

2010 No. 3049

ROAD TRAFFIC

**The M2 Motorway (Junction 1 – South of Junction 2)
(Temporary Restriction of Traffic) Order 2010**

Made - - - - *13th December 2010*
Coming into force - - *4th January 2011*

WHEREAS the Secretary of State for Transport, being the traffic authority for the M2 Motorway, is satisfied that traffic should be restricted on a length 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, and paragraph 27(1) of Schedule 9 to, the Road Traffic Regulation Act 1984(a), hereby makes the following Order:-

1. This Order may be cited as the M2 Motorway (Junction 1 – South of Junction 2) (Temporary Restriction of Traffic) Order 2010 and shall come into force on 4th January 2011.

2. In this Order:

“the motorway” means the M2 Motorway near Rochester in the County of Kent;

“the length of carriageway” means the coastbound carriageway of the motorway from its junction with the A2 at Junction 1 (A289) to a point 200 metres south of Wouldham Road underbridge south of Junction 2 (A228);

“the Regulations” means the Motorways Traffic (England and Wales) Regulations 1982(b);

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

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

“recovery vehicle” has the meaning given in paragraph 5 of Schedule 1 to the Vehicle Excise and Registration Act 1994(d);

“works” means bridge parapet work on the motorway; and

“the works period” means the period starting on Tuesday 4th January 2011 and ending on 3rd July 2012.

(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; and paragraph 27(1) of Schedule 9 was amended by section 1(4) of that Act.
(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.
(d) 1994 c.22.

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 the length of carriageway or a hard shoulder.

4. Subject as mentioned in articles 5, 6 and 7 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) any lane other than the nearside lane in the length of carriageway, where one or more lanes in that carriageway and the hard shoulder adjacent to that carriageway are open for use by traffic; or

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

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 constable or 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.

8. The M2 Motorway (Junction 1 – South of Junction 2) (Temporary Speed Restriction) Order 2010(a) is hereby revoked.

Signed by authority of the Secretary of State for Transport

13th December 2010

S Duke
An Area Performance Manager
in the Highways Agency

(a) S.I. 2010/2410.