

2012 No. 3155

ROAD TRAFFIC

**The A38 Trunk Road (Harcombe to Chudleigh) (Temporary
Restriction and Prohibition of Traffic) Order 2012**

Made - - - - 27th November 2012

Coming into force - - 30th November 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 a length of that road and one of those connecting roads 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 (Harcombe to Chudleigh) (Temporary Restriction and Prohibition of Traffic) Order 2012 and shall come into force on 30th November 2012.

2. In this Order –

“the A38” means the westbound carriageway of the A38 from a point at the centre of the Harcombe Junction Underbridge to a point at the centre of the Chudleigh Station Overbridge;

“the slip road” means the westbound exit slip road at the A38 Chudleigh Station 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;

“the works” mean improvement and maintenance works;

“the works period” means the period starting at 00.01 hours on Sunday 2nd December 2012 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 7, no person shall, during the works period, drive any motor vehicle at a speed exceeding 50 miles per hour on the A38 and the 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) S.I. 2002/3113; Part I

4. Subject as mentioned in articles 5 and 6, no person shall, during the works period, cause or permit any vehicle to enter, proceed or remain in the laybys adjacent to the westbound carriageway of the A38 situated 1800 metres east and 1150 metres east of the centre of the Chudleigh Station Junction Overbridge.

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 article 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

27th November 2012

Malcolm Roberts
A Service Delivery Team Leader
in the Highways Agency