

2011 No. 3022

ROAD TRAFFIC

**The M4 Motorway (West of Junction 12, Westbound)
(Temporary Restriction of Traffic) Order 2011**

Made - - - - *12th December 2011*

Coming into force - - *31st December 2011*

WHEREAS the Secretary of State for Transport, being the traffic authority for the M4 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 the Road Traffic Regulation Act 1984(a), hereby makes the following Order:-

1. This Order may be cited as the M4 Motorway (West of Junction 12, Westbound) (Temporary Restriction of Traffic) Order 2011 and shall come into force on 31st December 2011.

2. In this Order:

“the motorway” means the M4 Motorway in the District of West Berkshire;

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

“the length of westbound carriageway” means the westbound carriageway of the motorway between points 30 metres west of Tidmarsh Road (A340) overbridge (at marker 75/9) and 820 metres west of Dark Lane underbridge (at marker post 79/1) west of Junction 12 (A4 – Bath Road);

“a hard shoulder” means the hard shoulder, within the meaning of regulation 3(1)(e) of the Regulations, which is adjacent to the westbound carriageway of the motorway between points 900 metres east of Dark Lane underbridge (at marker post 77/4) and 620 metres west of that underbridge (at marker post 78/9) west of Junction 12 (A4 – Bath 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;

“works” mean drainage, road restraint system, verge re-profiling and pavement work on the motorway;

“a first works period” means a period of 24 hours starting at 0001 hours on Tuesday 3rd January 2012 or on any subsequent day until 30th June 2013;

(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 works period” means a period of –

- (i) 6½ hours starting at 2300 hours on Tuesday 3rd January 2012 or on any subsequent day other than a Friday, Saturday or Sunday,
- (ii) 7 hours starting at 2300 hours on Friday 6th January 2012 or on any subsequent Friday,
- (iii) 9 hours starting at 2200 hours on Saturday 7th January 2012 or on any subsequent Saturday, or
- (iv) 5½ hours starting at 2400 hours on Sunday 8th January 2012 or on any subsequent Sunday,

until 30th June 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, 6 and 7, no person shall, during –

- (a) a first works period, drive any motor vehicle at a speed exceeding 50 miles per hour on the length of westbound carriageway; or
- (b) a second works period, drive any motor vehicle at a speed exceeding 50 miles per hour on a hard shoulder.

4. Subject as mentioned in articles 5, 6 and 7, 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 the length of westbound carriageway.

5. The provisions of articles 3 and 4 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 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;
- (d) any vehicle being used for winter maintenance purposes; or
- (e) an abnormal load.

(2) Nothing in article 3 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.

7. During a second 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.

(a) S.I. 2011/935.

Signed by authority of the Secretary of State for Transport

12th December 2011

G Threader
A Service Delivery Team Leader
in the Highways Agency