STATUTORY INSTRUMENTS

2012 No. 2430

ROAD TRAFFIC

The M58 Motorway (Junctions 4-6 Eastbound Carriageway and Slip Roads) (Temporary Prohibition and Restriction of Traffic) Order 2012

Made - - - -	*12th September 2012*
Coming into force - -	*27th September 2012*

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 four 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) 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 M58 Motorway (Junctions 4-6 Eastbound Carriageway and Slip Roads) (Temporary Prohibition and Restriction of Traffic) Order 2012 and shall come into force on 27th September 2012.

2. In this Order:

"the motorway" means the M58 Motorway between Junctions 4 and 6;

"the first length of carriageway" means the eastbound carriageway of the motorway from a point 300 metres east of the centreline of Glenburn Road East overbridge to a point 100 metres east of the centreline of Wellcross Farm footbridge including the Junction 5 ghost link;

"the second length of carriageway" means the eastbound carriageway of the motorway from a point 1000 metres west of the centreline of Chequers Lane overbridge to a point 600 metres east of the centreline of Chequers Lane overbridge;

"the first slip road" means the entry slip road leading to the eastbound carriageway of the motorway at Junction 4;

"the second slip road" means the exit slip road leading from the eastbound carriageway of the motorway at Junction 5;

"the third slip road" means the entry slip road leading to the eastbound carriageway of the motorway at Junction 5 from the A577 southbound;

(**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.

"the fourth slip road" means the entry slip road leading to the eastbound carriageway of the motorway at Junction 5 from the A577 northbound (to its merge with the Junction 5 ghost link);

"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 one weekend starting at 2200 hours on Friday and ending at 0500 hours on Monday during a period starting on Friday 28 September 2012 and ending on Monday 29 October 2012. However, works may start and continue beyond these dates for such period not exceeding 18 months as shall be required to complete the work;

"works" means resurfacing 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, the length of hardshoulder or the first and second slip roads 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 third and fourth slip roads.

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

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12th September 2012

(**a**) S.I. 1982/1163 amended by S.I. 1983/374, 1984/1479, 1992/1364.
(**b**) S.I. 2011/935