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

2010 No. 544

ROAD TRAFFIC

The M23 Motorway (Junctions 9A – 9) (Temporary Restriction and Prohibition of Traffic) Order 2010

Made - - - -	*15th February 2010*
Coming into force - -	*20th February 2010*

WHEREAS the Secretary of State for Transport, being the traffic authority for the M23 Motorway and connecting roads, is satisfied that traffic should be restricted and prohibited on some of those connecting roads 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 M23 Motorway (Junctions 9A - 9) (Temporary Restriction and Prohibition of Traffic) Order 2010 and shall come into force on 20th February 2010.

2. In this Order:

"the motorway" means the M23 Motorway near Gatwick Airport in the Counties of West Sussex and Surrey;

"the eastbound carriageway" means the eastbound carriageway of the motorway spur road (Gatwick Link) between the roundabout at Junction 9A (Airport Way) and the roundabout at Junction 9;

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

"the slip road" means the road leading to the northbound carriageway of the motorway from the roundabout at Junction 9;

"the length of roundabout" means the western side of the roundabout on the motorway at Junction 9 between the westbound carriageway of the motorway spur road and the eastbound carriageway of the motorway spur road;

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

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

"abnormal load" means a vehicle having an overall width exceeding 3.3 metres;

"works" means resurfacing and junction improvement work on the motorway;

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

"a first works period" means a period of 24 hours starting at 0001 hours on Monday 22nd February 2010 or on any subsequent day until 19th August 2011; and

"a second works period" means a period of 10 hours starting at 2000 hours on Monday 22nd February 2010 or on any subsequent day until 19th August 2011.

3. Subject as mentioned in articles 5 and 6 below, no person shall, during –

(a) a first works period, cause or permit any vehicle to enter or proceed in the length of roundabout; or

(b) a second works period, cause or permit any –

(i) vehicle to enter or proceed in the eastbound carriageway or the slip road, or

(ii) abnormal load to enter or proceed in the eastbound carriageway.

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

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. Nothing in article 3 above shall apply to –

(a) 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 traffic officer in uniform; or

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

and nothing in article 4 above shall apply to a vehicle being used for police, ambulance or fire and rescue authority purposes.

7. During a 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

15th February 2010