

2013 No. 20

ROAD TRAFFIC

**The M5 Motorway (Junctions 11A-12) (Temporary Restriction
and Prohibition of Traffic) Order 2013**

Made - - - - 2nd January 2013

Coming into force - - 5th January 2013

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 at Junction 11A 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, and paragraph 27(1) of Schedule 9 to, 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) Order 2013 and shall come into force on 5th January 2013.

2. In this Order –

“the M5” means the southbound carriageway of the M5 from a point 200 metres north of the centre of the Brockworth Road Overbridge (north of Junction 11A) to a point 100 metres north of the centre of the Upton Lane Overbridge (south of Junction 11A);

“the slip road” means the southbound entry slip road (the ‘V’ loop) at M5 Junction 11A;

“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 geotechnical works to protect the M5 embankment slope;

“the works period” means the period starting at 00.01 hours on Monday 7th 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.

(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; and paragraph 27(1) of Schedule 9 was amended by section 1(4) of that Act.
(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;

- 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 slip road;
 - (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;
 - (d) 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) 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.
- 8.** The M5 Motorway (Junctions 11A-12) (Temporary Restriction and Prohibition of Traffic) Order 2012(a) is hereby revoked.

Signed by authority of the Secretary of State

2nd January 2013

David Sledge
A Service Delivery Team Leader
in the Highways Agency

(a) S.I. 2012 / 2695