

2011 No. 2035

ROAD TRAFFIC

The M23 Motorway (Junction 9) (Temporary Restriction and Prohibition of Traffic) Order 2011

Made - - - - *15th August 2011*

Coming into force - - *3rd September 2011*

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 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 (7) of the Road Traffic Regulation Act 1984(a), hereby makes the following Order:-

1. This Order may be cited as the M23 Motorway (Junction 9) (Temporary Restriction and Prohibition of Traffic) Order 2011 and shall come into force on 3rd September 2011.

2. In this Order:

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

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

“the length of motorway” means both carriageways of the motorway between points 1250 metres north of Weatherhill Common overbridge north of Junction 9 (Gatwick Interchange) at marker post 39/7 and 1170 metres south of Antlands Lane (B2037) overbridge south of Junction 9 (Gatwick Interchange) at marker post 45/3;

“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 motorway or the carriageway of a first slip road;

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

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

“abnormal load” means a vehicle having an overall width exceeding 9 feet 6 inches;

“a first slip road” means any road leading to the southbound carriageway or to the northbound carriageway of the motorway at Junction 9 at Gatwick Interchange;

(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) 1994 c.22.
(d) S.I. 1986/1078; to which there are amendments not relevant to this Order.

“a second slip road” means any road leading from the southbound carriageway or from the northbound carriageway of the motorway at Junction 9 at Gatwick Interchange;

“works” mean drainage work on the motorway;

“a first works period” means a period of 24 hours starting at 0001 hours on Sunday 4th September 2011 or on any subsequent day until 2nd March 2013;

“a second works period” means a period of 7 hours starting at 2200 hours on Sunday 4th September 2011 or on any subsequent day until 2nd March 2013;

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 and 7, no person shall, during a second works period, cause or permit any vehicle to enter or proceed in a first slip road or a second slip road.

4. Subject as mentioned in articles 5, 7 and 8, no person shall, during a first works period, drive any motor vehicle at a speed exceeding 50 miles per hour on the length of motorway, a first slip road or a hard shoulder.

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

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

(a) any 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; or

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

and in this article a reference to a carriageway is a reference to a carriageway in the length of motorway.

7. (1) Nothing in articles 3 or 6 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, traffic officer or fire and rescue authority 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 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 Exemptions (Special Forces) (Variation and Amendment) Regulation 2011(a) when used in accordance with regulation 3(5) of those Regulations.

(3) Nothing in article 6 shall apply to an abnormal load.

8. During a first 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

15th August 2011

G Threader
A Service Delivery Team Leader
in the Highways Agency

(a) S.I. 2011/935.