

**2009 No. 2988**

**ROAD TRAFFIC**

**The A38 Trunk Road (Island Shop to Lean Quarry Junction,  
Liskeard) (Temporary Prohibition and Restriction of Traffic)  
Order 2009**

*Made* - - - - 4 November 2009

*Coming into force* - - 9 November 2009

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 near Liskeard in Cornwall should be prohibited and restricted 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 (Island Shop to Lean Quarry Junction, Liskeard) (Temporary Prohibition and Restriction of Traffic) Order 2009 and shall come into force on 9 November 2009.

2. In this Order -

“the first length of the A38” means the westbound carriageway of the A38 from a point 2000 metres east of the centre of the B3252 Looe Junction to a point 1870 metres west of the centre of that junction;

“the second length of the A38” means the eastbound carriageway of the A38 from a point 2000 metres west of the tip of the nosing of the eastbound entry slip road at the Island Shop Junction to a point 1670 metres east of that tip of the nosing;

“the works” mean the upgrade of overhead electricity cables and vegetation clearance works;

“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(b) 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 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;

“the works period” means the period starting at 00.01 hours on Wednesday 11 November and ending when the said works have been completed;

“a works period” means a period of 12 hours starting at 00.01 hours on Sunday 15 November 2009 or any subsequent day 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.  
(b) S.I. 2002/3113; Part I

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 5 and 6, no person shall, during the works period, cause or permit any vehicle to enter, proceed or remain in the layby adjacent to the eastbound carriageway of the A38 situated 485 metres east of the tip of the nosing of the eastbound entry slip road at the Island Shop Junction.

4. Subject as mentioned in article 5, no person shall, during a works period, drive any motor vehicle at a speed exceeding 50 miles per hour in the A38.

5. The provisions of articles 3 and 4 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:

- (i) a vehicle being used for police, fire and rescue authority or ambulance purposes;
- (ii) a vehicle being used at the direction, or with the permission, of a police officer in uniform.

6. The provisions of article 3 shall not apply to a vehicle being used, at the direction, or with the permission, of a traffic officer in uniform, for traffic officer purposes or in connection with the said works.

Signed by authority of the Secretary of State

4 November 2009

*NIGEL DYSON*  
An Area Performance Manager  
in the Highways Agency