STATUTORY INSTRUMENTS

2009 No. 3305

ROAD TRAFFIC

The M5 Motorway (Junctions 17-18) (Temporary Prohibition and Restriction of Traffic) Order 2009

Made - - - -	*2 December 2009*
Coming into force - -	*5 December 2009*

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 Junctions 17 and 18 in South Gloucestershire and the City of Bristol 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 17-18) (Temporary Prohibition and Restriction of Traffic) Order 2009 and shall come into force on 5 December 2009.

2. In this Order –

"the first length of the M5" means (a) the southbound carriageway of the M5 between a point at the centre of the Berwick Lodge overbridge and the tip of the nosing of the southbound exit slip road at M5 Junction 18A; and (b) the northbound carriageway of the M5 between the tip of the nosing of the northbound exit slip road at M5 Junction 18 and a point at the centre of the Berwick Lodge overbridge;

"the second length of the M5" means (a) the southbound carriageway of the M5 between the tip of the nosing of the southbound exit slip road at Junction 17 and a point adjacent to the northbound exit slip road at Junction 18A; and (b) the northbound carriageway of the M5 from the tip of the nosing of the northbound exit slip road at Junction 18A to the tip of the nosing of the northbound entry slip road at Junction 17;

"the works" mean demolition and replacement of Lawrence Weston overbridge;

"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(**b**);

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

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

"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 00.01 hours on 7 December 2009 and ending when the said works have been completed;

"a first works period" means a period starting at 20.00 hours on 24 December 2009 and ending at 04.00 hours on 26 December 2009;

"a second works period" means a period starting at 22.00 hours on 27 February 2010 and ending at 06.00 hours on 28 February 2010;

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, drive any motor vehicle at a speed exceeding 50 miles per hour on the first length of the M5 and the hard shoulder.

4. Subject as mentioned in articles 6 and 7, no person shall, during a first works period and a second works period, cause or permit any vehicle to enter or proceed in the second length of the M5.

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 6 feet 6 inches to enter or proceed in -

(a) a lane in a carriageway or length of carriageway where only that lane and the hard shoulder adjacent to that carriageway or length are open for use by traffic proceeding in the same direction,

(b) any lane other than the left hand or nearside lane of two or more lanes in a carriageway or length of carriageway where only those lanes are open for use by traffic proceeding in the same direction,

and in this article, a reference to a carriageway is a reference to the northbound carriageway and the southbound carriageway.

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 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.

7. The provisions of articles 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.

8. 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

2 December 2009