

**2012 No. 2564**

**ROAD TRAFFIC**

**The M5 Motorway (Junctions 22-23) (Temporary Restriction of Traffic) Order 2012**

*Made* - - - - 4th October 2012

*Coming into force* - - 13th October 2012

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 2012 and shall come into force on 13th October 2012.

2. In this Order –

“the M5” means both carriageways of the M5 between Junctions 22 and 23 from a point at the centre of New Road Overbridge to a point 900 metres north of the centre of Batch Road Overbridge;

“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 Monday 15th October 2012 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.

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

---

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

**5.** 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.

**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

4th October 2012

*David Sledge*  
A Service Delivery Team Leader  
in the Highways Agency