STATUTORY INSTRUMENTS

2012 No. 2468

ROAD TRAFFIC

The M26 Motorway (Junctions 1 - 3) (Temporary Restriction and Prohibition of Traffic) Order 2012

Made - - - -	*24th September 2012*
Coming into force - -	*15th October 2012*

WHEREAS the Secretary of State for Transport, being the traffic authority for the M26 Motorway and connecting roads, is satisfied that traffic should be restricted and prohibited on a length of that motorway and 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 15(2) of the Road Traffic Regulation Act 1984(**a**), hereby makes the following Order:-

1. This Order may be cited as the M26 Motorway (Junctions 1 - 3) (Temporary Restriction and Prohibition of Traffic) Order 2012 and shall come into force on 15th October 2012.

2. In this Order:

"the motorway" means the M26 Motorway in the County of Kent;

"the length of motorway" means both carriageways of the motorway from a point 200 metres west of London Road (A224) overbridge west of Junction 1 (M25 Junction 5) and M25 Junction 5 (M26 Junction 1);

"the eastbound carriageway" and "the westbound carriageway" mean, respectively, the eastbound carriageway and the westbound carriageway of the length of motorway;

"the length of westbound carriageway" means the westbound carriageway of the motorway from its junction with the M20 at Junction 3 to its junction with the clockwise carriageway of the M25 at Junction 5 (M26 Junction 1);

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

"a slip road" means –

(i) the road leading to the westbound carriageway of the motorway at M20 Junction 3,

(ii) the road leading from the westbound carriageway of the motorway at Junction 2A (A20), or

(**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, 1996/3053, 2004/3168, 2004/3258 and 2006/594.

(iii) the road leading to the westbound carriageway of the motorway at Junction 2A (A20);

"specified signs" means –

(i) signs of the type, colour and size shown in diagram 7103 in Part II of Schedule 12 to the Traffic Signs Regulations and General Directions 2002(**a**) which comply with the provisions of regulation 56 of those Regulations, or

(ii) traffic signs, consisting of temporary vertical safety barriers of a character authorised by the Secretary of State under section 64 of the Road Traffic Regulation Act 1984;

"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, the westbound carriageway or a slip road;

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

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

"works" mean major carriageway widening work on the motorway;

"a first period" means a period of 24 hours starting at 0001 hours on Monday 15th October 2012 or on any subsequent day until 30th April 2015;

"a second period" mean a period of –

(i) 7½ hours starting at 2200 hours on Monday 15th October 2012 or on any subsequent day other than a Friday, Saturday or Sunday,

(ii) 7 hours starting at 2300 hours on Friday 19th October 2012 or on any subsequent Friday,

(iii) 8 hours starting at 2200 hours on Saturday 20th October 2012 or on any subsequent Saturday, or

(iv) 7 hours starting at 2230 hours on Sunday 21st October 2012 or on any subsequent Sunday,

until 30th April 2015;

and a reference to an article followed by a number is a reference to the article in this Order which bears that number.

3. Subject as mentioned in articles 5, 6 and 8, no person shall, during-

(a) a first period, cause or permit any vehicle to enter or proceed in the eastbound carriageway or the westbound carriageway; or

(b) a second period, cause or permit any vehicle to enter or proceed in the length of westbound carriageway or a slip road.

4. Subject as mentioned in articles 5, 8 and 9(a), no person shall, during a first period, drive any motor vehicle at a speed exceeding 50 miles per hour on the eastbound carriageway, the westbound carriageway, a slip road or a hard shoulder.

5. The provisions of articles 3, 4, 6 and 7 shall apply only at such times and to such extent as shall from time to time be indicated by traffic signs.

6. (1) During such times as, pursuant to article 5, movement of traffic is prohibited in one or more lanes of the eastbound carriageway but is not prohibited in any lane of the westbound carriageway, no person shall cause or permit any –

(**a**) S.I. 2002/3113.
(**b**) S.I. 1986/1078; to which there are amendments not relevant to this Order.
(**c**) 1994 c.22.

(a) vehicle to enter or proceed in the westbound carriageway other than in such direction that specified signs are at all times on the right hand or offside of the vehicle; or

(b) vehicle having an overall width exceeding 6 feet 6 inches (2.0 metres) to enter or proceed in the middle lane or the offside lane of the westbound carriageway.

(2) During such times as, pursuant to article 5, movement of traffic is prohibited in one or more lanes of the westbound carriageway but is not prohibited in any lane of the eastbound carriageway, no person shall cause or permit any –

(a) vehicle to enter or proceed in the eastbound carriageway other than in such direction that specified signs are at all times on the right hand or offside of the vehicle; or

(b) vehicle having an overall width exceeding 6 feet 6 inches (2.0 metres) to enter or proceed in the middle lane or the offside lane of the eastbound carriageway.

(3) When pursuant to article 5, movement of traffic is prohibited in one or more lanes in a length of one carriageway but is not prohibited in any lane of the corresponding length of the other carriageway, the provisions of this article with respect to the other carriageway shall apply to that length of that carriageway.

7. Subject as mentioned in articles 5, 8 and 9(a), no person shall, during a first period, cause or permit any vehicle width an overall width exceeding 6 feet 6 inches (2.0 metres) to enter or proceed in -

(a) any lane other than the nearside lane in a carriageway or length of carriageway, where one or more lanes in that carriageway or length and the hard shoulder adjacent to that carriageway or length are open for use by traffic proceeding in the same direction; or

(b) any lane other than the nearside lane or middle lane of two or more lanes in a carriageway or length of carriageway, where only those lanes are open for use by traffic proceeding in the same direction;

and in this article a reference to a carriageway is a reference to the eastbound carriageway or the westbound carriageway.

8. (1) Nothing in articles 3, 6(1)(b), 6(2)(b) or 7 shall apply to -

(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 constable or traffic officer in uniform;

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

(e) any vehicle being used for the purpose of incident management.

(2) Nothing in article 4 shall apply to a vehicle being used for police, ambulance or fire and rescue authority purposes and to vehicles falling within regulation 3(4) of the Road Traffic Exemption (Special Forces) (Variation and Amendment) Regulations 2011(**a**) when used in accordance with regulation 3(5) of those Regulations.

9. During a first period, the undermentioned provisions of the Regulations are hereby suspended:

(a) regulations 5 and (insofar as it relates to a vehicle being driven) 9, in respect of a hard shoulder, at such times and to such extent as shall from times to time be indicated by traffic signs; and

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(**a**) S.I. 2011/935.

(b) regulation 6(3), in respect of a vehicle being driven eastbound in the westbound carriageway by virtue of article 6(1)(a), or westbound in the eastbound carriageway by virtue of article 6(2)(a).

Signed by authority of the Secretary of State for Transport

J Martin
A Senior Project Manager
in the Highways Agency

24th September 2012