

2014 No. 1642

ROAD TRAFFIC

**The M5 Motorway (Junctions 27-28) (Temporary Restriction
and Prohibition of Traffic) Order 2014**

Made - - - - *9th June 2014*

Coming into force - - *12th June 2014*

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 lengths of that road and some of those connecting roads between Junctions 27 and 28 in the County of Devon 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 27-28) (Temporary Restriction and Prohibition of Traffic) Order 2014 and shall come into force on 12th June 2014.

2. In this Order –

“the first length of the M5” means both carriageways of the M5 between a point at the centre of Bedbrook Lane Overbridge (north of Junction 27) and a point at the centre of Duke Street Overbridge (south of Junction 28);

“the second length of the M5” means (i) the southbound carriageway of the M5 from the tip of the nosing of the southbound exit slip road at Junction 27 to the tip of the nosing of the southbound entry slip road at Junction 28; and (ii) the northbound carriageway of the M5 from the tip of the nosing of the northbound exit slip road at Junction 28 to the tip of the nosing of the northbound entry slip road at Junction 27;

“the third length of the M5” means (i) the southbound carriageway of the M5 at Junction 27 between the tip of the nosing of the southbound exit slip road and the tip of the nosing of the southbound entry slip road; and (ii) the northbound carriageway of the M5 at Junction 27 between the tip of the nosing of the northbound exit slip road and the tip of the nosing of the northbound entry slip road;

“the fourth length of the M5” means both carriageways of the M5 between a point 200 metres north of the centre of Pugham Mill Lane Overbridge (north of Junction 27) and a point 600 metres south of the centre of the B3181 Five Bridges Overbridge (north of Junction 28);

(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 slip roads” mean (i) the northbound exit and entry slip roads at M5 Junction 27; (ii) the southbound exit and entry slip roads at M5 Junction 27; and (iii) the northbound entry slip road at M5 Junction 28;

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

“the hard shoulder” means the hard shoulder within the meaning of regulation 3(1)(e) of the Regulations which is adjacent to the first length of the M5;

“the Regulations” means the Motorways Traffic (England and Wales) Regulations 1982;

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

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

“the works” mean resurfacing, joint repairs, white lining, stud replacement and loop cutting works;

“the works period” means the period starting at 20.00 hours on Friday 13th June 2014 and ending when the said works have been completed;

“a works period” means a period of 10 hours starting at 20.00 hours on Friday 13th June 2014 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 5 and 8, no person shall, during the works period:

- (a) drive any motor vehicle at a speed exceeding 50 miles per hour on the first length of the M5 and the slip roads;
- (b) cause or permit any vehicle to enter or proceed in the northbound carriageway; and
- (c) cause or permit any vehicle to enter or proceed in the outside lane of the southbound carriageway in any direction other than northwards; or
- (d) cause or permit any vehicle to enter or proceed in the southbound carriageway; and
- (e) cause or permit any vehicle to enter or proceed in the outside lane of the northbound carriageway in any direction other than southwards;
- (f) cause or permit any vehicle with an overall width exceeding 2 metres to enter or proceed in any lane other than the left hand running lane of the first length of the M5.

4. Subject as mentioned in articles 5 and 6, no person shall, during a works period, cause or permit any vehicle to enter or proceed in the second length of the M5, the third length of the M5 and the slip roads.

5. The provisions of articles 3 and 4 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.

6. The provisions of articles 3(b), 3(d) and 4 shall not apply to a vehicle being used in connection with the said works or for traffic officer purposes.

7. 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.

(a) S.I. 1986 / 1078, to which there are amendments not relevant to this Order;

8. 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

9th June 2014

David Sledge
A Service Delivery Team Leader
in the Highways Agency