

**2010 No. 884**

**ROAD TRAFFIC**

**The M6 Motorway (Junction 38 Northbound and Southbound  
Carriageways and Junction 38 Slip Roads) (Temporary  
Prohibition and Restriction of Traffic) Order 2010**

*Made* - - - -

*16 February 2010*

*Coming into force* - -

*13 March 2010*

WHEREAS the Secretary of State for Transport, being the traffic authority for the M6 Motorway and its slip roads, is satisfied that traffic on sections of that motorway and on three of those slip roads in the District of Eden in the County of Cumbria 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 M6 Motorway (Junction 38 Northbound and Southbound Carriageways and Junction 38 Slip Roads) (Temporary Prohibition and Restriction of Traffic) Order 2010 and shall come into force on 13 March 2010.

2. In this Order:

“the motorway” means the M6 Motorway at Junction 38;

“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 tip of the nosing of the exit slip road” means the last point where the slip road leaves the carriageway of the motorway;

“the first length of carriageway” means the northbound carriageway of the motorway from a point 2200 metres south of the tip of the nosing of the exit slip road at Junction 38 to a point 400 metres north of the tip of the nosing of the entry slip road at Junction 38;

“the second length of carriageway” means the southbound carriageway of the motorway from a point 800 metres north of the tip of the nosing of the exit slip road at Junction 38 to a point 600 metres south of the tip of the nosing of the entry slip road at Junction 38;

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(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.

“the first slip road” means the exit slip road leading from the northbound carriageway of the motorway at Junction 38;

“the second slip road” means the entry slip road leading to the northbound carriageway of the motorway at Junction 38;

“the third slip road” means the entry slip road leading to the southbound carriageway of the motorway at Junction 38;

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

“the first length of hardshoulder” means the hardshoulder adjacent to the second slip road;

“the second length of hardshoulder” means the hardshoulder adjacent to the third slip road;

“the first works period” means a period starting at 0001 hours on Sunday 14 March 2010 and ending at 2359 hours on Sunday 28 March 2010. However, work may start and continue beyond these dates until completed.

“the second works period” means a period over five nights between 2000 hours and 0600 hours starting on Sunday 14 March 2010 and ending on Friday 19 March 2010. However, work may start and continue between the same times on subsequent nights or continue until completed.

“the third works period” means a period over nine nights between 2000 hours and 0600 hours starting on Friday 19 March 2010 and ending on Sunday 28 March 2010. However, work may start and continue between the same times on subsequent nights or continue until completed.

“works” means resurfacing works on the slip roads.

**3.** Subject as mentioned in article 7 of this Order, during the first works period, no person shall cause or permit any motor vehicle to be driven in the first and second lengths of carriageway, the first, second and third slip roads and the first and second lengths of hardshoulder at a speed exceeding 50 miles per hour.

**4.** 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.

**5.** Subject as mentioned in article 7 of this Order, during the second works period, no person shall cause or permit any motor vehicle to enter or proceed in the third slip road.

**6.** Subject as mentioned in article 7 of this Order, during the third works period, no person shall cause or permit any motor vehicle to enter or proceed in the second slip road.

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

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

And nothing in articles 5 and 6 of this Order shall apply to any vehicle being used in connection with the said works or by traffic officers.

Signed by authority of the Secretary of State for Transport

City Tower  
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Manchester  
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16 February 2010

R BALDWIN  
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**[DFT 1788]**