STATUTORY INSTRUMENTS

# 2014 No. 2138

# ROAD TRAFFIC

## The A38 Trunk Road (Plymouth, Devon) (Temporary Restriction and Prohibition of Traffic) Order 2014

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| *Made - - - -* | *30th July 2014* |
| *Coming into force - -* | *2nd August 2014* |

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 lengths of that road and one of those connecting roads at Plymouth 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 (Plymouth, Devon) (Temporary Restriction and Prohibition of Traffic) Order 2014 and shall come into force on 2nd August 2014.

**2.** In this Order –

"the first length of the A38" means both carriageways of the A38 from a point at the centre of the Voss Farm Overbridge to a point at the centre of the Forder Valley Interchange, Plymouth;

"the second length of the A38" means the westbound carriageway of the A38 from a point 450 metres west of the centre of the Merafield Road Overbridge to a point 1045 metres east of the centre of that overbridge;

"the third length of the A38" means the eastbound carriageway of the A38 from the tip of the nosing of the eastbound exit slip road at the Marsh Mills Junction to the tip of the nosing of the eastbound entry slip road at the Deep Lane Junction;

"the westbound carriageway" means the westbound carriageway of the second length of the A38;

"the slip road" means the eastbound entry slip road at the A38 Marsh Mills Junction;

"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;

"the works" mean the construction of two crossover points as part of the A38 Merafield Road Bridge Reconstruction scheme and the installation of soil nails into the slope adjacent to the A38 eastbound;

"the works period" means the period starting at 00.01 hours on Monday 4th August 2014 and ending when the said works have been completed;

(**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;

"a works period" means a period of 11 hours starting at 19.00 hours on Monday 4th August 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 6 and 8, no person shall, during the works period, drive any motor vehicle at a speed exceeding 50 miles per hour on the first length of the A38 and the slip road.

**4.** Subject as mentioned in article 6, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the outside lane of the westbound carriageway in any direction other than eastwards.

**5.** Subject as mentioned in articles 6 and 7, no person shall, during a works period, cause or permit any vehicle to enter or proceed in the third length of the A38.

**6.** The provisions of articles 3, 4 and 5 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.

**7.** The provisions of article 5 shall not apply to a vehicle being used in connection with the said works or for traffic officer purposes.

**8.** 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

*Julian Strong*
A Team Leader
30th July 2014 in the Highways Agency