2010 No. 1678

ROAD TRAFFIC

The M5 Motorway (Junction 9) (Temporary Restriction and Prohibition of Traffic) Order 2010

Made - - - - 11 June 2010

Coming into force - - 18 June 2010

WHEREAS the Secretary of State for Transport being the traffic authority for the M5 Motorway ("the M5") and connecting roads is satisfied that traffic on lengths of that motorway and one of those connecting roads near Tewkesbury, in the Counties of Gloucestershire and Worcestershire 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) and (7) 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 M5 Motorway (Junction 9) (Temporary Restriction and Prohibition of Traffic) Order 2010 and shall come into force on 18 June 2010.

2. In this Order:

"the first length of motorway" means -

(i) the northbound carriageway of the M5 from a point 680 metres south of the centreline of the southern overbridge at Junction 9 to a point 460 metres north of the centreline of Hardwick Bank Road overbridge; and

(ii) the southbound carriageway of the M5 from a point 70 metres north of the centreline of the B4080 Tewksbury Road underbridge to a point 10 metres south of the centreline of the northern overbridge at Junction 9;

"the second length of motorway" means –

(i) the northbound carriageway of the M5 from a point 30 metres north of the centreline of the northern overbridge at Junction 9 to a point 360 metres north of the centreline of Hardwick Bank Road overbridge; and

(ii) the southbound carriageway of the M5 from a point 120 metres south of the centreline of the

(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

B4080 Tewksbury Road underbridge to a point 70 metres north of the centreline of the northern overbridge at Junction 9;

"the slip road"	means the slip road leading to the northbound carriageway of the M5 at Junction 9;
"the Regulations"	means the Motorways Traffic (England and Wales) Regulations 1982 **(a);**
"a hard shoulder"	means the hard shoulder within the meaning of regulation 3(1) (e) of the Regulations which is adjacent to the second length of motorway;
"overall width"	has the same meaning given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986 **(b)**;
"the works period"	means the period starting at 00.01 hours on Monday 21 June 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.

3. Subject as mentioned in articles 6 and 7, no person shall, during the works period, cause or permit any vehicle to be driven at a speed exceeding 50 miles per hour on –

(a) the first length of motorway; and

(b) the slip road.

4. Subject as mentioned in articles 6 and 7, no person shall, during the works period, cause or permit any vehicle to enter or proceed on the second length of motorway.

5. Subject as mentioned in articles 6 and 7, no person shall, during the works period, cause or permit any vehicle with an overall width exceeding –

(a) 3.25 metres to enter or proceed in lane 1 of the second length of motorway;

(b) 3.00 metres to enter or proceed in lane 2 of the second length of motorway; or

(c) 2.50 metres to enter or proceed in lane 3 of the second length of motorway.

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

7. The provisions of -

(a) articles 3, 4 and 5 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 constable and

(b) articles 4 and 5 shall not apply to any vehicle being used in connection with the said works or by, or with the permission of, a traffic officer in uniform.

(a) S.I. 1982/1163, amended by S.I. 1983/374, 1984/1479, 1992/1364.
(b) S.I. 1986/1078, to which there are amendments not relevant to this Order.

8. During the works period, regulations 5 and (in so far 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 may from time to time be indicated by traffic signs.

Signed by authority of the Secretary of State

A Slack
A Team Leader
in the Highways Agency

11 June 2010