

2012 No. 2005

ROAD TRAFFIC

**The A40 Trunk Road (Ross - on -Wye, Herefordshire)
(Temporary Restriction and Prohibition of Traffic) (No. 2)
Order 2012**

Made - - - - 22nd June 2012

Coming into force - - 29th June 2012

WHEREAS the Secretary of State for Transport, being the traffic authority for the A40 Trunk Road (“the A40”) and connecting roads, is satisfied that traffic on lengths of that road in the County of Herefordshire, 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), and of all other powers enabling her in that behalf, hereby makes the following Order:-

1. This Order may be cited as the A40 Trunk Road (Ross - on -Wye, Herefordshire) (Temporary Restriction and Prohibition of Traffic) (No.2) Order 2012 and shall come into force on 29th June 2012.

2. In this Order –

“the first length of trunk road” means the eastbound carriageway of the A40 from a point 200 metres southwest of its junction with Glewstone to its roundabout junction with the A449 and B4234 (Overcross Roundabout);

“the second length of trunk road” means the westbound carriageway of the A40 from its roundabout junction with the A449 and B4234 (Overcross Roundabout) to its roundabout junction with the A49 and B4260 (Wilton Roundabout);

“the third length of trunk road” means the eastbound and westbound carriageways of the A40 between a point 360 metres east of its roundabout junction with the A49 and B4260 (Wilton Roundabout) and a point 760 metres east of that roundabout;

(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

“the fourth 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 (Overcross Roundabout);

“layby” means an area of carriageway intended for the waiting of vehicles and bounded partly by a road marking 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 marking 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;

“overall width” has the same meaning given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986(b);

"the works period" means the period starting at 00:01 hours on Monday 2nd July 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 7 and 8, no person shall, during the works period, cause or permit any vehicle to be driven at a speed exceeding –

- a. 40 miles per hour on the first length of trunk road or the second length of trunk road; and
- b. 10 miles per hour on the third length of trunk road whilst traffic signs of a character authorised under section 64 of the Road Traffic Regulation Act 1984 indicating “convoy working” on that length of road are displayed.

4. Subject as mentioned in articles 7 and 8, no person shall, during the works period, cause or permit any vehicle to enter or proceed on the second length of trunk road or the fourth length of trunk road.

5. Subject as mentioned in articles 7 and 8, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the layby –

- i) adjacent to the eastbound carriageway of the A40 situated approximately 620 metres east of its roundabout junction with the A49 and B4260 (Wilton Roundabout); and
- ii) adjacent to the westbound carriageway of the A40 situated approximately 870 metres east of the roundabout described in i) above.

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

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

6. Subject as mentioned in articles 7 and 8, no person shall, during the works period, cause or permit any vehicle with an overall width exceeding 3.25 metres to enter or proceed in the first length of trunk road or the second 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.

8. The provisions of –

- a) article 3 shall not apply to any vehicle being used for special forces purposes;
- b) articles 3, 4, 5 and 6 shall not apply to any vehicle -
 - (i) being used for police, fire brigade or ambulance purposes; or
 - (ii) proceeding at the direction of, or with the permission of, a police constable; and
- c) articles 4, 5 and 6 shall not apply to any vehicle being used in connection with the said works.

Signed by authority of the Secretary of State

22nd June 2012

A Slack
A Team Leader
in the Highways Agency