

Devon County Council (Highweek Way, Newton Abbot) (Prohibition of Motor Vehicles) Order

Devon County Council makes the following order under sections 1, 2 & part IV of schedule 9 of the Road Traffic Regulation Act 1984 and of all other enabling powers

PART 1 GENERAL

- 1.1 This order comes into force * and may be cited as "Devon County Council (Highweek Way, Newton Abbot) (Prohibition of Motor Vehicles) Order "
- 1.2 Except where the context otherwise requires the following expressions have these meanings assigned to them
1984 Act means Road Traffic Regulation Act 1984
bus means a vehicle which is adapted to carry more than 8 passengers
Council means Devon County Council as highway authority
emergency service vehicle means a vehicle being used for ambulance, coastguard, fire or police purposes in relation to an emergency or whilst in pursuit of duties
- 1.3 In this order
 - (a) Any reference to an enactment shall be construed as a reference to that enactment as amended or any successive enactment
 - (b) Any reference to an article, part or schedule refers to the corresponding article, part or schedule in this order unless stated and except where the context otherwise requires a reference to a numbered or lettered paragraph or sub-paragraph, is a reference to the paragraph or sub-paragraph bearing that number or letter in the article or schedule, or (in the case of a sub-paragraph) paragraph in which the reference occurs
- 1.4 Where a linear restriction applies to a length of carriageway not being a clearway the effects of the restriction shall have the effect that the carriageway and footway shall be restricted from the centre line to the rear of the appropriate footway, verge or grass verge including the entrance to any side road
- 1.5 Nothing in this order applies to any vehicle for so long as may be necessary to avoid an accident
- 1.6 Nothing in this order applies to anything done with the permission or at the direction of a police constable in uniform
- 1.7 The order listed in part 4 is revoked as indicated within the second column of that schedule
- 1.8 The Council are satisfied that for avoiding danger to persons or other traffic using the roads to which this order relates and for preserving and improving the amenities of the area it is requisite that section 3(1) of the Act should not apply to this order
- 1.9 The prohibitions and restrictions imposed shall be in addition to and not in derogation of any restrictions or requirements imposed by any regulations made or having effect as if made under the 1984 Act or by or under any other enactment

PART 2

PROHIBITION OF MOTOR VEHICLES AT ANY TIME: Highweek Way

- 2.1 Except as provided in article 2.2 it is a contravention for a person to cause or permit a motor vehicle to proceed in the length of road specified in Table 2
- 2.2 Nothing in article 2.1 applies if the vehicle is
- (a) an emergency service vehicle
 - (b) a bus
 - (c) being used in the service of a local authority in pursuance of statutory powers or duties
 - (d) being used for a specified period in connection with any of the following operations in or adjacent to Highweek Way
 - (i) building, industrial or demolition operations
 - (ii) the removal of any obstruction to traffic
 - (iii) in connection with statutory undertakers plant or equipment; or
 - (iv) maintenance, improvement or reconstruction
 - (e) proceeding in a **north-east bound direction** and is being used to access land or premises adjacent to Highweek Way
 - (f) in connection with a procession or other special event, with Council approval

Table 2

Length of road in Newton Abbot

Column 1	Column 2
Highweek Way	from a point 46 metres north-east of its junction with Wolborough Street to its junction with Highweek Street

PART 3

PROHIBITION OF MOTOR VEHICLES AT ANY TIME: Highweek Way

- 3.1 Except as provided in article 3.2 it is a contravention for a person to cause or permit a motor vehicle to proceed in a **north-east bound direction** on the length of road specified in Table 3
- 3.2 Nothing in article 3.1 applies if the vehicle is
- (a) an emergency service vehicle
 - (b) a bus
 - (c) being used in the service of a local authority in pursuance of statutory powers or duties
 - (d) being used for a specified period in connection with any of the following operations in or adjacent to Highweek Way
 - (i) building industrial or demolition operations
 - (ii) the removal of any obstruction to traffic
 - (iii) in connection with statutory undertakers plant or equipment; or
 - (iv) the maintenance improvement or reconstruction
 - (e) is being used to access land or premises adjacent to Highweek Way
 - (f) in connection with a procession or other special event, with Council approval

Table 3

Roads in Newton Abbot

Column 1	Column 2
Highweek Way	from its junction with Wolborough Street to a point 46 metres north-east of that junction

PART 4

REVOCATION

Column 1	Column 2
The County of Devon (Newton Abbot Town Centre) (Pedestrian Priority Zone) Order 2007	Schedule 1 - Prohibition of Motor Vehicles - insofar as it relates to Highweek Way Schedule 7 – Prohibition of Right Turn – insofar as it relates to Newfoundland Way Schedule 8 - Prohibition of Left Turn

dated

The COMMON SEAL of)

Devon County Council)

was hereunto affixed)

in the presence of)

duly authorised signatory

document number _____

reference MK/DEV001/858

website reference 6165