S T A T U T O R Y  I N S T R U M E N T S

# 2010 No. 114

# ROAD TRAFFIC

# The M58 Motorway (Junctions 2-3 Eastbound Carriageway and Junction 3 Eastbound Exit Slip Road) (Temporary Prohibition and Restriction of Traffic) Order 2010

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| *Made - - - -* | *12 January 2010* |
| *Coming into force - -* | *7 February 2010* |

WHEREAS the Secretary of State for Transport, being the traffic authority for the M58 Motorway and its slip roads, is satisfied that traffic on sections of that motorway and on one of those slip roads in the District of West Lancashire 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 M58 Motorway (Junctions 2-3 Eastbound Carriageway and Junction 3 Eastbound Exit Slip Road) (Temporary Prohibition and Restriction of Traffic) Order 2010 and shall come into force on 7 February 2010.

**2.** In this Order:

"the motorway" means the M58 Motorway between Junctions 2 and 3;

"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 1.9 kilometres west of the tip of the nosing of the exit slip road at Junction 3 to a point 450 metres east of the tip of the nosing of the exit slip road at Junction 3;

"the second length of carriageway" means the eastbound carriageway of the motorway from a point 750 metres west of the tip of the nosing of the exit slip road at Junction 3 to a point 250 metres east of the tip of the nosing of the exit slip road at Junction 3;

"the third length of carriageway" means the eastbound carriageway of the motorway from a point 550 metres west of the tip of the nosing of the exit slip road at Junction 3 to a point 150 metres east of the tip of the nosing of the exit slip road at Junction 3;

(**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 slip road" means the exit slip road leading from the eastbound carriageway of the motorway at Junction 3;

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

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

"the works period" means a period overnight between 2200 hours and 0500 hours during a period starting on Monday 8 February 2010 and ending on Monday 15 February 2010. However, work may start and continue between the same times on subsequent nights or continue until completed.

"works" means resurfacing and loop reinstatement works on the motorway;

**3.** Subject as mentioned in article 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.

**4.** Subject as mentioned in article 7 of this Order, during the works period, no person shall cause or permit any motor vehicle to enter or proceed in the third length of carriageway.

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

**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 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.

**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.

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

Signed by authority of the Secretary of State of Transport

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A WITHINGTON
Area Performance Manager
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12 January 2010

**[DFT 1615]**