

“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^(a); 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;

“overall width” and “overall height” have the meanings respectively given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986^(b);

“eastbound carriageway” and “westbound carriageway” mean, respectively, the eastbound carriageway and the westbound carriageway of the third length of the A38;

“bicycle” means a pedal cycle with fewer than four wheels and not being a mechanically propelled vehicle;

“the works” mean the replacement of parapets, joints, waterproofing, surfacing and routine maintenance on the A38 Haldon Hill and Harcombe Cross Underbridge;

“the works period” means the period starting at 00.01 hours on Sunday 27th April 2014 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 27th April 2014 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 9 and 11, no person shall, during the works period, drive any motor vehicle at a speed exceeding 40 miles per hour on the first length of the A38.

4. Subject as mentioned in articles 9 and 10, no person shall, during a works period, cause or permit any vehicle to enter or proceed in the second length of the A38 and the slip roads.

5. Subject as mentioned in articles 9 and 10, no person shall, during the works period, cause or permit any vehicle to enter, proceed or remain in the laybys adjacent to:

- (a) the eastbound carriageway of the A38 situated 250 metres west of the centre of the Milestone Lane Overbridge;
- (b) the eastbound carriageway of the A38 situated 200 metres west of the centre of the Belvedere Cross Junction; and
- (c) the westbound carriageway of the A38 situated 300 metres west of the centre of the Milestone Lane Overbridge;
- (d) the westbound carriageway of the A38 situated 1800 metres east of the centre of the Harcombe underbridge.

6. Subject as mentioned in articles 9 and 10, no person shall, during the works period, cause or permit any vehicle with:

- (a) an overall width exceeding 2 metres to enter or proceed in any lane other than the left hand or nearside running lane of two or more lanes in a carriageway or length of carriageway comprised in the A38 which are open for use by traffic proceeding in the same direction;
- (b) an overall height exceeding 4.8 metres or an overall width exceeding 3.25 metres to enter or proceed in the second length of the A38.

(a) S.I. 2002/3113; Part I

(b) S.I. 1986 / 1078, to which there are amendments not relevant to this Order;

7. Subject as mentioned in article 9, no person shall, during the works period, cause or permit any vehicle to enter or proceed in:

- (a) the outside lane of the westbound carriageway in any direction other than eastwards;
- (b) the outside lane of the eastbound carriageway in any direction other than westwards.

8. Subject as mentioned in article 9, no person using a bicycle, shall enter or proceed in the second length of the A38 or the third length of the A38 during the works period

9. The provisions of articles 3, 4, 5, 6, 7 and 8 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.

10. The provisions of articles 4, 5 and 6 shall not apply to a vehicle being used for or in connection with the said works or for traffic officer purposes.

11. 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

23rd April 2014

Julian Strong
A Service Delivery Team Leader
in the Highways Agency