

2012 No. 2928

ROAD TRAFFIC

**The M5 Motorway (Junctions 11A-12) (Temporary Restriction
and Prohibition of Traffic) (Number 2) Order 2012**

Made - - - - 13th November 2012

Coming into force - - 17th November 2012

WHEREAS the Secretary of State for Transport, being the traffic authority for the M5 Motorway ("the M5"), is satisfied that traffic on a length of that road between Junctions 11A and 12 in the County of Gloucestershire 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) of the Road Traffic Regulation Act 1984(a) and regulation 16(2) of the Motorways Traffic (England and Wales) Regulations 1982(b), hereby makes the following Order:

1. This Order may be cited as the M5 Motorway (Junctions 11A-12) (Temporary Restriction and Prohibition of Traffic) (Number 2) Order 2012 and shall come into force on 17th November 2012.

2. In this Order –

“the M5” means both carriageways of the M5 from a point at the centre of Upton Hill Overbridge (south of Junction 11A) to a point at the centre of Haresfield Lane Overbridge (north of Junction 12);

“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(c);

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

“southbound carriageway” and “northbound carriageway” mean, respectively, the southbound carriageway and the northbound carriageway of the M5;

“the works” mean barrier replacement and drainage works;

“the works period” means the period starting at 00.01 hours on Monday 19th November 2012 and ending when the said works have been completed.

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- (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, as amended by S.I. 1983/374, 1984/1479, 1992/1364, 1995/158, 1996/3053, 2004/3168, 2004/3258 and 2006/594.
(c) S.I. 1982/1163, amended by S.I. 1983/374, 1984/1479 and 1992/1364.
(d) 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 an article in this Order which bears that number.

3. Subject as mentioned in articles 4, 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;
- (b) cause or permit any vehicle to enter or proceed in the southbound carriageway;
- (c) cause or permit any vehicle to enter or proceed in the outside lane of the northbound carriageway in any direction other than southwards;
- (d) cause or permit any vehicle to enter or proceed in the northbound carriageway;
- (e) cause or permit any vehicle to enter or proceed in the outside lane of the southbound carriageway in any direction other than northwards;
- (f) 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;
- (g) 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.

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 and shall not apply to:

- (a) a vehicle being used for police, fire and rescue authority or ambulance purposes; or
- (b) anything done at the direction of, or with the permission of, a constable.

5. The provisions of article 3(b) and (d) shall not apply to a vehicle being used in connection with the said works or for traffic officer purposes.

6. 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 shall from time to time be indicated by traffic signs.

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.

Signed by authority of the Secretary of State

13th November 2012

David Sledge
A Service Delivery Team Leader
in the Highways Agency