

2010 No. 3108

ROAD TRAFFIC

**The M42 Motorway (Junction 5)
(Temporary Restriction and Prohibition of Traffic) Order 2010**

Made - - - - 29 December 2010

Coming into force - - 5 January 2011

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 a length of that motorway and two 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) and (7) of the Road Traffic Regulation Act 1984(a) and of all other powers enabling him in that behalf, hereby makes the following Order:-

1. This Order may be cited as the M42 Motorway (Junction 5) (Temporary Restriction and Prohibition of Traffic) Order 2010 and shall come into force on 5 January 2011.

2. In this Order –

“the motorway” means the southbound carriageway of the M42 from the centreline of Friday Lane overbridge to the centreline of Widney Manor Road overbridge;

“a slip road” means the slip road leading –

- (i) from the southbound carriageway of the M42 at Junction 5; and
- (ii) to the southbound carriageway of the M42 at Junction 5;

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

(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, amended by S.I. 1983/374, 1984/1479, 1992/1364.

“a hard shoulder”	means the hard shoulder, within the meaning of Regulation 3(1)(e) of the Regulations, which is adjacent to the motorway;
"the works period"	means the period starting at 22.00 hours on Monday 10 January 2011 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 5 and 6, no person shall, during the works period, drive any motor vehicle at a speed exceeding 50 miles per hour in the motorway.

4. Subject as mentioned in articles 5 and 6, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the motorway or a slip road.

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.

6. The provisions of articles 3 and 4 shall not apply to any vehicle –

(a) being used for police, fire brigade or ambulance purposes; or

(b) proceeding at the direction of, or with the permission of, a police constable, or traffic officer in uniform;

and nothing in article 4 shall apply to any vehicle being used for or in connection with the said works or by a traffic officer in uniform.

7. 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

29 December 2010

A Slack
A Team Leader
in the Highways Agency