

2012 No. 2784

ROAD TRAFFIC

**The A38 Trunk Road (M5 Junction 31 to Haldon Hill)
(Temporary Restriction and Prohibition of Traffic) Order 2012**

Made - - - - - *24th October 2012*

Coming into force - - - - - *27th October 2012*

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 Exeter in the District of Teignbridge in the County of Devon 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 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 (M5 Junction 31 to Haldon Hill) (Temporary Restriction and Prohibition of Traffic) Order 2012 and shall come into force on 27th October 2012.

2. In this Order –

“the first length of the A38” means the westbound carriageway of the A38 from a point 1500 metres east of the centre of the A379 Overbridge to a point 500 metres west of the centre of the Splatford Overbridge;

“the second length of the A38” means the westbound carriageway of the A38 from a point 500 metres east of the centre of the A379 Overbridge to a point 500 metres west of the centre of the Splatford Overbridge;

“the first slip road” means the westbound entry slip road at the A38 Wobbly Wheel Junction;

“the second slip road” means the westbound exit slip road at the A38 Kennford Junction;

“the works” mean resurfacing and other maintenance works;

“a works period” means a period of 11 hours starting at 19.00 hours on Monday 29th October 2012 or on 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, 5 and 6, no person shall, during a works period:

- (a) drive any motor vehicle at a speed exceeding 50 miles per hour in the first length of the A38 and the first slip road;

(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) drive any motor vehicle at a speed exceeding 10 miles per hour in the second length of the A38 and the first slip road 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 second slip road.

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 article 3(c) shall not apply to a vehicle being used in connection with the said works or for traffic officer purposes.

6. 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

24th October 2012

Malcolm Roberts
A Service Delivery Team Leader
in the Highways Agency