S T A T U T O R Y  I N S T R U M E N T S

# 2010 No. 1279

# ROAD TRAFFIC

## The M5 Motorway (Junctions 4a - 5) and the M42 Motorway (Temporary Prohibition of Traffic) Order 2010

*Made - - - - 15 March 2010*

*Coming into force - -22 March 2010*

WHEREAS the Secretary of State for Transport, being the traffic authority for the M5 Motorway ("the M5"), the M42 Motorway ("the M42") and connecting roads, is satisfied that traffic on lengths of those motorways and one of those connecting roads in the County of Worcestershire should be 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 (Junctions 4a - 5) and the M42 Motorway (Temporary Prohibition of Traffic) Order 2010 and shall come into force on 22 March 2010.

**2.** In this Order –

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| "the first length of motorway" | means the northbound carriageway of the M5 from a point 370 metres south of the centrepoint of the Droitwich to Bromsgrove railway underbridge to a point 70 metres north of Fockbury Mill Lane overbridge; |
| "the second length of motorway" | means the southbound carriageway of the M5 from a point 355 metres north of Rocky Lane overbridge to a point 120 metres north of the A38 Worcester Road underbridge; |
| "the third length of motorway" | means the southbound carriageway of the M42 from a point 270 metres west of Stourbridge Road underbridge to its junction with the southbound carriageway of the M5 at Junction 4a; |
| "the Regulations" | means the Motorways Traffic (England and Wales) Regulations 1982**(b)**; |
| "a hard shoulder" | means the hard shoulder, within the meaning of Regulation 3(1)(e) of the Regulations, which is adjacent |

**(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, 1992/1364.

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| | to the first length of motorway, the second length of motorway and the third length of motorway; |
| "the works period" | means the period starting at 00.01 hours on Tuesday 23 March 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 4 and 5, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the first length of motorway, the second length of motorway or the third length of motorway.

**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.

**5.** The provisions of article 3 shall not apply to any vehicle –

(a) being used for police, fire brigade or ambulance purposes;

(b) proceeding at the direction of, or with the permission of, a police constable or traffic officer in uniform; or

(c) being used for or in connection with the said works or by a traffic officer.

**6.** 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
15 March 2010 in the Highways Agency