

2011 No. 2843

ROAD TRAFFIC

**The M5 Motorway (Junctions 9-10) (Temporary Prohibition and
Restriction of Traffic) Order 2011**

Made - - - - 22nd November 2011

Coming into force - - 29th November 2011

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 a length of that road and one of those connecting roads between Junctions 9 and 10 in the County of Gloucestershire should be prohibited and 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 -10) (Temporary Prohibition and Restriction of Traffic) Order 2011 and shall come into force on 29th November 2011.

2. In this Order –

“the M5” means both carriageways of the M5 from a point 1000 metres north of the centre of Junction 9 to a point at the centre of the B4634 Old Gloucester Road Overbridge (south of Junction 10);

“the slip road” means the southbound entry slip road at M5 Junction 9;

“the works” mean the installation of concrete pier protection to overbridges on the M5;

“the hard shoulder” means the hard shoulder within the meaning of regulation 3(1)(e) of the Regulations which is adjacent to the M5;

“the Regulations” means the Motorways Traffic (England and Wales) Regulations 1982(b);

“overall width” has the meaning given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986(c);

“the works period” means the period starting at 00.01 hours on Thursday 1st December 2011 and ending when the said works have been completed;

“a works period” means a period of 10 hours starting at 20.00 hours on Thursday 1st December 2011 or on any subsequent day 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. 1982 / 1163, amended by S.I. 1983 / 374, 1984 / 1479 and 1992 / 1364;
(c) S.I. 1986 / 1078, to which there are amendments not relevant to this Order;

- 3.** Subject as mentioned in articles 5 and 7, no person shall, during the works period:
- (a) drive any motor vehicle at a speed exceeding 50 miles per hour on the M5 and the hard shoulder;
 - (b) cause or permit any vehicle with an overall width exceeding 3 metres to enter or proceed in any lane other than the left hand lane of the M5;
 - (c) cause or permit any vehicle with an overall width exceeding 2.25 metres to enter or proceed in any lane other than the left hand lane or middle lane of the M5.
- 4.** Subject as mentioned in articles 5 and 6, no person shall, during a works period, cause or permit any vehicle to enter or proceed in the slip road.
- 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 constable.
- 6.** The provisions of article 4 shall not apply to a vehicle being used in connection with the said works or for traffic officer purposes.
- 7.** No speed limit imposed by this order applies to vehicles falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011 when used in accordance with regulation 3(5) of those Regulations.
- 8.** During a 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 shall from time to time be indicated by traffic signs.

Signed by authority of the Secretary of State

22nd November 2011

David Sledge
A Service Delivery Team Leader
in the Highways Agency