STATUTORY INSTRUMENTS

2010 No. 107

ROAD TRAFFIC

The M5 Motorway (Junctions 9 - 12) (Temporary Restriction of Traffic) Order 2010

Made - - - -	*13 January 2010*
Coming into force - -	*16 January 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 road between Junctions 9 and 12 in the County of Gloucestershire should be 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 9 - 12) (Temporary Restriction of Traffic) Order 2010 and shall come into force on 16 January 2010.

2. In this Order –

"the first length of the M5" means both carriageways of the M5 from a point 200 metres north of the centre of the Stoke Road overbridge (north of Junction 10) to a point 500 metres south of the centre of the A4019 overbridge at Junction 10;

"the second length of the M5" means both carriageways of the M5 from a point 1500 metres north of the centre of the A4173 overbridge (north of Junction 12) to a point 1000 metres south of the centre of the B4008 overbridge at Junction 12;

"the works" mean the construction of pier protection for an overbridge and concrete barrier protection works;

"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 and the second length of the M5;

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

"the works period" means the period starting at 20.00 hours on Monday 18 January 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.

(**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;

3. Subject as mentioned in article 5, 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, the second length of the M5 and the hard shoulder.

4. Subject as mentioned in articles 5 and 6, 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 of the first length of the M5 and the second length of the M5.

5. 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 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.

6. The provisions of article 4 shall not apply to a vehicle being used in connection with the said works, for traffic officer purposes or for winter maintenance purposes.

7. 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

13 January 2010