

**2011 No. 1912**

**ROAD TRAFFIC**

**The A38 Trunk Road (Plymouth Parkway, Devon) (Temporary Prohibition and Restriction of Traffic) Order 2011**

*Made* - - - - 26th July 2011

*Coming into force* - - 29th July 2011

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 at 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 (Plymouth Parkway, Devon) (Temporary Prohibition and Restriction of Traffic) Order 2011 and shall come into force on 29th July 2011.

2. In this Order –

“the first length of the A38” means (i) the westbound carriageway of the A38 at Plymouth from a point 100 metres west of the centre of the Hollycroft Road Footbridge to a point 300 metres west of the centre of the Manadon East Overbridge; and (ii) the eastbound carriageway of the A38 at Plymouth from a point 800 metres west of the centre of the Trevone Gardens Footbridge to a point 200 metres east of the centre of the Manadon East Overbridge;

“the second length of the A38” means (i) the eastbound carriageway of the A38 at Plymouth from the tip of the nosing of the eastbound exit slip road at the Manadon Junction to the tip of the nosing of the eastbound entry slip road at the same junction; and (ii) the westbound carriageway of the A38 at Plymouth from the tip of the nosing of the westbound exit slip road at the Manadon Junction to the tip of the nosing of the westbound entry slip road at the same Junction;

“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;

“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;

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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 period” means the period starting at 00.01 hours on Sunday 31st July 2011 and ending when the said works have been completed;

“a works period” means a period of 10 hours starting at 20.00 hours on Sunday 31st July 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 5 and 6, no person shall, during the works period,:

- (a) drive any motor vehicle at a speed exceeding 50 miles per hour on the first length of the A38;
- (b) cause or permit any vehicle to enter, proceed or remain in the layby:
  - (i) adjacent to the eastbound carriageway of the A38 situated 1100 metres west of the centre of the Manadon East Overbridge;
  - (ii) adjacent to the westbound carriageway of the A38 situated 1100 metres east of the centre of the Manadon East Overbridge.

**4.** Subject as mentioned in articles 5 and 6, no person shall, during a works period, cause or permit any vehicle to enter or proceed in the second length of the A38.

**5.** The provisions of articles 3 and 4 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.

**6.** The provisions of articles 3(b) and 4 shall not apply to a vehicle being used for or in connection with the said works or for traffic officer purposes.

**7.** 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

26th July 2011

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