STATUTORY INSTRUMENTS

2010 No. 88

ROAD TRAFFIC

The M5 Motorway (Junctions 12-11A) (Temporary Restriction of Traffic) Order 2010

Made - - - -	*6 January 2010*
Coming into force - -	*9 January 2010*

WHEREAS the Secretary of State for Transport, being the traffic authority for the M5 Motorway ("the M5"), is satisfied that traffic on a length of that road between Junction 12 and Junction 11A in the County of Gloucestershire should be 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 M5 Motorway (Junction 12-11A) (Temporary Restriction of Traffic) Order 2010 and shall come into force on 9 January 2010.

2. In this Order –

"the M5" means the northbound carriageway of the M5 from a point at the centre of the Upton Lane Bridge (north of Junction 12) to a point at the centre of the Brockworth Road Bridge (north of Junction 11A);

"the works" mean resurfacing works;

"the hard shoulder" means the hard shoulder within the meaning of regulation 3(1)(e) of the Regulations which is adjacent to the M5;

"the Regulations" mean the Motorways Traffic (England and Wales) Regulations 1982(**b**);

"a works period" means a period of 10 hours starting at 20.00 hours on Monday 11 January 2010 or any subsequent day 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 article 4, no person shall, during a works period, drive any motor vehicle at a speed exceeding 50 miles per hour on the M5 and the hard shoulder.

(**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 and 1992 / 1364;

4. The provisions of article 3 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) a vehicle being used for police, fire and rescue authority or ambulance purposes;

(b) anything done at the direction of, or with the permission of, a police officer in uniform.

5. During a works period, regulation 5 and (insofar as it relates to a vehicle being driven) regulation 9 of the Regulations are hereby suspended, in respect of the 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

DAVID SLEDGE
An Area Performance Manager
in the Highways Agency

6 January 2010