

2012 No. 2141

ROAD TRAFFIC

The M20 Motorway and the A20 Trunk Road (Southeast of Junction 10 – Capel-le-Ferne) (Temporary Restriction and Prohibition of Traffic) Order 2012

Made - - - - *13th August 2012*

Coming into force - - *1st September 2012*

WHEREAS the Secretary of State for Transport, being the traffic authority for the M20 Motorway, the A20 Trunk Road and connecting roads, is satisfied that traffic should be restricted and prohibited on lengths of that motorway, on a length of that trunk road and on some of those connecting roads because works are being or are proposed to be executed thereon and because of the likelihood of danger to the public:

NOW, THEREFORE, the Secretary of State, in exercise of the powers conferred by section 14(1)(a) and (b) of the Road Traffic Regulation Act 1984^(a), hereby makes the following Order:-

1. This Order may be cited as the M20 Motorway and the A20 Trunk Road (Southeast of Junction 10 – Capel-le-Ferne) (Temporary Restriction and Prohibition of Traffic) Order 2012 and shall come into force on 1st September 2012.

2. In this Order:

“the M20” and “the A20” mean, respectively, the M20 Motorway and the A20 Trunk Road in the County of Kent;

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

“the length of road” means both carriageways of the M20 and the A20 between points 3300 metres southeast of Junction 10 (A20/A2070) at Stock Lane overbridge near Smeeth and 4300 metres east of Junction 13 (A20 – Cherry Garden Avenue) at Cauldham Lane overbridge near Capel-le-Ferne;

“a hard shoulder” means the hard shoulder, within the meaning of regulation 3(1)(e) of the Regulations, which is adjacent to the Londonbound carriageway of the M20 between a point 200 metres west of the overbridge at Junction 11a (Channel Tunnel Terminal) and the western overbridge at Junction 11 (B2068);

“the length of coastbound carriageway” means the coastbound carriageway of the M20 between the western overbridge at Junction 11 (B2068 – Stanford Interchange) and the western overbridge at Junction 12 (A20/B2064 – Cheriton 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, 1996/3053, 2004/3168, 2004/3258 and 2006/594.

“the offside lane” means the offside lane of both carriageways of the M20 between Harringe Lane overbridge (west of Junction 11 – B2068) and the overbridge at Junction 13 (A20/A259 – Castle Hill Interchange);

“overall width” has the meaning given in regulation 3(2) of the Road Vehicles (Construction and use) Regulations 1986(a);

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

“a first slip road” means –

- (i) the road leading from the coastbound carriageway of the M20 at Junction 11 (B2068),
- (ii) any road leading to or from the Londonbound carriageway of the M20 at Junction 11 (B2068),
- (iii) the road leading from the coastbound carriageway of the M20 at Junction 11a (Channel Tunnel Terminal),
- (iv) the road leading to the Londonbound carriageway of the M20 at Junction 11a (Channel Tunnel Terminal),
- (v) any road leading to or from the coastbound carriageway of the M20 at Junction 12 (A20/B2064 – Cheriton Interchange),
- (vi) the road leading from the Londonbound carriageway of the M20 at Junction 12 (A20/B2064 – Cheriton Interchange),
- (vii) the road leading from the coastbound carriageway of the M20 to the A20 (Cherry Garden Avenue) and the A259 at Junction 13,
- (viii) the road leading from the A20 (Cherry Garden Avenue) and the A259 to the Londonbound carriageway of the M20 at Junction 13,
- (ix) the road leading from the A259 and the A20 (Cherry Garden Avenue) to the coastbound carriageway of the A20 at M20 Junction 13,
- (x) the road leading from the Londonbound carriageway of the A20 to the A259 and the A20 (Cherry Garden Avenue) at M20 Junction 13,
- (xi) any road leading to or from the coastbound carriageway of the A20 at Alkham Valley Interchange (A260), or
- (xii) any road leading to or from the Londonbound carriageway of the A20 at Alkham Valley Interchange (A260);

“a second slip road” means –

- (i) the road leading from the B2068 to the coastbound carriageway of the M20 at Junction 11 (Stanford Interchange), or
- (ii) the road leading from the B2064 to the Londonbound carriageway of the M20 at Junction 12;

“works” mean the maintenance, training and testing of the Quick Moveable Barrier for operation stack on the M20;

“danger” means the likelihood of danger to the public when operation stack is in place on the M20 or there is a likelihood of it being called;

“the works period” means the period starting on Saturday 1st September 2012 and ending on 28th February 2014; and

“the danger period” means the period starting on Saturday 1st September 2012 and ending on 28th February 2014.

3. Subject as mentioned in articles 5 and 6 below, no person shall, during the works period or the danger period, cause or permit any vehicle –

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

- (a) to enter or proceed in the length of coastbound carriageway or a second slip road;
- (b) to enter or proceed in the offside lane of the Londonbound carriageway of the length of road in any direction other than towards the coast; or
- (c) having an overall width exceeding 6 feet 6 inches to enter or proceed in an offside lane.

4. Subject as mentioned in articles 5, 6 and 7 below, no person shall, during the works period or the danger period, drive any motor vehicle at a speed exceeding 50 miles per hour on the length of road, a first slip road, a second slip road or a hard shoulder.

5. The provisions of articles 3 and 4 above 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 3 above shall apply to -

- (a) a recovery vehicle or a vehicle being used in connection with the said works or with the said danger;
- (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 above 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 or the danger period, the undermentioned provisions of the Regulations are hereby suspended -

- (a) regulations 5 and (insofar as it relates to a vehicle being driven) 9, in respect of a hard shoulder, at such times and to such extent as shall from time to time be indicated by traffic signs; and
- (b) regulation 6(3), in respect of a vehicle being driven towards the coast in the Londonbound carriageway of the length of road (insofar as that carriageway is part of the M20), by virtue of article 3(b).

Signed by authority of the Secretary of State for Transport

13th August 2012

G Berresford
A Service Delivery Team Leader
in the Highways Agency

EXPLANATORY NOTE

(This is not part of the Order)

(a) S.I. 2011/935.

This Order imposes a temporary mandatory 50mph speed restriction on the A20/M20, authorise a contraflow system in the Londonbound carriageway of the M20, vehicle width restrictions in the offside lane of both carriageways of the M20, use of the hard shoulder adjacent to the Londonbound carriageway of the M20, the closure of the coastbound carriageway of the M20 between Junctions 11 and 12 and the closure of the Londonbound entry slip road at Junction 12 while operation stack (the use of the coastbound carriageway to park lorries when there is disruption to channel crossings) is in place or there is a likelihood of it being called and while contractors undertake maintenance, training and testing of the quick moveable barrier on the Londonbound carriageway of the M20.

A regulatory impact assessment has not been produced for this instrument as it has no significant impact on business, charities or voluntary bodies.