2013 No. 1234

ROAD TRAFFIC

The M6 Motorway (Junction 40 Southbound Carriageway and Junction 40 Southbound Entry Slip Road) (Temporary Prohibition and Restriction of Traffic) Order 2013

Made - - - - 28th February 2013

Coming into force - - 17th March 2013

WHEREAS the Secretary of State for Transport, being the traffic authority for the M6 Motorway and its slip roads, is satisfied that traffic on a section of that motorway and on one of slip road in District of Eden in Cumbria 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) and regulation 16(2) of the Motorway Traffic (England and Wales) Regulations 1982(b) hereby makes the following Order:-

1. This Order may be cited as the M6 Motorway (Junction 40 Southbound Carriageway and Junction 40 Southbound Entry Slip Road) (Temporary Prohibition and Restriction of Traffic) Order 2013 and shall come into force on 17 March 2013.

2. In this Order:

"the motorway" means the M6 Motorway Junctions 40

"the length of carriageway" means the southbound carriageway of the motorway from a point 2500 metres north of the first point where the Junction 40 entry slip road joins the carriageway and ending at a point 3000 metres south of the same point;

"the slip road" means the entry slip road leading to the southbound carriageway of the motorway at Junction 40;

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

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

"the works period" means a period starting at 2000 hours on Monday 18 February 2013 and ending at 2359 Thursday 28 March 2013. 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;

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

"works" means resurfacing and 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 length 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 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 first length of carriageway or the length of hardshoulder at a speed exceeding 50 miles per hour.
- **5.** 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 second length of carriageway or the slip road.
- **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 5 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(**b**) 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

28th February 2013

A Withington Service Delivery Team Leader Network Delivery & Development Directorate Highways Agency

⁽a) 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.

⁽b) S.I. 2011/935