

**2013 No. 2433**

**ROAD TRAFFIC**

**The M42 Motorway (Junctions 5 - 4) (Temporary Restriction  
and Prohibition of Traffic) Order 2013**

*Made*                                 -         -         -         -                                 30th August 2013

*Coming into force*                 -         -                                 6th September 2013

WHEREAS the Secretary of State for Transport, being the traffic authority for the M42 Motorway (“the M42”) and connecting roads, is satisfied that traffic on lengths of that motorway and some of those connecting roads, in the Metropolitan Borough of Solihull, 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 M42 Motorway (Junctions 5 – 4) (Temporary Restriction and Prohibition of Traffic) Order 2013 and shall come into force on 6th September 2013.

2. In this Order –

- |                                 |  |
|---------------------------------|--|
| “the first length of motorway”  | means the southbound carriageway of the M42 from a point 150 metres north of the centreline of the Barston Lane/Henwood Lane underbridge to the centreline of the southern overbridge at Junction 4; |
| “the second length of motorway” | means the southbound carriageway of the M42 between its junction with the exit slip road at Junction 5 and its junction with the entry slip road at Junction 4;                                      |
| “the third length of motorway”  | means the southbound carriageway of the M42 between points 3000 metres north and 100 metres south of the Blyth Valley Park access road overbridge, south of Junction 4;                              |
| “the first slip road”           | means the slip road leading from the southbound carriageway of the M42 at Junction 4;  |

---

(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.

---

“the second slip road”	means the slip road leading to the southbound carriageway of the M42 at Junction 5;
“the Regulations”	means the Motorways Traffic (England and Wales) Regulations 1982;
“a hard shoulder”	means the hard shoulder, within the meaning of Regulation 3(1)(e) of the Regulations, which is adjacent to the third length of motorway;
“emergency refuge area”	means a part of a motorway – (i) which is adjacent to and situated on the left-hand or near-side of the hard shoulder or carriageway when facing in the direction in which, in accordance with regulation 6, vehicles may be driven, and (ii) whose boundary with the hard shoulder or carriageway is indicated by a marking of the type shown in diagram 1010 in Schedule 6 to the Traffic Signs Regulations 2002;
"the works period"	means the period starting at 00:01 hours on Monday 9th September 2013 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 6 and 7, 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 first length of motorway or the first slip road.

**4.** Subject as mentioned in articles 6 and 7, no person shall, during the works period, cause or permit any vehicle to enter or proceed on the second length of motorway, the third length of motorway, the first slip road or the second slip road.

**5.** Subject as mentioned in articles 6 and 7, no person shall, during the works period, cause or permit any vehicle to enter or proceed on any emergency refuge area situated adjacent to the first length of motorway.

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

**7.** The provisions of –

(a) article 3 shall not apply to any vehicle being used for special forces purposes;

(b) articles 3 and 4 shall not to any vehicle being used for police, fire brigade or ambulance purposes; and

(c) article 4 shall not apply to any vehicle proceeding at the direction of, or with the permission of, a police constable, or traffic officer in uniform, being used by a traffic officer in uniform or being used in connection with the works.

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

30th August 2013

*V Bennett*  
A Team Leader  
in the Highways Agency