

2012 No. 3271

ROAD TRAFFIC

The M5 Motorway (Junctions 11A-12) (Temporary Restriction of Traffic) Order 2012

Made - - - - *21st December 2012*

Coming into force - - *31st December 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 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 of Traffic) Order 2012 and shall come into force on 31st December 2012.

2. In this Order –

“the M5” means both carriageways of the M5 between Junctions 11A and 12 from a point at the centre of the Lobleys Drive Overbridge to a point at the centre of the Winnycroft Overbridge;

“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);

“the works” mean concrete repairs to columns on both sides of the M5;

“the works period” means the period starting at 00.01 hours on Wednesday 2nd January 2013 and ending when the said works have been completed.

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 and 6, no person shall, during the works period:

(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;

- (a) drive any motor vehicle at a speed exceeding 50 miles per hour on the M5;
- (b) cause or permit any vehicle with an overall width exceeding 2.5 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. 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.

6. 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

21st December 2012

David Sledge
A Service Delivery Team Leader
in the Highways Agency