STATUTORY INSTRUMENTS

2009 No. 3198

ROAD TRAFFIC

The M5 Motorway (Junctions 15-17) (Temporary Prohibition and Restriction of Traffic) Order 2009

Made - - - -	*25 November 2009*
Coming into force - -	*28 November 2009*

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 road and some of those connecting roads between Junctions 15 and 17 in South Gloucestershire 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 M5 Motorway (Junctions 15-17) (Temporary Prohibition and Restriction of Traffic) Order 2009 and shall come into force on 28 November 2009.

2. In this Order –

"the first length of the M5" means (i) the northbound carriageway of the M5 from a point at the centre of the Hallen Road underbridge (south of Junction 17) to the tip of the nosing of the northbound entry slip road from the M4 at Junction 15 (Almondsbury Interchange); and (ii) the southbound carriageway of the M5 from the tip of the nosing of the southbound exit slip road to the M4 at M5 Junction 15 (Almondsbury Interchange) to a point at the centre of the Hallen Road underbridge (south of Junction 17);

"the second length of the M5" means (i) the northbound carriageway of the M5 from the tip of the nosing of the northbound exit slip road at M5 Junction 15 (Almondsbury Interchange) to the tip of the nosing of the northbound entry slip road from M5 Junction 16; and (ii) the southbound carriageway of the M5 from the tip of the nosing of the exit slip road to the southbound connector road at M5 Junction 15 (Almondsbury Interchange) to the tip of the nosing of the southbound entry slip road at M5 Junction 15;

"the first slip roads" mean (i) the slip road leading from the M4 westbound to the M5 southbound at Almondsbury Interchange; (ii) the slip road leading from the M4 eastbound to the M5 southbound at Almondsbury Interchange; (iii) the northbound exit slip road and northbound connector road at M5 Junction 15 (Almondsbury Interchange) from the tip of the nosing with the northbound carriageway of the M5 to the point where the connector road splits to join the M4 eastbound and westbound; (iv) the northbound and southbound entry and exit slip roads at M5 Junction 17; and (v) the northbound and southbound entry and exit slip roads at M5 Junction 16;

(**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 slip roads" mean (i) the northbound entry and exit slip roads and the southbound entry and exit slip roads at M5 Junction 17; (ii) the southbound entry slip road at M5 Junction 16; (iii) the southbound entry slip road at M5 Junction 15 (leading from the M4 eastbound and westbound);

"the works" mean the construction of a concrete barrier;

"tip of the nosing" means the last point where an exit slip road leaves the carriageway of a motorway or the first point where an entry slip road joins the carriageway of a motorway;

"overall width" has the meaning given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986(**a**);

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

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

"northbound carriageway" and "southbound carriageway" mean, respectively, the northbound carriageway and the southbound carriageway of the first length of the M5;

"the works period" means the period starting at 12.00 hours on 30 November 2009 and ending when the said works have been completed;

"a works period" means a period of 8 hours starting at 22.00 hours on 30 November 2009 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 articles 6, 7 and 8, no person shall, during the works period:

(a) drive any motor vehicle at a speed exceeding 50 miles per hour on the first length of the M5, the hard shoulder and the first slip roads;

(b) cause or permit any vehicle to enter or proceed in the northbound carriageway;

(c) cause or permit any vehicle to enter or proceed in the outside lane of the southbound carriageway in any direction other than northwards;

(d) cause or permit any vehicle to enter or proceed in the southbound carriageway;

(e) cause or permit any vehicle to enter or proceed in the outside lane of the northbound carriageway in any direction other than southwards;

(f) cause or permit any vehicle to enter or proceed in the second length of the M5.

4. Subject as mentioned in articles 6, 7 and 8, no person shall, during the works period, cause or permit any vehicle with an overall width exceeding 6 feet 6 inches to enter or proceed in the outside lane (lane 3) or the middle lane (lane 2) of the northbound carriageway or the southbound carriageway.

5. Subject as mentioned in articles 6, 7 and 8 no person shall, during a works period, cause or permit any vehicle to enter or proceed in the second slip roads.

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 articles 3(a), (b), (d), 4 and 5 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.

8. The provisions of articles 3(b), (d), 4 and 5 shall not apply to a vehicle being used in connection with the said works, for winter maintenance purposes or for traffic officer purposes.

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

9. During the 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

25 November 2009