STATUTORY INSTRUMENTS

# 2013 No. 1275

# ROAD TRAFFIC

## The M6 Motorway (Junction 38 Northbound and Southbound Carriageways and Entry and Exit Slip Roads) (Temporary Prohibition and Restriction of Traffic) Order 2013

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| *Made - - - -* | *10th May 2013* |
| *Coming into force - -* | *27th May 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 sections of that motorway and on two of those slip roads in the District of Eden in the County of 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 38 Northbound and Southbound Carriageways and Entry and Exit Slip Roads) (Temporary Prohibition and Restriction of Traffic) Order 2013 and shall come into force on 27th May 2013.

**2.** In this Order:

"the motorway" means the M6 Motorway at Junction 38;

"the first length of carriageway" means the northbound carriageway of the motorway from a point 0.050 kilometres north of the Borrowbeck Viaduct underbridge centreline to a point 0.890 kilometres north of the Galloper Well underbridge centreline;

"the second length of carriageway" means the northbound carriageway of the motorway from a point 0.050 kilometres north of the Borrowbeck Viaduct underbridge centreline to a point 1.025 kilometres north of the Galloper Well underbridge centreline;

"the third length of carriageway" means the southbound carriageway of the motorway from a point 0.200 kilometres south of the Roundthwaite underbridge centreline to a point 0.500 kilometres south of the Lowmoor underbridge centreline;

"the fourth length of carriageway" means the southbound carriageway of the motorway from a point 0.755 kilometres south of the Galloper Well underbridge centreline to a point 0.925 kilometres north of the Lowmoor underbridge centreline;

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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

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

“the fifth length of carriageway” means the southbound carriageway of the motorway from a point 0.28 kilometres north of the Galloper Well underbridge centreline to the Tebay underbridge centreline;

“the sixth length of carriageway” means the northbound carriageway of the motorway from the Roundthwaite underbridge to a point 0.51 kilometres north of the Galloper Well underbridge centreline;

“the seventh length of carriageway” means the southbound carriageway of the motorway from the Roundthwaite underbridge to a point 0.51 kilometres north of the Galloper Well underbridge centreline;

“the eighth length of carriageway” means the northbound carriageway of the motorway from a point 0.285 kilometres south of Tebay underbridge centreline to a point 0.085 kilometres north of the Galloper Well underbridge centreline;

“the ninth length of carriageway” means the southbound carriageway of the motorway from a point 0.285 kilometres south of Tebay underbridge centreline to a point 0.085 kilometres north of the Galloper Well underbridge centreline;

“the first slip road” means the entry slip road leading to the northbound carriageway of the motorway at Junction 38;

“the second slip road” means the exit slip road leading to the southbound carriageway of the motorway at Junction 38;

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

“overall width” has the meaning given in regulation 3 (2) of the Road Vehicle (Construction and Use) Regulation 1986 (b);

“the first length of hardshoulder” means the hardshoulder adjacent to the carriageway of the motorway from a point 0.300km south of the Roundthwaite underbridge centreline to a point 0.700km north of the Galloper Well underbridge centreline;

“the second length of hardshoulder” means the hardshoulder adjacent to the carriageway of the motorway from a point 0.575km south of the Tebay underbridge centreline to a point 0.050km north of the Galloper Well underbridge centreline;

“the first works period” means a period overnight between 2000 hours and 0600 hours during a period starting on Tuesday 28 May 2013 and ending on Friday 7 June 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;

“the second works period” means a period between 0001 hours and 2359 hours during a period starting on Monday 3 June 2013 and ending on Monday 2 September 2013. However, works may start and continue between the same times on subsequent periods or continue until completed, for such period not exceeding 18 months as shall be required to complete the work;

“the third works period” means a period between 0001 hours and 2359 hours during a period starting on Monday 2 September 2013 and ending on Monday 2 December 2013. However, works may start and continue between the same times on subsequent periods or continue until completed, for such period not exceeding 18 months as shall be required to complete the work;

“the fourth works period” means a period overnight between 2000 hours and 0600 hours during a period starting on Monday 3 June 2013 and ending on Monday 2 December 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;

"works" means bridge works on the motorway;

**3.** Subject as mentioned in articles 11 and 12 of this Order, during the first works period, no person shall cause or permit any motor vehicle to be driven in the first length of carriageway at a speed exceeding 50 miles per hour.

**4.** Subject as mentioned in articles 11 and 12 of this Order, during the second works period, no person shall cause or permit any motor vehicle to be driven in the second or third length of carriageway or first length of hardshoulder at a speed exceeding 40 miles per hour.

**5.** Subject as mentioned in articles 11 and 12 of this Order, during the third works period, no person shall cause or permit any motor vehicle to be driven in the second, third or fourth length of carriageway or first or second length of hardshoulder at a speed exceeding 40 miles per hour..

**6.** Subject as mentioned in article 11 of this Order, during the second works period, no person shall cause or permit any motor vehicle to enter or proceed in the fifth length of carriageway.

**7.** Subject as mentioned in article 11 of this Order, no person shall cause or permit any motor vehicle to enter or proceed in the first slip road during the first works period or the second slip road during the fourth works period.

**8.** The provisions of regulations of 5 and (in so far as it relates to a vehicle being driven) 9 of the Motorways Traffic (England and Wales) Regulation 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.

**9.** During such times as pursuant to article 11 of this Order, during the second and third works periods movement of traffic is prohibited in one or more lanes of the seventh length of carriageway but is not prohibited in any lane of the sixth length of carriageway, no person shall cause or permit any motor vehicle to enter or proceed in one or more lanes of the sixth length carriageway in any direction other than south;

**10.** Subject as mentioned in article 11 of this Order no person shall, during the second or third works period, cause or permit any motor vehicle with an overall width exceeding 1.95 metres (6 feet 6 inches) to enter or proceed in a lane of the eighth or ninth lengths of carriageway, as indicated by traffic signs.

**11.** The provisions of articles 3, 4, 5, 6, 7, 8 and 9 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 6 or 7 of this Order shall apply to any vehicle being used in connection with the said works or by traffic officers.

**12.** 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.

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(**a**) S. I. 1982/1163, as amended by S. I. 1983/374, 1984,1479, 1992/1364, 1995/158, 1996/3053, 2004/3258 and 2006/594
(**b**) S.I. 2011/935

Signed by authority of the Secretary of State for Transport

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10th May 2013