2014 No. 1174

ROAD TRAFFIC

The M23 Motorway (Junctions 8 - 9) (Temporary Restriction and Prohibition of Traffic) Order 2014

| Made | | - | - | 21st April 2014 |
|-----------|----------|-----|---|-----------------|
| Coming in | to force | e - | - | 14th May 2014 |

WHEREAS the Secretary of State for Transport, being the traffic authority for the M23 Motorway and connecting roads, is satisfied that traffic should be restricted and prohibited on a length of that motorway and on some of those connecting roads 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 the M23 Motorway (Junctions 8 - 9) (Temporary Restriction and Prohibition of Traffic) Order 2014 and shall come into force on 14th May 2014.

2. In this Order:

"the motorway" means the M23 Motorway in the County of Surrey;

"the Regulations" means the regulation 16(2) of the Motorways Traffic (England and Wales) Regulations 1982(**b**);

"the first length of carriageway" means the northbound carriageway of the motorway between points 300 metres south of Hathersham Lane overbridge and Green Lane overbridge;

"the second length of carriageway" means the southbound carriageway of the motorway between points 1800 metres north of Castle Street overbridge and 500 metres north of Castle Street overbridge;

"the third length of carriageway" means the northbound carriageway of the motorway between Green Lane overbridge and 500 metres north of Castle Street overbridge;

"the fourth length of carriageway" means the southbound carriageway of the motorway between points 500 metres north of Castle Street overbridge and Green Lane overbridge;

"the fifth length of carriageway" means the southbound carriageway of the motorway between points 300 metres south of the Castle Street overbridge and 700 metres south of Crabhill Lane overbridge;

"the sixth length of carriageway" means the northbound carriageway of the motorway between points 500 metres north of Crabhill Lane Overbridge and 100 metres south of Castle Street overbridge;

"the first length of motorway" means both carriageways of the motorway between points 300 metres north of Crabhill Lane overbridge and 800 metres north of Coopers Hill Viaduct;

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

"the second length of motorway" means both carriageways of the motorway between junction 8 (M25) and junction 9;

"a hard shoulder" means the hard shoulder, within the meaning of regulation 3(1)(e) of the Regulations, which is adjacent to the fifth and sixth lengths of carriageway;

"recovery vehicle" has the meaning given in paragraph 5 of Schedule 1 to the Vehicle Excise and Regulation Act 1994(**a**);

"overall width" has the meaning given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulation 1986(**b**);

"abnormal load" means a vehicle having an overall width exceeding 9 feet 6 inches;

"specified signs" means –

- signs of the type, colour and size shown in diagram 7103 in part 11 of Schedule
 to the Traffic Signs Regulations and General Directions 2002(c) which comply with the provisions of regulation 56 of those Regulations, or
- traffic signs, consisting of temporary vertical safety barriers of a character authorised by the Secretary of State under section 64 of the Road Traffic Regulation Act 1984;

"a link road" means –

- (i) the roads leading to the southbound carriageway of the motorway from the clockwise and anticlockwise carriageways of the M25 at junction 8, or
- (ii) the road leading to the northbound carriageway of the motorway at junction 9;

"works" mean replacement of multi element joints and all associated bridge maintenance works on the motorway;

"a first works period" means a period of 24 hours starting at 0001 hours on Friday 16th May 2014 or on any subsequent day until 13th November 2015;

"a second works period" means a period of 8 hours starting at 2100 hours on Friday 16th May 2014 or on any subsequent day until 13th November 2015;

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 5, 6 and 8, no person shall, during -

- (a) a first works period, cause or permit any vehicle to enter or proceed in the first length of motorway; or
- (b) a second works period, cause or permit any vehicle to enter or proceed in the second length of motorway or a link road.

4. Subject as mentioned in articles 5, 8 and 9(a), no person shall, during a first works period;

(i) drive any motor vehicle at a speed exceeding 50 miles per hour on the first and second lengths of carriageway;

(ii) drive any motor vehicle at a speed exceeding 40 miles per hour on the third and fourth lengths of carriageway and hard shoulder.

5. The provisions of articles 3, 4, 6 and 7 shall apply only at such times and to such extent as shall from time to time be indicated by traffic signs.

6. (1) During such times as, pursuant to article 5, movement of traffic is prohibited in one or more lanes of the northbound carriageway but is not prohibited in any lane of the southbound carriageway, no person shall cause or permit any -

- (a) vehicle to enter or proceed in the southbound carriageway other than in such direction that specified signs are at all times on the right hand or offside of the vehicle; or
- (b) vehicle having an overall width exceeding 6 feet 6 inches to enter or proceed in the southbound carriageway.

⁽**a**) 1994 c.22.

⁽b) S.I. 1986/1078; to which there are amendments not relevant to this Order.

⁽c) S.I. 2002/3113.

(2) During such times as, pursuant to article 5, movement of traffic is prohibited in one or more lanes of the southbound carriageway but is not prohibited in any lane of the northbound carriageway, no person shall cause or permit any -

- (a) vehicle to enter or proceed in the northbound carriageway other than in such direction that specified signs are at all times on the right hand or offside of the vehicle; or
- (b) vehicle having an overall width exceeding 6 feet 6 inches to enter or proceed in the southbound carriageway.

(3) When pursuant to article 5, movement of traffic is prohibited in one or more lanes in a length of one carriageway but is not prohibited in any lane of the corresponding length of the other carriageway, the provisions of this article with respect to the other carriageway shall apply to that length of that carriageway.

7. Subject as mentioned in articles 5, 8 and 9(a), no person shall, during a first works period, cause or permit any vehicle with an overall width exceeding 6 feet 6 inches to enter or proceed in–

- (a) any lane in a carriageway or length of carriageway, where one or more lanes in that carriageway or length and the hard shoulder adjacent to that carriageway or length are open for use by traffic proceeding in the same direction; or
- (b) any lane other than the nearside lane of two or more lanes in a carriageway or length of carriageway, where only those lanes are open for use by traffic proceeding in the same direction;

and in this article a reference to a carriageway is a reference to the fifth and sixth lengths of carriageway.

- 8. (1) Nothing in articles 3, 6(1)(b), 6(2)(b) or 7 shall apply to -
 - (a) a recovery vehicle or a vehicle being used in connection with the said works;
 - (b) a vehicle being used for police, ambulance, traffic officer or fire and rescue authority purposes;
 - (c) anything done at the direction of, or with the permission of, a constable or traffic officer in uniform; or
 - (d) any vehicle being used for winter maintenance purposes.

(2) Nothing in article 4 shall apply to a vehicle being used for police, ambulance or fire and rescue authority purposes and 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.

(3) Nothing in articles 6(1)(b), 6(2)(b) or 7 shall apply to an abnormal load.

9. During a first works period, the undermentioned provisions of the Regulations are hereby suspended:

- (a) regulations 5 and (insofar as it relates to a vehicle being driven) 9, in respect of a hard shoulder, at such times and to such extent as shall from time to time be indicated by traffic signs; and
- (b) regulation (6)(3), in respect of a vehicle being driven southwards in the northbound carriageway by virtue of article 6(1)(a), or northwards in the southbound carriageway by virtue of article 6(2)(a).

Signed by authority of the Secretary of State for Transport

G Threader A Service Delivery Team Leader

⁽a) S.I. 2011/935.

21st April 2014