2012 No. 1240

ROAD TRAFFIC

The M5 Motorway (Junctions 12-11A) (Temporary Restriction of Traffic) Order 2012

Made---3rd May 2012Coming into force-12th May 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 12 and 11A in the County of Gloucestershire 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) and (7) of the Road Traffic Regulation Act $1984(\mathbf{a})$, hereby makes the following Order:

1. This Order may be cited as the M5 Motorway (Junctions 12-11A) (Temporary Restriction of Traffic) Order 2012 and shall come into force on 12th May 2012.

2. In this Order –

"the M5" means the northbound carriageway of the M5 between Junctions 12 and 11A from a point 100 metres south of the centre of the B4073 Overbridge to a point 100 metres south of the tip of the nosing of the northbound exit slip road at Junction 11A;

"the hard shoulder" means the hard shoulder within the meaning of regulation 3(1)(e) of the Regulations which is adjacent to the M5;

"tip of the nosing" means the last point where an exit slip road leaves the carriageway of a motorway;

"the Regulations" means the Motorways Traffic (England and Wales) Regulations 1982(b);

"the works" mean resurfacing;

"a works period" means a period of 10 hours starting at 20.00 hours on Monday 14th May 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) 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, amended by S.I. 1983 / 374, 1984 / 1479 and 1992 /1364;

(a) a vehicle being used for police, fire and rescue authority or ambulance purposes; or

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

5. 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 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

David Sledge A Service Delivery Team Leader in the Highways Agency

3rd May 2012