

2013 No. 327

ROAD TRAFFIC

**The M5 Motorway (Junctions 1 to 2) (Temporary
Restriction and Prohibition of Traffic) Order 2013**

Made - - - - 28th January 2013

Coming into force - - 4th February 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 lengths of that motorway and one of those connecting roads, in the Metropolitan Borough of Sandwell, 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 M5 Motorway (Junctions 1 to 2) (Temporary Restriction and Prohibition of Traffic) Order 2013 and shall come into force on 4th February 2013.

2. In this Order:

- | | |
|-----------------|---|
| “the motorway” | means – |
| | i) the northbound carriageway of the M5 from its junction with the exit slip road at Junction 2 to its junction with the entry slip road at Junction 1; and |
| | ii) the southbound carriageway of the M5 from its junction with the exit slip road at Junction 1 to its junction with the entry slip road at Junction 2; |
| “the slip road” | means the slip road leading to the southbound carriageway of the M5 at Junction 1; |

(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 Regulations”	means the Motorways Traffic (England and Wales) Regulations 1982;
“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 19.00 hours on Monday 11th February 2013 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, cause or permit any vehicle to be driven 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 the 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:

- (a) 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;
- (b) article 3 shall not apply to any vehicle being used for special forces purposes; and
- (c) article 4 shall not apply to any vehicle being used 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, in respect of a hard shoulder, are hereby suspended 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

28th January 2013

V Bennett
A Team Leader
in the Highways Agency