S T A T U T O R Y I N S T R U M E N T S

2010 No. 1420

ROAD TRAFFIC

The M5 Motorway (Junction 1 to M6 Junction 8) (Temporary Restriction and Prohibition of Traffic) Order 2010

Made - - - - 11 January 2010

Coming into force - - 18 January 2010

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 on two 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) 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 M5 Motorway (Junction 1 to M6 Junction 8) (Temporary Restriction and Prohibition of Traffic) Order 2010 and shall come into force on 18 January 2010.

2. In this Order:

"the first length of motorway" means the northbound carriageway of the M5 from a point 390 metres north of the centreline of the A457 Birmingham Road underbridge at Oldbury (south of Junction 1) –

(i) to a point on the link road leading to the northbound carriageway of the M6 at Junction 8, 420 metres north of the centreline of the A4041 Newton Road overbridge; and

(ii) to a point on the link road leading to the southbound carriageway of the M6 at Junction 8, 180 metres north of the centreline of the bridge over the Hamstead to Bescot railway line;

"the second length of motorway" means the southbound carriageway of the M5 –

(i) from a point on the link road leading from the southbound carriageway of the M6 at Junction 8, 180 metres north of the centreline of the Tame Valley Canal aqueduct; and

(ii) from a point on the link road leading from the northbound carriageway of the M6 at Junction 8,

(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

45 metres north of the centreline of the Tame Valley Canal underbridge;

to a point 40 metres north of the centreline of the northern overbridge at M5 Junction 1;

"a slip road"	means the slip road leading – (i) from the southbound carriageway of the M5 at Junction 1; and (ii) to the northbound carriageway of the M5 at Junction 1;
"the Regulations"	means the Motorways Traffic (England and Wales) Regulations 1982**(a)**;
"a hard shoulder"	means the hard shoulder within the meaning of regulation 3(1) (e) of the Regulations which is adjacent to the first length of motorway and the second length of motorway;
"overall width"	has the same meaning given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986 **(b)**;
"the works period"	means the period starting at 00.01 hours on Thursday 21 January 2010 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 be driven at a speed exceeding 50 miles per hour on –

(a) the first length of motorway;

(b) the second length of motorway; and

(c) a slip road.

4. 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 –

(a) the first length of motorway;

(b) the second length of motorway; and

(c) a slip road.

5. Subject as mentioned in articles 6 and 7, no person shall, during the works period, cause or permit any vehicle with an overall width exceeding 2.75 metres to enter or proceed in the first length of motorway or the second length of motorway.

6. The provisions of articles 3, 4 and 5 shall apply only during such times and to such extent as shall from time to time be indicated by traffic signs.

(a) S.I. 1982/1163, amended by S.I. 1983/374, 1984/1479, 1992/1364.

(b) S.I. 1986/1078, to which there are amendments not relevant to this Order.

7. The provisions of -

(a) articles 3, 4 and 5 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 in uniform, and

(b) articles 4 and 5 shall not apply to any vehicle being used in connection with the said works or with the permission of a traffic officer.

8. 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

A Slack
A Team Leader
in the Highways Agency

11 January 2010