD TRAFFIC

The A38 Trunk Road (Bickington to Chudleigh, Near Newton Abbot) (Temporary Prohibition and Restriction of Traffic) Order 2011

Made - - - - *30th March 2011*
Coming into force - - *2nd April 2011*

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 near Newton Abbot in the District of Teignbridge 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 (Bickington to Chudleigh, Near Newton Abbot) (Temporary Prohibition and Restriction of Traffic) Order 2011 and shall come into force on 2nd April 2011.

2. In this Order –

“the first length of the A38” means (i) the eastbound carriageway of the A38 near Newton Abbot from a point 600 metres west of the centre of Blackpool Overbridge to a point at the centre of Kingsteignton Road Overbridge; and (ii) the westbound carriageway of the A38 near Newton Abbot from a point 2200 metres east of the centre of the Clay Lane Junction Overbridge to a point 300 metres west of the centre of the Drumbridges Junction West Overbridge;

“the second length of the A30” means (i) the eastbound carriageway of the A38 near Newton Abbot from a point 1400 metres east of the centre of Blackpool Overbridge to a point at the centre of Kingsteignton Road Overbridge; and (ii) the westbound carriageway of the A38 near Newton Abbot from a point 200 metres east of the centre of the Clay Lane Junction Overbridge to a point 300 metres west of the centre of the Drumbridges Junction West Overbridge;

“the third length of the A38” means (i) the eastbound carriageway of the A38 near Newton Abbot from the tip of the nosing of the eastbound exit slip road at the Goodstone Junction to the tip of the nosing of the eastbound entry slip road at the Drumbridges Junction; and (ii) the westbound carriageway of the A38 near Newton Abbot from the tip of the nosing of the westbound exit slip road at the Drumbridges Junction to the tip of the nosing of the westbound entry slip road at the Goodstone Junction;

(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.

“the slip roads” mean (i) the eastbound exit slip road at the A38 Drumbridges Junction; (ii) the eastbound exit slip road at the A38 Clay Lane Junction; (iii) the westbound entry slip road at the A38 Clay Lane Junction; and (iv) the westbound exit slip road at the A38 Drumbridges Junction;

“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;

“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(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;

“the works” mean resurfacing and maintenance works;

“a works period” means a period of 10 hours starting at 20.00 hours on Monday 4th April 2011 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 4 and 5, no person shall, during a works period:

- (a) drive any motor vehicle at a speed exceeding 50 miles per hour on the first length of the A38;
- (b) drive any motor vehicle at a speed exceeding 10 miles per hour on 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;
- (c) cause or permit any vehicle to enter or proceed in the third length of the A38 and the slip roads;
- (d) cause or permit any vehicle to enter, proceed or remain in the laybys adjacent to the westbound carriageway of the A38 situated:
 - (i) 280 metres east of the centre of Kingsteignton Road Overbridge;
 - (ii) 850 metres west of the centre of the Drumbridges Junction East Overbridge;
 - (iii) 200 metres west of the centre of Blackpool Overbridge;
 - (iv) 1500 metres west of the centre of Blackpool Overbridge;
 - (v) 2100 metres west of the centre of Blackpool Overbridge;
 - (vi) 3100 metres west of the centre of Blackpool Overbridge;
 - (vii) 400 metres east of the centre of the Goodstone Junction Overbridge;
- (e) cause or permit any vehicle to enter, proceed or remain in the laybys adjacent to the eastbound carriageway of the A38 situated:
 - (i) 3100 metres west of the centre of Blackpool Overbridge;
 - (ii) 2300 metres west of the centre of Blackpool Overbridge;
 - (iii) 800 metres west of the centre of Blackpool Overbridge;
 - (iv) 200 metres east of the centre of Blackpool Overbridge;
 - (v) 1100 metres east of the centre of Blackpool Overbridge;
 - (vi) 300 metres east of the centre of the Clay Lane Junction Overbridge;
 - (vii) 500 metres east of the centre of Kingsteignton Road Overbridge.

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

4. 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

(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.

5. The provisions of articles 3(c), (d) and (e) shall not apply to a vehicle being used for or in connection with the said works or for traffic officer purposes.

Signed by authority of the Secretary of State

30th March 2011

Malcolm Roberts
An Area Performance Manger
in the Highways Agency