STATUTORY INSTRUMENTS

# 2009 No. 318

# ROAD TRAFFIC

## The M2 Motorway (Junctions 5 – 6) (Temporary Restriction of Traffic) Order 2010

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| *Made - - - -* | *1st February 2010* |
| *Coming into force - -* | *6th February 2010* |

WHEREAS the Secretary of State for Transport, being the traffic authority for the M2 Motorway, is satisfied that traffic should be restricted on lengths of that motorway 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 M2 Motorway (Junctions 5 – 6) (Temporary Restriction of Traffic) Order 2010 and shall come into force on 6th February 2010.

**2.** In this Order:

"the motorway" means the M2 Motorway in the County of Kent;

"the Regulations" means the Motorways Traffic (England and Wales) Regulations 1982**(b)**;

"a length of carriageway" means –

(i) the Doverbound carriageway of the motorway east of Junction 5 between points 613 metres northwest of Oakwood subway (at marker post 67/8) and 440 metres southeast of Broadoak Farm overbridge (at marker post 69/9);

(ii) the Doverbound carriageway of the motorway east of Junction 5 between points 179 metres west of St Catherine's Farm overbridge (at marker post 72/6) and 208 metres east of Sharsted Farm overbridge (at marker post 74/7);

(iii) the Doverbound carriageway of the motorway west of Junction 6 between points 9 metres west of Well Lane overbridge (at marker post 77/7) and 194 metres east of Painters Forstal overbridge (at marker post 79/8);

(iv) the Londonbound carriageway of the motorway east of Junction 5 between points 81 metres southeast of Rawling Street underbridge (at marker post 70/5) and 6 metres northwest of Oakwood subway (at marker post 68/4);

(v) the Londonbound carriageway of the motorway east of Junction 5 between points 809 metres east of Sharsted Farm overbridge (at marker post 75/3) and 420 metres east of St Catherine's Farm overbridge (at marker post 73/2); or

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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; amended by S.I. 1983/374, 1984/1479, 1992/1364, 1995/158, 2004/3258.

(vi) the Londonbound carriageway of the motorway west of Junction 6 between points 136 metres east of Hutton Lane overbridge (at marker post 80/4) and 563 metres west of Chestnut Wood overbridge (at marker post 78/3);

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

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

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

"works" mean central reservation modifications and the installation of emergency crossing points on the motorway; and

"the works period" means the period starting on Monday 8th February 2010 and ending on 5th August 2011.

**3.** Subject as mentioned in articles 5, 6 and 7 below, no person shall, during the works period, drive any motor vehicle at a speed exceeding 50 miles per hour on a length of carriageway or a hard shoulder.

**4.** Subject as mentioned in articles 5 and 6 below, no person shall, during the works period, cause or permit any vehicle with an overall width exceeding 6 feet 6 inches to enter or proceed in a length of carriageway.

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

**6.** (1) Nothing in article 4 above 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, fire and rescue authority or traffic officer purposes;

(c) anything done at the direction of, or with the permission of, a police officer or a traffic officer in uniform; or

(d) any vehicle being used for winter maintenance purposes.

(2) Nothing in article 3 above shall apply to a vehicle being used for police, ambulance or fire and rescue authority purposes.

**7.** During the works period, the provisions of regulations 5 and (insofar as it relates to a vehicle being driven) 9 of the Regulations are hereby suspended in respect of a hard shoulder, at such times and to such extent as shall from time to time be indicated by traffic signs.

Signed by authority of the Secretary of State for Transport

S DUKE
An Area Performance Manager
in the Highways Agency

*1st February 2010*

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

**(b)** 1994 c. 22.