

2011 No. 2357

ROAD TRAFFIC

The M53 Motorway (Junctions 4-7, Northbound and Southbound Carriageways and Slip Roads) (Temporary Prohibition and Restriction of Traffic) Order 2011

Made - - - - *20th September 2011*

Coming into force - - *23rd September 2011*

WHEREAS the Secretary of State for Transport, being the traffic authority for the M53 Motorway and slip roads is satisfied that traffic on that motorway and on 12 of those slip roads, in the District of Wirral in Merseyside and Cheshire West and Chester, should be prohibited and 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 M53 Motorway (Junctions 4-7, Northbound and Southbound Carriageways and Slip Roads) (Temporary Prohibition and Restriction of Traffic) Order 2011 and shall come into force on 23rd September 2011.

2. In this Order:

The “motorway” means the M53 Motorway;

“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 the northbound carriageway of the motorway from a point 540 metres north of the centreline of Rossmore Road West overbridge to a point 550 metres north of the centreline of Raby Hall Road overbridge;

“the second length of carriageway” means the southbound carriageway of the motorway from the centreline of Clatterbridge south overbridge to a point 1050 metres north of Rivacre Interchange West underbridge;

“the third length of carriageway” means the northbound carriageway of the motorway from a point 250 metres south of the eastern end of Eastham Viaduct to a point 550 metres north of the centreline of Raby Hall Road overbridge;

(a) 1984 c.27; a new section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 199 (c.26), section 1(1) and Schedule 1

“the fourth length of carriageway” means the southbound carriageway of the motorway from a point 550 metres north of the centreline of Raby Hall Road overbridge to a point 250 metres south of the eastern end of Eastham Viaduct;

“the fifth length of carriageway” means the northbound carriageway of the motorway from the tip of the nosing of the exit slip road at Junction 5 to the tip of the nosing of the entry slip road at Junction 4;

“the sixth length of carriageway” means the southbound carriageway of the motorway from the tip of the nosing of the exit slip road at Junction 4 to the tip of the nosing of the entry slip road at Junction 5;

“the seventh length of carriageway” means the southbound carriageway of the motorway from a point 550 metres north of the centreline of Raby Hall Road overbridge to a point 450 metres south of the eastern end of Eastham Viaduct;

“the eighth length of carriageway” means the northbound carriageway of the motorway from a point 450 metres south of the eastern end of Eastham Viaduct to a point 550 metres north of the centreline of Raby Hall Road overbridge;

“the first slip road” means the slip road leading to the southbound carriageway of the motorway at Junction 4;

“the second slip road” means the slip road leading to the northbound carriageway of the motorway at Junction 5;

“the third slip road” means the slip road leading from the northbound carriageway of the motorway at Junction 5;

“the fourth slip road” means the slip road leading to the southbound carriageway of the motorway at Junction 5;

“the fifth slip road” means the slip road leading from the southbound carriageway of the motorway at Junction 5;

“the sixth slip road” means the slip road leading to the northbound carriageway of the motorway at Junction 6;

“the seventh slip road” means the slip road leading from the northbound carriageway of the motorway at Junction 6;

“the eighth slip road” means the slip road leading to the southbound carriageway of the motorway at Junction 6;

“the ninth slip road” means the slip road leading from the southbound carriageway of the motorway at Junction 6;

“the tenth slip road” means the slip road leading to the northbound carriageway of the motorway at Junction 7;

“the eleventh slip road” means the slip road leading from the northbound carriageway of the motorway at Junction 7;

“the twelfth slip road” means the slip road leading from the northbound carriageway of the motorway at Junction 4;

“the first length of hardshoulder” means the hardshoulder adjacent to the seventh length of carriageway;

“the second length of hardshoulder” means the hardshoulder adjacent to the eighth length of carriageway;

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

(a) S.I. 1982/1163 amended by S.I. 1983/374, 1984/1479, 1992/1364.

“works” means resurfacing, waterproofing and replacement of joints on the motorway;

“the first works period” means 6 nights between 2200 hours and 0500 hours (and ending at 0700 hours on Saturdays and Sundays) during a period starting on Saturday 24 September 2011 and ending on Friday 11 November 2011. 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.;

“the second works period” means a period starting at 0500 hours on Monday 26 September 2011 and ending at 2200 hours on Wednesday 9 November 2011. However, works may start and continue beyond these dates for such period not exceeding 18 months as shall be required to complete the work.

3. Subject as mentioned in article 12 of this Order no person shall during the first works period, cause or permit any vehicle to enter or proceed in the fifth or sixth lengths of carriageway, or the first, second, fifth or twelfth slip roads.

4. Subject as mentioned in articles 12 and 13 of this Order no person shall, during the second works period, cause or permit any vehicle to be driven at a speed exceeding 60 or 50 miles per hour in the second length of carriageway.

5. Subject as mentioned in articles 12 and 13 of this Order no person shall during the second works period, cause or permit any vehicle to be driven at a speed exceeding 50 miles per hour in the first length of carriageway.

6. Subject as mentioned in articles 12 and 13 of this Order no person shall during the second works period, cause or permit any vehicle to be driven at a speed exceeding 50 miles per hour in the second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth or eleventh slip roads or the first or second lengths of hardshoulder.

7. Subject as mentioned in articles 12 and 13 of this Order no person shall during the second works period, cause or permit any vehicle to be driven at a speed exceeding 60 miles per hour in the first slip road.

8. Subject as mentioned in article 12 of this Order no person shall, during the second works period cause or permit any vehicle to enter or proceed in the third or fourth lengths of carriageway.

9. Subject as mentioned in article 12 of this Order no person shall, during the second works period cause or permit any vehicle with an overall width exceeding 1.95 metres (6 feet 6 inches) to enter or proceed in the offside running lane in the seventh or eighth lengths of carriageway.

10. (1) During such times as pursuant to article 12 of this Order movement of traffic is prohibited in one or more lanes of the seventh length of carriageway but is not prohibited in any lane of the eighth length of carriageway, no person shall cause or permit any vehicle to enter or proceed in one or more lanes of the eighth length of carriageway in any direction other than southbound.

(2) During such times as pursuant to article 12 of this Order movement of traffic is prohibited in one or more lanes of the eighth length of carriageway but is not prohibited in any lane of the seventh length of carriageway, no person shall cause or permit any vehicle to enter or proceed in one or more lanes of the seventh length of carriageway in any direction other than northbound.

(3) When, pursuant to article 12 of this Order, movement is prohibited in one or more lanes of a carriageway but is not prohibited in any lane of the corresponding length of carriageway, the provisions of this article with respect to that other carriageway shall apply to that length of carriageway.

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

12. The provisions of articles 3, 4, 5, 6, 7, 8, 9 and 10 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 any vehicle being used for emergency purposes by the police, fire and rescue authority or ambulance services or to anything done at the direction, or with the permission, of a constable, or a traffic officer in uniform.

Nothing in articles 3, 8 and 9 of this Order shall apply to vehicles being used in connection with the said works, or by traffic officers.

13. 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 **(b)** when used in accordance with regulation 3(5) of those Regulations.

Signed by authority of the Secretary of State for Transport

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A Withington
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20th September 2011

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