

2012 No. 2981

ROAD TRAFFIC

**The A38 Trunk Road (Near Ashburton and Newton Abbot)
(Temporary Restriction of Traffic) Order 2012**

Made - - - - *21st November 2012*

Coming into force - - *24th November 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 near Ashburton and Newton Abbot in the District of Teignbridge in the County of Devon should be 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 (Near Ashburton and Newton Abbot) (Temporary Restriction of Traffic) Order 2012 and shall come into force on 24th November 2012.

2. In this Order –

“the first length of the A38” means (i) the eastbound carriageway of the A38 near Ashburton from a point 2000 metres west of the centre of the Caton Cross Junction to a point 200 metres east of the centre of that junction; and (ii) the westbound carriageway of the A38 near Ashburton from a point 2100 metres east of the centre of the Caton Cross Junction to a point 100 metres west of the centre of that junction;

“the second length of the A38” means (i) the eastbound carriageway of the A38 near Newton Abbot from a point 1700 metres west of the centre of the C454 Blackpool Overbridge to a point 600 metres east of the centre of that overbridge; and (ii) the westbound carriageway of the A38 near Newton Abbot from a point 2500 metres east of the centre of the C454 Blackpool Overbridge to a point at the centre of that overbridge;

“the third length of the A38” means (i) the eastbound carriageway of the A38 near Ashburton from a point 100 metres west of the centre of the Caton Cross Junction to a point 200 metres east of the centre of that junction; and (ii) the westbound carriageway of the A38 near Ashburton from a point 200 metres east of the centre of the Caton Cross Junction to a point 100 metres west of the centre of that junction;

“the fourth length of the A38” means (i) the eastbound carriageway of the A38 near Newton Abbot from a point at the centre of the C454 Blackpool Overbridge to a point 600 metres east of the centre of that overbridge; and (ii) the westbound carriageway of the A38 near Newton Abbot from a point 250 metres east of the centre of the C454 Blackpool Overbridge to a point at the centre of that overbridge;

(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 works” mean the replacement of overhead electricity cables;

“a works period” means a period of 9 hours starting at 21.00 hours on Tuesday 27th November 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 5 and 6, no person shall, during a works period, drive any motor vehicle at a speed exceeding 50 miles per hour on the first length of the A38 and the second length of the A38.

4. Subject as mentioned in articles 5 and 6, no person shall, during a works period, drive any motor vehicle at a speed exceeding 10 miles per hour on the third length of the A38 and the fourth 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. 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. 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

21st November 2012

Malcolm Roberts
A Service Delivery Team Leader
in the Highways Agency