STATUTORY INSTRUMENTS

2009 No. 2866

ROAD TRAFFIC

The M5 Motorway (Junctions 3 to 4) (Temporary Restriction and Prohibition of Traffic) Order 2009

Made - - - -	*19 October 2009*
Coming into force - -	*26 October 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 Motorway and on some of those connecting roads between Junctions 3 and 4 in the Metropolitan Borough of Dudley and in the County of 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) 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 (Junctions 3 to 4) (Temporary Restriction and Prohibition of Traffic) Order 2009 and shall come into force on 26 October 2009.

2. In this Order:

"the first length of motorway"	means the southbound carriageway of the M5 from a point 240 metres north of the centreline of Hagley Road West overbridge, to a point 400 metres south of the centreline of Yew Tree Lane overbridge;
"the second length of motorway"	means the northbound carriageway of the M5 from a point 100 metres south of the centreline of Old House Lane overbridge, to a point 375 metres north of the centreline of the northern underbridge at Junction 3,
"the third length of motorway"	means the northbound carriageway of the M5 between the exit slip road at Junction 4 and the entry slip road at Junction 3;
"the fourth length of motorway"	means the southbound carriageway of the M5 between the exit slip road at Junction 3 and the entry slip road at Junction 4;
"the fifth length of motorway"	means the southbound carriageway of the M5 from a point 375 metres north of the centreline of the northern underbridge at Junction 3, to a point 300 metres south of the centreline of Yew Tree Lane overbridge;

(**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 sixth length of motorway"	means the northbound carriageway of the M5 from a point 300 metres south of the centreline of Yew Tree Lane overbridge to a point 375 metres north of the centreline of the northern underbridge at Junction 3;
"a slip road"	means the slip road leading to the southbound carriageway of the M5 at Junction 3, and the slip road leading from the northbound carriageway of the M5 at Junction 3;
"overall width"	has the same meaning given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986**(a)**;
"the works period"	means the period starting at 00.01 hours on Monday 2 November 2009 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 the first length of trunk road, the second length of trunk road or a 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 third length of motorway, the fourth length of motorway, a slip road or –

(a) the M5 northbound entry slip road at Junction 4, and

(b) the M5 southbound exit slip road at Junction 4.

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 2.75 metres to enter or proceed in the fifth length of motorway, the sixth length of motorway, or a slip road.

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 or traffic officer in uniform, and

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

Signed by authority of the Secretary of State

A Slack
A Team Leader
19 October 2009 in the Highways Agency

(a) S.I. 1986/1078, to which there are amendments not relevant to this Order.