

**2012 No. 3306**

**ROAD TRAFFIC**

**The A40 Trunk Road (Whitchurch to Ross on Wye) (Temporary Prohibition of Traffic) Order 2012**

*Made* - - - - 24th December 2012

*Coming into force* - - 31st December 2012

WHEREAS the Secretary of State for Transport, being the traffic authority for the A40 Trunk Road (“the A40”), is satisfied that traffic on lengths of that road between Whitchurch and Ross on Wye in the District of the County of Herefordshire, should be prohibited because works are proposed to be executed thereon:

NOW, THEREFORE, the Secretary of State, in exercise of the powers conferred by sections 14(1)(a) of the Road Traffic Regulation Act 1984(a), hereby makes the following Order:-

1. This Order may be cited as The A40 Trunk Road (Whitchurch to Ross on Wye) (Temporary Prohibition of Traffic) Order 2012 and shall come into force on 31st December 2012.

2. In this Order –

“the first length of trunk road” means the eastbound carriageway of the A40 from its junction with the A4137 near Whitchurch to its roundabout junction with the A49 and B4260 (Wilton Roundabout) at Ross-on-Wye;

“the second length of trunk road” means the eastbound carriageway of the A40 from its roundabout junction with the A49 and B4260 (Wilton Roundabout) to its roundabout junction with the A449 and B4234 (Ross Spur Roundabout) at Ross on Wye;

“the third length of trunk road” means the westbound carriageway of the A40 from its roundabout junction with the A49 and B4260 (Wilton Roundabout) to its junction with the A4137 near Whitchurch;

“the central reservation” means that part of the trunk road which separates its carriageways for the safety and guidance of vehicular traffic using that road;

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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

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“layby”	means an area of carriageway intended for the waiting of vehicles and bounded partly by a traffic sign of the type shown in diagram 1010 in Schedule 6 to the Traffic Signs Regulations 2002(a) and partly by the outer edge of that carriageway on the same side of the road as that on which the sign is placed; and in this definition “carriageway” means any way (other than a cycle track) comprised in a length of the trunk road over which the public have a right of way for the passage of vehicles and which has a suitable surface for the exercise of that right;
"the works period"	means the period starting at 20:30 hours on Monday 7th January 2013 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 article 7, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the first length of trunk road or the second length of trunk road.

**4.** Subject as mentioned in article 7, no person shall, during the works period, cause or permit any vehicle to enter or proceed through any gap in the central reservation of the A40 adjacent to the first length of trunk road or the second length of trunk road.

**5.** Subject as mentioned in article 7, no person shall, during the works period, cause or permit any vehicle to enter or leave any side road at its junction with the first length of trunk road or the second length of trunk road.

**6.** Subject as mentioned in article 7, no person shall, during the works period, cause or permit any vehicle to enter or proceed in any layby adjacent to the third length of trunk road.

**7.** The provisions of articles 3, 4, 5 and 6 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 any vehicle -

- (i) being used for police, fire brigade or ambulance purposes,
- (ii) proceeding at the direction of, or with the permission of, a police constable; or
- (iii) being used in connection with the said works.

Signed by authority of the Secretary of State

24th December 2012

*V Bennett*  
A Team Leader  
in the Highways Agency

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(a) S.I. 2002/3113, Part 1.

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