STATUTORY INSTRUMENTS

2012 No. 968

ROAD TRAFFIC

The M65 Motorway (Junctions 3-4 Eastbound and Westbound Carriageways) (Temporary Restriction of Traffic) Order 2012

Made - - - -	*1st March 2012*
Coming into force - -	*4th March 2012*

WHEREAS the Secretary of State for Transport, being the traffic authority for the M65 Motorway is satisfied that traffic on sections of that motorway in the District of Blackburn with Darwen in the County of Lancashire should be 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) and (7) of the Road Traffic Regulation Act 1984(**a**), hereby makes the following Order:-

1. This Order may be cited as the M65 Motorway (Junctions 3-4 Eastbound and Westbound Carriageways) (Temporary Restriction of Traffic) Order 2012 and shall come into force on 4th March 2012.

2. In this Order:

"the motorway" means the M65 Motorway between Junctions 3 and 4;

"the tip of the nosing of the exit slip road" means the last point where the slip road leaves the carriageway of the motorway;

"the tip of the nosing of the entry slip road" means the first point where the slip road joins the carriageway of the motorway;

"the first length of carriageway" means a section of the eastbound carriageway of the motorway from a point 4.1 kilometres west of the tip of the nosing of the exit slip road at Junction 4 to a point 1.9 kilometres west of the tip of the nosing of the exit slip road at Junction 4;

"the second length of carriageway" means a section of the westbound carriageway of the motorway from a point 500 metres west of the tip of the nosing of the entry slip road at Junction 4 to a point 3.8 kilometres west of the tip of the nosing of the entry slip road at Junction 4;

"the third length of carriageway" means a section of the eastbound carriageway of the motorway from a point 3.3 kilometres west of the tip of the nosing of the exit slip road at Junction 4 to a point 2.5 kilometres west of the tip of the nosing of the exit slip road at Junction 4;

"the fourth length of carriageway" means a section of the westbound carriageway of the motorway from a point 2.3 kilometres west of the tip of the nosing of the entry slip road at Junction 4 to a point 3.2 kilometres west of the tip of the nosing of the entry slip road at Junction 4;

(**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.

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

"the first length of hardshoulder" means the hardshoulder adjacent to the third length of carriageway;

"the second length of hardshoulder" means the hardshoulder adjacent to the fourth length of carriageway;

"the works period" means two nights between 2200 hours and 0500 hours during a period starting on Monday 5 March 2012 and ending on Saturday 17 March 2012. 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 resurfacing and bridge joint works on the motorway;

3. Subject as mentioned in articles 5 and 6 of this Order, during the works period, no person shall cause or permit any motor vehicle to be driven in the first and second lengths of carriageway or the first and second lengths of hardshoulder at a speed exceeding 50 miles per hour.

4. The provisions of regulation 5 and (in so far as it relates to a vehicle being driven) 9 of the Motorways Traffic (England and Wales) Regulations 1982**(b)** are suspended in relation to the 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 this article "hardshoulder" has the meaning given in regulation 3(1)(e) of those Regulations.

5. The provisions of article 3 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 of, or with the permission, of a constable, or a traffic officer in uniform.

6. 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(**c**) when used in accordance with regulation 3(5) of those Regulations.

Signed by authority of the Secretary of State for Transport

A Withington
Service Delivery Team Leader
Network Delivery & Development Directorate
Highways Agency

Piccadilly Gate
Store Street
Manchester
M1 2WD

1st March 2012

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