

2011 No. 2641

ROAD TRAFFIC

The M5 and M42 Motorways (M5 Junction 3 to Junction 5; M42 Junction 1 to M5) (Temporary Restriction and Prohibition of Traffic) Order 2011

Made - - - - 18th October 2011
Coming into force - - 25th October 2011

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 some of those connecting roads, in the County of Worcestershire and the Metropolitan Borough of Dudley 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 and M42 Motorways (M5 Junction 3 to Junction 5; M42 Junction 1 to M5) (Temporary Restriction and Prohibition of Traffic) Order 2011 and shall come into force on 25th October 2011.

2. In this Order:

“the first length of motorway” means –

- (a) the southbound carriageway of the M5 from a point 420 metres north of the centreline of Illey Lane overbridge to a point 585 metres south of the centreline of Rocky Lane overbridge; and
- (b) the northbound carriageway of the M5 from a point 320 metres south of the centreline of Fockbury Mill Lane overbridge to a point 680 metres north of the centreline of Frankley Green Lane underbridge;

“the second length of motorway” means the northbound carriageway of the M5 from a point 680 metres north of the centreline of Frankley Green Lane underbridge to a point 50 metres north of the centreline of the M5 Junction 3 southern 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 third length of motorway” means the –
- (a) southbound carriageway of the M5 between its junction with the exit slip road at Junction 3 and its junction with the entry slip road at Junction 4;
 - (b) southbound carriageway of the M5 between its junction with the exit slip road at Junction 4 and its junction with the entry slip road at Junction 5;
 - (c) northbound carriageway of the M5 between its junction with the exit slip road at Junction 5 and its junction with the entry slip road at Junction 4;
 - (d) northbound carriageway of the M5 between its junction with the exit slip road at Junction 4 and its junction with the entry slip road at Junction 3;
 - (e) eastbound carriageway of the M42 between its junction with the link roads leading from the M5 to its junction with the entry slip road at Junction 1; and
 - (f) westbound carriageway of the M42 between its junction with the exit slip road at Junction 1 and its junction with the link roads leading to the M5;
- “the fourth length of motorway” means the –
- (a) the southbound carriageway of the M5 from a point 370 metres north of the centreline of Frankley Green Lane underbridge to a point 585 metres south of the centreline of Rocky Lane overbridge; and
 - (b) the northbound carriageway of the M5 from a point 270 metres north of the centreline of Fockbury Mill Lane overbridge to a point 370 metres north of the centreline of Frankley Green Lane underbridge;
- “the fifth length of motorway” means –
- (a) the southbound carriageway of the M5 from a point 370 metres north of the centreline of Frankley Green Lane underbridge to a point 585 metres south of the centreline of Rocky Lane overbridge; and
 - (b) the northbound carriageway of the M5 from a point 600 metres south of the centreline of Rocky Lane overbridge to a point 370 metres north of Frankley Green Lane underbridge;
- “the first length of link road” means the link roads leading –
- (a) from the southbound carriageway of the M5 to the eastbound carriageway of the M42, from its junction with the M5 to the centreline of Hinton Fields Farm overbridge; and
 - (b) from the northbound carriageway of the M5 to the eastbound carriageway of the M42, from its junction with the M5 to the centreline of the M5 underbridge;
- “the second length of link road” means the link roads leading to or from the M5 at its junction with the M42;
- “the third length of link road” means the link road leading from the westbound carriageway of the M42 to the northbound carriageway of the M5, from a point 300 metres south of the centreline of Rocky Lane overbridge to its junction with the M5;

“a slip road”	means the slip roads leading – (a) to the northbound carriageway of the M5 at Junction 5; and (b) to or from the M5 at Junctions 3 and 4;
“the Regulations”	means the Motorways Traffic (England and Wales) Regulations 1982 (a) ;
“a hard shoulder”	means the hard shoulder, within the meaning of regulation 3(1)(e) of the Regulations, which is adjacent to the fourth length of motorway and the first length of link road;
“overall width”	has the same meaning given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986 (b) ;
“the works period”	means the period starting at 00.01 hours on Monday 31st October 2011 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 7 and 8, no person shall, during the works period, cause or permit any vehicle to be driven at a speed exceeding 40 miles per hour on the first length of motorway, the first length of link road, the third length of link road or a slip road.

4. Subject as mentioned in articles 7 and 8, 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 second length of motorway.

5. Subject as mentioned in articles 7 and 8, no person shall, during the works period, cause or permit any vehicle to be enter or proceed in the third length of motorway, the fourth length of motorway, the first length of link road, the second length of link road, the third length of link road or a slip road.

6. Subject as mentioned in articles 7 and 8, 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 or the third length of link road.

7. The provisions of articles 3, 4, 5 and 6 shall apply only during such times and to such extent as shall from time to time be indicated by traffic signs.

8. The provisions of –

(a) articles 3, 4, 5 and 6 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;

(b) articles 3 and 4 shall not apply to any vehicle being used for special forces purposes; and

(a) S.I. 1982/1163, amended by S.I. 1983/374, 1984/1479, 1992/1364.

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

(c) articles 5 and 6 shall not apply to any vehicle being used in connection with the said works or by, or at the direction of, a traffic officer in uniform.

9. During the works period, regulations 5 and (in so far as it relates to a vehicle being driven) 9 of the Regulations, in respect of a hard shoulder, are hereby suspended 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

18th October 2011

A Slack
A Team Leader
in the Highways Agency