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

2010 No. 394

ROAD TRAFFIC

The M5 Motorway (Junctions 5 to 6) (Temporary Restriction and Prohibition of Traffic) Order 2010

Made - - - - 5 February 2010

Coming into force - - 12 February 2010

WHEREAS the Secretary of State for Transport, being the traffic authority for the M5 Motorway ("the M5"), is satisfied that traffic on lengths of that Motorway, between Junctions 5 and 6 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) 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 5 to 6) (Temporary Restriction and Prohibition of Traffic) Order 2010 and shall come into force on 12 February 2010.

2. In this Order:

"the first length of motorway"	means the southbound carriageway of the M5 from a point 710 metres north of Crown Lane overbridge, north of Junction 5, to a point 70 metres north of the northern overbridge at Junction 6;
"the second length of motorway"	means the northbound carriageway of the M5 from a point 224 metres north of the Trothill accommodation overbridge south of Junction 6 to a point 212 metres north of the A38 Worcester Road overbridge at Junction 5;
"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 to the first length of motorway or the second length of motorway;
"overall width"	has the same meaning given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986**(c)**;
"the works period"	means the period starting at 06.00 hours on Monday 15 February 2010 and ending when the said works have been completed;

(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.

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

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 or the second length of trunk 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 first length of trunk road or the second length of trunk road.

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 –

i) 3.25 metres to enter or proceed in the nearside lane (Lane 1);
ii) 3.00 metres to enter or proceed in the middle lane (Lane 2);
iii) 2.75 metres to enter or proceed in the offside lane (Lane 3);

of the first length of motorway or the second length of motorway.

6. The provisions of articles 3 and 4 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 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.

8. 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
in the Highways Agency

5 February 2010