## 2012 No. 2223

## **ROAD TRAFFIC**

The M65 Motorway (Junctions 1-5 Eastbound and Westbound Carriageways and Slip Roads) (Temporary Prohibition and Restriction of Traffic) Order 2012

Made	-	-	-	-	23rd August 2012
Coming in	to fo	rce	-	-	9th September 2012

WHEREAS the Secretary of State for Transport, being the traffic authority for the M65 Motorway and its slip roads, is satisfied that traffic on sections of that motorway and on three of those slip roads in the Districts of South Ribble, Chorley and Blackburn with Darwen in the County of Lancashire 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  $1984(\mathbf{a})$  and regulation 16(2) of the Motorway Traffic (England and Wales) Regulations  $1982(\mathbf{b})$  hereby makes the following Order:-

**1.** This Order may be cited as the M65 Motorway (Junctions 1-5 Eastbound and Westbound Carriageways and Slip Roads) (Temporary Prohibition and Restriction of Traffic) Order 2012 and shall come into force on 9th September 2012.

2. In this Order:

"the motorway" means the M65 Motorway between Junctions 1 and 5;

"the tip of the nosing of the exit slip road" means the last point where the slip road leaves the carriageway of the motorway;

"the tip of the nosing of the entry slip road" means the first point where the slip road joins the carriageway of the motorway:

"the first length of carriageway" means the eastbound carriageway of the motorway from a point 450 metres west of the tip of the nosing of the exit slip road at Junction 2 to a point 150 metres east of the tip of the nosing of the exit slip road at Junction 2;

"the second length of carriageway" means the westbound carriageway of the motorway from a point 250 metres east of the tip of the nosing of the entry slip road at Junction 2 to a point 350 metres west of the tip of the nosing of the entry slip road at Junction 2;

 <sup>(</sup>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.

<sup>(</sup>b) S.I. 1982/1163, as amended by S.I. 1983/374, 1984/1479, 1992/1364, 1995/158, 1996/3053, 2004/3168, 2004/3258 and 2006/594.

"the third length of carriageway" means the eastbound carriageway of the motorway from a point 760 metres west of the tip of the nosing of the exit slip road at Junction 5 to a point 460 metres west of the tip of the nosing of the exit slip road at Junction 5;

"the fourth length of carriageway" means the westbound carriageway of the motorway from a point 110 metres east of the tip of the nosing of the entry slip road at Junction 5 to a point 690 metres west of the tip of the nosing of the entry slip road at Junction 5;

"the fifth length of carriageway" means the eastbound carriageway of the motorway from a point 1650 metres west of the tip of the nosing of the exit slip road at Junction 2 to a point 550 metres east of the tip of the nosing of the exit slip road at Junction 2;

"the sixth length of carriageway" means the westbound carriageway of the motorway from a point 1450 metres east of the tip of the nosing of the entry slip road at Junction 2 to a point 750 metres west of the tip of the nosing of the entry slip road at Junction 2;

"the seventh length of carriageway" means the eastbound carriageway of the motorway from a point 1960 metres west of the tip of the nosing of the exit slip road at Junction 5 to a point 40 metres east of the tip of the nosing of the exit slip road at Junction 5;

"the eighth length of carriageway" means the westbound carriageway of the motorway from a point 1310 metres east of the tip of the entry slip road at Junction 5 to a point 1090 metres west of the tip of the nosing of the entry slip road at Junction 5;

"the ninth length of carriageway" means the eastbound carriageway of the motorway from a point 650 metres west of the tip of the nosing of the exit slip road at Junction 2 to a point 350 metres east of the tip of the nosing of the exit slip road at Junction 2;

"the tenth length of carriageway" means the westbound carriageway of the motorway from a point 450 metres east of the tip of the nosing of the entry slip road at Junction 2 to a point 550 metres west of the tip of the nosing of the entry slip road at Junction 2;

"the eleventh length of carriageway" means the eastbound carriageway of the motorway from a point 960 metres west of the tip of the nosing of the exit slip road at Junction 5 to a point 260 metres west of the tip of the nosing of the exit slip road at Junction 5;

"the twelfth length of carriageway" means the westbound carriageway of the motorway from a point 310 metres east of the tip of the nosing of the entry slip road at Junction 5 to a point 890 metres west of the tip of the nosing of the entry slip road;

"the first slip road" means the exit slip road leading from the eastbound carriageway of the motorway at Junction 2;

"the second slip road" means the entry slip road leading to the westbound carriageway of the motorway at Junction 2;

"the third slip road" means the entry slip road leading to the westbound carriageway of the motorway at Junction 5;

"hardshoulder" has the meaning given in regulation 3(1)(e) of the Motorways Traffic (England and Wales) Regulations 1982(**a**);

"the first length of hardshoulder" means the hardshoulder adjacent to the ninth length of carriageway;

"the second length of hardshoulder" means the hardshoulder adjacent to the tenth length of carriageway;

"the third length of hardshoulder" means the hardshoulder adjacent to the eleventh length of carriageway;

<sup>(</sup>a) S.I. 1982/1163 amended by S.I. 1983/374, 1984/1479, 1992/1364.

"the fourth length of hardshoulder" means the hardshoulder adjacent to the twelfth length of carriageway;

"the works period" means periods overnight between 2200 hours and 0500 hours during a period starting on Monday 10 September 2012 and ending on Monday 1 October 2012. However, works may start and continue between the same times on subsequent nights or continue overnight until completed, for such period not exceeding 18 months as shall be required to complete the work;

"works" means bridge joint replacement and maintenance works on the motorway ;

**3.** The provisions of regulations 5 and (in so far as it relates to a vehicle being driven) 9 of the Motorways Traffic (England and Wales) Regulations 1982 (a) are suspended in relation to the lengths of hardshoulder defined in article 2 of this Order at such times and to such extent as may be indicated by traffic signs; and in this article, "hardshoulder" has the meaning given in regulation 3(1)(e) of those Regulations.

**4.** Subject as mentioned in article 6 of this Order, during the works period, no person shall cause or permit any motor vehicle to enter or proceed in the first, second, third and fourth lengths of carriageway or the first, second and third slip roads.

**5.** Subject as mentioned in articles 6 and 7 of this Order, during the works period, no person shall cause or permit any motor vehicle to be driven in the fifth, sixth, seventh and eighth lengths of carriageway or the first, second, third and fourth lengths of hardshoulder at a speed exceeding 50 miles per hour.

**6.** The provisions of articles 4 and 5 of this Order 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 a vehicle being used for emergency purposes by the police, fire and rescue authority or ambulance services or anything done at the direction, or with the permission, of a constable, or a traffic officer in uniform.

And nothing in article 4 of this Order shall apply to any vehicle being used in connection with the said works or by traffic officers.

**7.** No speed limit imposed by this Order applies to vehicles falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011(a) when used in accordance with regulation 3(5) of those Regulations.

Signed by authority of the Secretary of State for Transport

Piccadilly Gate Store Street Manchester M1 2WD A Withington Service Delivery Team Leader Network Delivery & Development Directorate Highways Agency

23rd August 2012

(a) S.I. 2011/935