STATUTORY INSTRUMENTS

# 2009 No. 3360

# ROAD TRAFFIC

## The M65 Motorway (Junctions 6-7, Eastbound and Westbound Carriageways and Slip Roads) (Temporary Prohibition and Restriction of Traffic) Order 2009

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| *Made - - - -* | *8 December 2009* |
| *Coming into force - -* | *3 January 2010* |

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 District of Hynburn 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) and (7) of the Road Traffic Regulation Act 1984(**a**) hereby makes the following Order:-

**1.** This Order may be cited as the M65 Motorway (Junctions 6-7, Eastbound and Westbound Carriageways and Slip Roads) (Temporary Prohibition and Restriction of Traffic) Order 2009 and shall come into force on 3 January 2010.

**2.** In this Order:

"the motorway" means the M65 Motorway between Junctions 6 and 7;

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

"the first length of carriageway" means the eastbound carriageway of the motorway from a point 93 metres south of the centreline of the A679 underbridge to a point 28 metres east of the tip of the nosing of the entry slip road at Junction 7;

"the second length of carriageway" means the westbound carriageway of the motorway from a point 1100 metres east of the centreline of Whalley Road overbridge to a point 30 metres east of the tip of the nosing of the exit slip road at Junction 6;

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(**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

"the third length of carriageway" means the eastbound carriageway of the motorway from a point 175 metres east of the tip of the nosing of the exit slip road at Junction 6 to a point 28 metres east of the tip of the nosing of the entry slip road at Junction 7;

"the fourth length of carriageway" means the westbound carriageway of the motorway from a point 565 metres east of the centreline of Whalley Road overbridge to a point 30 metres east of the tip of the nosing of the exit slip road at Junction 6;

"the first slip road" means the entry slip road leading to the eastbound carriageway of the motorway at Junction 6;

"the second slip road" means the entry slip road leading to the westbound carriageway of the motorway at Junction 7;

"the third slip road" means the exit slip road leading from the eastbound carriageway of the motorway at Junction 7;

"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 third length of carriageway;

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

"the first works period" means periods overnight on weekdays (Monday to Thursday) between 2200 hours and 0500 hours starting on Monday 4 January 2010 and ending on Friday 2 April 2010. However, works may start and continue between the same times on subsequent weekday nights, or continue until completed.

"the second works period" means continuous periods over six weekends between 2200 hours on Fridays and 0500 hours on Mondays starting on Friday 8 January 2010 and ending on Monday 29 March 2010. However, works may start and continue beyond these dates until completed.

"the third works period" means periods over eleven nights between 2200 hours and 0500 hours during a period starting on Monday 4 January 2010 and ending on Friday 2 April 2010. However, works may start and continue between the same times on subsequent nights, or continue until completed.

"works" means resurfacing, verge barrier installation and bridge maintenance works on the motorway;

**3.** Subject as mentioned in article 7 of this Order, during the first and second works periods, no person shall cause or permit any motor vehicle to be driven in the first and second lengths of carriageway or the first and second lengths of hardshoulder at a speed exceeding 50 miles per hour.

**4.** Subject as mentioned in article 7 of this Order, during the first and second works periods, no person shall cause or permit any motor vehicle to enter or proceed in the third and fourth lengths of carriageway.

**5.** Subject as mentioned in article 7 of this Order, during the third works period, no person shall cause or permit any motor vehicle to enter or proceed in the first, second and third slip roads.

**6**. 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 first and second 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.

**7**. The provisions of articles 3, 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 of, or with the permission of, a police officer or traffic officer in uniform.

And nothing in articles 4 and 5 of this Order shall apply to any vehicle being used in connection with the said works or by traffic officers.

Signed by authority of the Secretary of State for Transport

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A WITHINGTON
Area Performance Manager
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8 December 2009

**[DFT 1504]**

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