

2013 No. 899

ROAD TRAFFIC

The M5 Motorway (Junctions 22-23) (Temporary Restriction of Traffic) Order 2013

Made - - - - 21st February 2013

Coming into force - - 27th February 2013

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 22 and 23 in the County of Somerset 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 22-23) (Temporary Restriction of Traffic) Order 2013 and shall come into force on 27th February 2013.

2. In this Order –

“the M5” means (i) the southbound carriageway of the M5 between Junctions 22 and 23 from a point at the centre of Burnham Moor Lane Bridge to the tip of the nosing of the southbound exit slip road at Junction 23; and (ii) the northbound carriageway of the M5 between Junctions 23 and 22 from the tip of the nosing of the northbound entry slip road at Junction 23 to a point at the centre of Burnham Moor Lane Bridge;

“tip of the nosing” means the first point where an entry slip road joins the carriageway of a motorway or the last point where an exit slip road leaves the carriageway of a motorway;

“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);

“the works” mean overbridge beam painting works;

“a works period” means a period of 10 hours starting at 20.00 hours on Friday 1st March 2013 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 an article in this Order which bears that number.

3. Subject as mentioned in articles 4 and 6, no person shall, during a works period, drive any motor vehicle at a speed exceeding 50 miles per hour on the M5.

(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.

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 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.

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 February 2013

David Sledge
A Service Delivery Team Leader
in the Highways Agency