

# NOTICE OF MAKING

## HEREFORDSHIRE COUNCIL

### (A438, TARRINGTON TO GARBROOK) (40 MPH SPEED LIMIT)

#### ORDER 2021

Notice is hereby given that the County of Herefordshire District Council, known as Herefordshire Council, in exercise of its enabling powers under Section 84 of the Road Traffic Regulation Act 1984 has made the above-named order the effect of which will be the following:

That no person shall drive a motor vehicle at a speed exceeding 40 miles per hour along the following length of road:

**A438** from a point 82 metres west of its junction with U66205 (Little Tarrington Common Road) to a point 412 metres southeast of its junction with U66205.

This Order will shall come into operation on 30 April 2021

Due to the difficulty for local authorities to make documents relating to traffic regulation orders available for public inspection in their offices during the coronavirus pandemic **The Traffic Orders Procedure (Coronavirus) (Amendment) (England) Regulations 2020** (which came into force on 23 May 2020) have been introduced to enable local authorities to put alternative arrangements in place to make documents available to the public.

The following alternative arrangements are in place to allow the public to view or obtain copies of documents giving further details of this Order:

A copy of the Order, with plan and Statement of Reasons can be viewed on the Council's website at [www.herefordshire.gov.uk](http://www.herefordshire.gov.uk) in the Introduced Traffic Regulation Order section.

Requests for copies of the Order, plan and Statement of Reasons or general enquiries relating to this Order can be made by calling 01454 332100, by email to [will@adltraffic.co.uk](mailto:will@adltraffic.co.uk) or by post to Traffic Management Team, ADL Traffic and Highways Engineering Ltd, ADL House, Oaklands Business Park, Armstrong Way, Yate, Bristol BS37 5NA.

Photocopies of the same may be provided on payment of photocopying charges at the Council.

If any person wishes to question the validity of the Order or of any of its provisions on the grounds that it or they are not within the powers conferred by the Act, or that any requirement of the Act or of any instrument made under the Act has not been complied with that person may, within six weeks from the date the Order was made, apply for the purpose to the High Court.

*Any representations received by the Council may be imparted to third parties. We will keep your data for up to 7 years. Your information may be shared with other Balfour Beatty teams within Herefordshire and Herefordshire Council in order to provide you with the service. Individuals have a number of rights under data protection law, including the right to request their information. You also have a right to make a complaint about our handling of your personal data to the Information Commissioner's Office <https://ico.org.uk/>*

Mairead Lane  
Acting Assistant Director Highways and Transport

**ROAD TRAFFIC REGULATION ACT 1984**

**HEREFORDSHIRE COUNCIL  
(A438, TARRINGTON TO GARBROOK) (40 MPH SPEED LIMIT)  
ORDER 2021**

The County of Herefordshire District Council, known as Herefordshire Council, ("the Council") in exercise of its powers under Section 84 of the Road Traffic Regulation Act 1984 (referred to as "the Act"), after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 of the Act and of all other enabling powers hereby makes the following Order:

1. The Order shall come into operation on 30 April 2021 and may be cited as  
  
"HEREFORDSHIRE COUNCIL (A438, TARRINGTON TO GARBROOK) (40 MPH SPEED LIMIT) ORDER 2021"
2. For the purposes of Section 84 of the said Act - No person shall drive a motor vehicle at a speed in excess of **40mph** on the following stretches of road;  
  
**A438** from a point 82 meters west of its junction with U66205 (Little Tarrington Common Road) to a point 412 meters southeast of its junction with U66205.
4. No speed limit imposed by this Order applies to vehicles falling within Regulation 3(4) of the Road Traffic Exemption (Special Forces) (Variation and Amendment) Regulations 2011 when used in accordance with Regulation 3(5) of those regulations.
5. References to any statutory provision herein shall include reference to any statutory modification substitution or re-enactment thereof.

Dated this 12th Day of April 2021  
**THE COMMON SEAL** of the  
**COUNTY OF HEREFORDSHIRE DISTRICT COUNCIL**  
was hereunto affixed **BY ORDER**

DL Wald ----- Authorised Officer





(Both Sides of Road)



Roundel on westbound side



Roundel on eastbound side



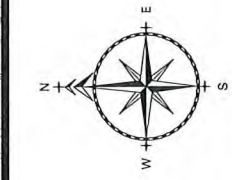
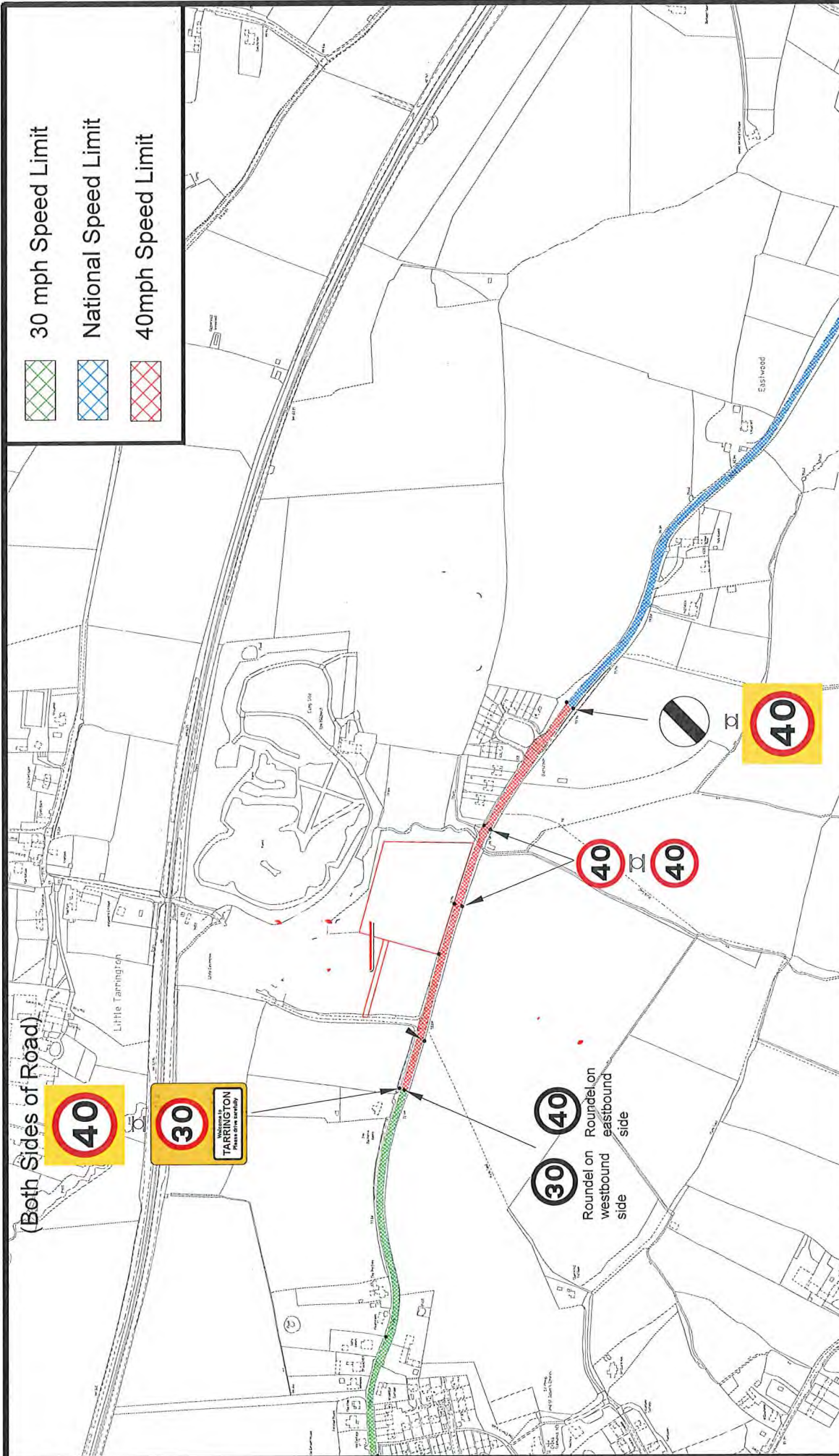
30 mph Speed Limit



National Speed Limit



40mph Speed Limit



**ADL**  
 T R A F F I C & S  
 The Oaklands Business Park  
 Yate, Bristol  
 BS37 5NA  
 Tel : 01454 332100  
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 E-Mail : CAD@ADLTRAFFIC.CO.UK

- NOTES**
1. PRELIMINARY DESIGN PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY. ALL DETAILS ARE SUBJECT TO INCLUDING CHECKS ON ALL DETAILS AND APPROVALS.
  2. DO NOT SCALE FROM THIS DRAWING.
  3. BACKGROUND PLAN IS BASED UPON A DIGITAL OSBASE.
  4. ALL DETAILS TO BE CONFIRMED ON SITE AND ON A 1:50 SCALE.
  5. ALL GRADIENTS SURVEY GRADIENTS AND CAMBERS DO NOT EXCEED 1:60 AND 1:40 RESPECTIVELY OTHERWISE VEHICLE MANOEUVRABILITY MAY BE AFFECTED.
  6. ALL LAND OWNERSHIP DETAILS, EXTENT OF RIGHTS AND INTERESTS MUST BE CONFIRMED.
  7. ASSUMES ALL LANDSCAPING CAN BE ALTERED AND NO TREES ARE SUBJECT TO TPO.
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**AMENDMENTS**

REF.	DATE	DESCRIPTION

Project	Tarrington Herefordshire
Title	40MPH SPEED LIMIT
Date	03.21
Checked	Drawn
Scale	Approved
NTS@A3	Rev.
3409-92-01	

ADL Job No. 3409

# **HEREFORDSHIRE COUNCIL**

## **STATEMENT OF REASONS FOR PROPOSING**

### **(A438, TARRINGTON TO GARBROOK) (40 MPH SPEED LIMIT) ORDER 2021**

The implementation of the proposed speed limits under section 84 of the Road Traffic Regulation Act 1984 is necessary for the following reasons:

To ensure the expeditious, safe and convenient movement of vehicles on the A438 between Tarrington and Garbrook

For avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising

To ensure that the speed limit is at an appropriate level in alignment with the proposed housing development north of the A438 between Tarrington and Garbrook

The Council reserves the right to produce an amended or further statement in the context of any public enquiry or judicial proceedings to these proposals.

Mairead Lane  
Acting Assistant Director Highways and Transport