

2013 No. 1425

ROAD TRAFFIC

**The A449 and A40 Trunk Roads (Ross on Wye to Whitchurch)
(Temporary Prohibition of Traffic) Order 2013**

Made - - - - *3rd June 2013*

Coming into force - - *7th June 2013*

WHEREAS the Secretary of State for Transport, being the traffic authority for the A449 Trunk Road (“the A449”) and the A40 Trunk Road (“the A40”), is satisfied that traffic on lengths of those roads between Ross on Wye and Whitchurch in the District of the County of Herefordshire should be 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 A449 and A40 Trunk Roads (Ross on Wye to Whitchurch) (Temporary Prohibition of Traffic) Order 2013 and shall come into force on 7th June 2013.

2. In this Order:

“the first length of trunk road” means the westbound carriageway of the A449 from its roundabout junction with the B4221 and M50 Junction 4 (Travellers Rest Roundabout) to its roundabout junction with the A40 and B4234 (Over Ross Roundabout);

“the second length of trunk road” means -

- i) the westbound carriageway of the A40 from its junction with Over Ross Roundabout to its roundabout junction with the A49 and B4260 (Wilton Roundabout); and
- ii) the westbound carriageway of the A40 from its junction with Wilton Roundabout to its junction with the A4137 near Whitchurch;

(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 central reservation”	means that part of the trunk road which separates its northbound and southbound carriageways for the safety and guidance of vehicular traffic using those roads;
“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;
“the works period”	means the period starting at 00:01 hours on Monday 10th June 2013 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 enter or proceed in the first length of trunk road or the second length of trunk road.

4. Subject as mentioned in article 7 and 8, no person shall, during the works period, cause or permit any vehicle to enter or proceed through any gap in the central reservation adjacent to the first length of trunk road or the second length of trunk road.

5. Subject as mentioned in article 7 and 8, no person shall, during the works period, cause or permit any vehicle to enter or leave any side road at its junction with the first length of trunk road or the second length of trunk road.

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

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

8. The provisions of –

a) articles 3, 4, 5 and 6 shall not apply to any vehicle -

- (i) being used for police, fire brigade or ambulance purposes;
- (ii) proceeding at the direction of, or with the permission of, a police constable; or
- (iii) being used in connection with the said works; and

b) article 3 shall not apply to any vehicle proceeding in the trunk road to or from premises which are accessible for that vehicle from, and only from, that road.

Signed by authority of the Secretary of State

3rd June 2013

V Bennett
A Team Leader
in the Highways Agency