

2012 No. 2908

ROAD TRAFFIC

**The M4 Motorway (East of Junction 15) (Temporary Restriction
and Prohibition of Traffic) Order 2012**

Made - - - - *12th November 2012*

Coming into force - - *1st December 2012*

WHEREAS the Secretary of State for Transport, being the traffic authority for the M4 Motorway, is satisfied that traffic should be restricted and prohibited 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) of the Road Traffic Regulation Act 1984(a), hereby makes the following Order:-

1. This Order may be cited as the M4 Motorway (East of Junction 15) (Temporary Restriction and prohibition of Traffic) Order 2012 and shall come into force on 1st December 2012.

2. In this Order:

“the motorway” means the M4 Motorway in the Borough of Swindon;

“the Regulations” mean the regulation 16(2) of the Motorways Traffic (England and Wales) Regulations 1982(b);

“the length of motorway” means both carriageways of the motorway between points 840 metres east of the B4192 (Purley Road) overbridge and 720 metres west of Baydon Road/Callas Hill underbridge east of Junction 15 (A419);

“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;

“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 the construction of emergency crossing point on the motorway;

“the works period” means the period starting on Monday 3rd December 2012 and ending on 31st May 2014;

(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, 1996/3053, 2004/3168, 2004/3258 and 2006/594.
(c) 1994 c.22.
(d) S.I. 1986/1078; to which there are amendments not relevant to this Order.

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 4, 6 and 7, no person shall, during the works period, drive any motor vehicle at a speed exceeding 50 miles per hour on the length of motorway or a hard shoulder.

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

5. Subject as mentioned in articles 4, 6 and 7, 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 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.

6. (1) Nothing in article 5 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;
- (e) any vehicle being used for incident management purposes; or
- (f) 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) Regulations 2011(a) when used in accordance with regulation 3(5) of those Regulations.

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.

Signed by authority of the Secretary of State for Transport

12th November 2012

G Threader
A Service Delivery Team Leader
in the Highways Agency

(a) S.I. 2011/935.