

2013 No. 1094

ROAD TRAFFIC

**The M5 Motorway (Junctions 28 and 29 Slip Roads)
(Temporary Restriction and Prohibition of Traffic) Order 2013**

Made - - - - *26th March 2013*

Coming into force - - *30th March 2013*

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 some of those connecting roads at Junctions 28 and 29 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 28 and 29 Slip Roads) (Temporary Restriction and Prohibition of Traffic) Order 2013 and shall come into force on 30th March 2013 and apply for a period of twelve months.

2. In this Order –

“the slip roads” mean (i) the northbound exit slip road at M5 Junction 28; and (ii) the northbound exit slip road at M5 Junction 29;

“the slip road” means the northbound entry slip road at M5 Junction 29;

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

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

“the works” mean litter picking, gully cleaning, sweeping, grass cutting, studs, patching, barrier re-tensioning, road markings and general maintenance;

“a works period” means a period of 8½ hours starting at 21.00 hours on Monday 1st April 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 the article in this Order which bears that number.

3. Subject as mentioned in articles 4, 5 and 7, no person shall, during a works period:

(a) cause or permit any vehicle to enter or proceed in the slip roads;

(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

(b) drive any motor vehicle at a speed exceeding 50 miles per hour in the slip road.

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;
- (b) anything done at the direction of, or with the permission of, a constable.

5. The provisions of article 3(a) shall not apply to a vehicle being used in connection with the said works, for traffic officer purposes or for winter maintenance purposes.

6. 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 may from time to time be indicated by traffic signs.

7. 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

26th March 2013

David Sledge
A Service Delivery Team Leader
in the Highways Agency