

2014 No. 3483

ROAD TRAFFIC

**The A38 Trunk Road (Carkeel Roundabout to Saltash Tunnel)
(Temporary Restriction and Prohibition of Traffic) Order (No 2)
2014**

Made - - - - *23rd December 2014*

Coming into force - - *3rd January 2015*

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 at Saltash in Cornwall 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 (Carkeel Roundabout to Saltash Tunnel) (Temporary Restriction and Prohibition of Traffic) Order (No 2) 2014 and shall come into force on 3rd January 2015.

2. In this Order –

“the first length of the A38” means: a) the A38 westbound from a point 76 metres northwest of the western portal of Saltash Tunnel to the eastern edge of Carkeel Roundabout junction with the A388; b) the A38 eastbound from the eastern edge of Carkeel Roundabout to a point 199 metres northwest of the western portal of Saltash Tunnel; c) the A38 circulatory carriageway of Carkeel Roundabout; d) the A38 from the western edge of Carkeel Roundabout to the centre of the junction with B3271 exit slip road at Latchbrook Junction;

“the second length of the A38” means a) the A38 eastbound and westbound between the tip of the nosing of the westbound exit slip road at Saltash Junction and the eastern edge of Carkeel Roundabout; and b) the A38 westbound from the western edge of Carkeel Roundabout to the eastern side of the exit slip road at Latchbrook Junction; c) sections of circulatory carriageway at the A38 Carkeel Roundabout;

“the local road” means the B3271, Callington Road at Carkeel Roundabout;

“the 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;

“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

(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

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 footway” means the footway on the south west side of the A38 Carkeel Roundabout adjacent to B3271 Callington Road, A38 western splitter island at Carkeel Roundabout and on the northwest side of the Carkeel Roundabout adjacent to the A388;

“the works” mean maintenance works and junction improvement works; including safety fencing, drainage, earthworks, surfacing, traffic signs and footbridge construction;

“the works period” means the period starting at 00.01 hours on Monday 5th January 2015 and ending when the said works have been completed;

“a works period” means a) a period of 11 hours starting at 19.00 hours on Monday 5th January 2015 until Thursday 8th January 2015 and b) a period of 13 hours starting at 19.00 hours on Friday 9th January 2015 and c) a period of 14 hours starting at 19.00 hours on Saturday 10th January 2015 and d) a period of 11 hours starting at 19.00 hours on Sunday 11th January 2015 and then at the same times on the same days of the week for subsequent weeks 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 8 and 10, no person shall, during the works period, drive any motor vehicle at a speed exceeding 30 miles per hour on the first length of the A38.

4. Subject as mentioned in articles 8 and 9, no person shall, during a works period, cause or permit any vehicle to enter or proceed in the second length of the A38.

5. Subject as mentioned in articles 8 and 9, no person shall, during the works period, cause or permit any vehicle to enter, proceed or remain in the layby adjacent to the A38: a) westbound, situated 320 metres east of the eastern slip road at Latchbrook Junction, b) westbound, situated 450 metres east of the eastern edge of Carkeel Roundabout, c) eastbound, situated 470 metres east of the eastern slip road at Latchbrook Junction and d) eastbound, situated 1125 metres east of the eastern edge of Carkeel Roundabout.

6. Subject as mentioned in articles 8 and 9, no person shall, during a works period, cause or permit any vehicle to enter or leave the A38 at its junction with the local road.

7. Subject as mentioned in article 8 and 9, no pedestrian shall, during the works period, enter or proceed in the footway.

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

9. The provisions of articles 4, 5, 6 and 7 shall not apply to a vehicle being used for or in connection with the said works, for traffic officer purposes or for winter maintenance purposes.

10. 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 December 2014

Ian Parsons
A Team Leader in
the Highways Agency