

2012 No. 2839

ROAD TRAFFIC

**The M5 Motorway (Junctions 5 to 6) (Temporary Restriction
and Prohibition of Traffic) Order 2012**

Made - - - - 29th October 2012

Coming into force - - - 5th November 2012

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 motorway and two of those connecting roads in the County of Worcestershire, 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 Motorway Traffic (England and Wales) Regulations 1982(b), hereby makes the following Order:-

1. This Order may be cited as the M5 Motorway (Junctions 5 to 6) (Temporary Restriction and Prohibition of Traffic) Order 2012 and shall come into force on 5th November 2012.

2. In this Order –

- | | |
|----------------|--|
| "the motorway" | means – |
| | (i) the northbound carriageway of the M5 from its junction with the exit slip road at Junction 6 to its junction with the entry slip road at Junction 5; and |
| | (ii) the southbound carriageway of the of the M5 from its junction with the exit slip road at Junction 5 to its junction with the entry slip road at Junction 6; |
| "a slip road" | means – |
| | (i) the slip road leading to the northbound carriageway of the M5 at Junction 6; and |

(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.

	(ii)	the slip road leading to the southbound carriageway of the M5 at Junction 5;
“the Regulations”		means the Motorways Traffic (England and Wales) Regulations 1982;
“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 20:00 hours on Monday 12th November 2012 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 enter or proceed on the motorway or a slip road.

4. Subject as mentioned in articles 6 and 7, no person shall, during the works period, drive any motor vehicle at a speed exceeding 50 miles per hour on the motorway.

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 -

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

(b) articles 3 and 4 shall not apply to any vehicle –

- i) being used for police, fire brigade or ambulance purposes; or
- ii) proceeding at the direction of, or with the permission of, a police constable; and

(c) article 4 shall not apply to any vehicle being used in connection with the said works or by, or with the permission of, 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

29th October 2012

V Bennett
A Team Leader
in the Highways Agency