

2009 No. 3458

ROAD TRAFFIC

**The M42 and M1 Motorways and A42 Trunk Road (Appleby
Magna to M1 Junction 23A) (Temporary Restriction and
Prohibition of Traffic) Order 2009**

Made - - - - 21 December 2009

Coming into force - - 28 December 2009

WHEREAS the Secretary of State for Transport, being the traffic authority for the M42 Motorway (“the M42”), the M1 Motorway (“the M1”), the A42 Trunk Road (“the A42”) and connecting roads, is satisfied that traffic on lengths of those roads and some of those connecting roads between Appleby Magna and Kegworth in the County of Leicestershire should be restricted and prohibited 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), and of all other powers enabling him in that behalf, hereby makes the following Order:-

1. This Order may be cited as the M42 and M1 Motorways and A42 Trunk Road (Appleby Magna to M1 Junction 23A) (Temporary Restriction and Prohibition of Traffic) Order 2009 and shall come into force on 28 December 2009.

2. In this Order –

“the first length of motorway” means the M42 from a point 704 metres south of the centre point of the southern overbridge at Junction 11 to its junction with the A42;

“the second length of motorway” means –

- (i) the northbound carriageway of the M42 from its junction with the exit slip road at Junction 11 to its junction with the A42; and
- (ii) the southbound carriageway of the M42 from its junction with the A42 to its junction with the entry slip road at Junction 11;

“the first length of trunk road” means the A42 from its junction with the M42 at Junction 11 to the centre point of West End overbridge (south of M1 Junction 23A);

(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 second length of trunk road” means –

- (i) the northbound carriageway of the A42 from its junction with the M42 to its roundabout junction with the A453 and access road to Donnington Park Services known as Finger Farm Roundabout (M1 Junction 23A); and
- (ii) the southbound carriageway of the A42 from its junction with the entry slip road at M1 Junction 23A to its junction with the M42;

“a slip road” means the slip road leading –

- (i) to the northbound carriageway of the A42 from its roundabout junction with the A444 and M42 Junction 11;
- (ii) to the northbound carriageway of the A42 from its roundabout junction with Measham Road (Junction 12);
- (iii) to the northbound carriageway of the A42 from its roundabout junction with the A511 and A512 (Junction 13);
- (iv) from the southbound carriageway of the M1 at Junction 23A;
- (v) to the southbound carriageway of the A42 from its roundabout junction with the A453 near Tonge (Junction 14);
- (vi) to the southbound carriageway of the A42 from its roundabout junction with the A511 and A512 (Junction 13); and
- (vii) to the southbound carriageway of the A42 from its roundabout junction with the B4116 (Junction 12);

“the central reservation” means that part of the trunk road which separates its carriageways for the safety and guidance of vehicular traffic using that road;

“layby” means an area of carriageway intended for the waiting of vehicles and bounded partly by a traffic sign of the type shown in diagram 1010 in Schedule 6 to the Traffic Signs Regulations 2002(a) and partly by the outer edge of that carriageway on the same side of the road as that on which the sign is placed; and in this definition “carriageway” means any way (other than a cycle track) comprised in a length of the trunk road over which the public have a right of way for the passage of vehicles and which has a suitable surface for the exercise of that right;

“the works period” means the period starting at 2100 hours on Saturday 2 January 2010 and ending when the said works have been completed;

and a reference to an article followed by a number is a reference to the article in this Order which bears that number.

(a) S.I. 2002/3113; Part 1.

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

4. Subject as mentioned in articles 7 and 8, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the second length of motorway, the second length of trunk road or a slip road.

5. Subject as mentioned in articles 7 and 8, no person shall, during the works period, cause or permit any vehicle to enter or proceed through any gap in the central reservation of the first length of trunk road.

6. Subject as mentioned in articles 7 and 8, no person shall, during the works period, cause or permit any vehicle to enter or proceed in any layby adjacent to the northbound carriageway or the southbound carriageway of the first length of trunk road.

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

8. The provisions of:

- (a) articles 3, 4, 5 and 6 shall not apply to any vehicle -
 - (i) being used for police, fire brigade or ambulance purposes, or
 - (ii) proceeding at the direction of, or with the permission of, a police officer or traffic officer in uniform; and
- (b) articles 4, 5 and 6 shall not apply to any vehicle being used in connection with the said works or by a traffic officer; and
- (c) article 4 shall not apply to any vehicle proceeding in the second length of trunk road to or from premises which are accessible for that vehicle from, and only from, that road.

Signed by authority of the Secretary of State

21 December 2009

P Cockell
A Team Leader
in the Highways Agency