

2012 No. 372

ROAD TRAFFIC

**The M5 Motorway (Junctions 2 to 3) (Temporary
Restriction and Prohibition of Traffic) Order 2012**

Made - - - - *31st January 2012*

Coming into force - - *7th February 2012*

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 four of those connecting roads, in the Metropolitan Boroughs of Sandwell and Dudley, 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 her in that behalf, hereby makes the following Order: -

1. This Order may be cited as the M5 Motorway (M5 Junctions 2 to 3) (Temporary Restriction and Prohibition of Traffic) Order 2012 and shall come into force on 7th February 2012.

2. In this Order:

“the first length of motorway” means –

- (a) the northbound carriageway of the M5 from a point 156 metres south of the centreline of Hurst Green Road underbridge to a point 40 metres south of the centreline of Wolverhampton Road /A4123 underbridge; and
- (b) the southbound carriageway of the M5 from a point 147 metres south of the centreline of Stone Street underbridge to a point 22 metres north of the centreline of Yates Lane footbridge;

“the second length of motorway” means –

- (a) the northbound carriageway of the M5 from its junction with the exit slip road at Junction 3 to its junction with the entry slip road at Junction 2; and
- (b) the southbound 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 3;

(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

“the third length of motorway”	means the – (a) the northbound carriageway of the M5 from a point 189 metres south of the centreline of Yates Lane footbridge to a point 40 metres south of the centreline of Wolverhampton Road /A4123 underbridge; and (b) the southbound carriageway of the M5 from a point 25 metres south of the centreline of Wolverhampton Road /A4123 underbridge to a point 22 metres north of the centreline of Yates Lane footbridge;
“a slip road”	means the slip road leading – (a) to the northbound carriageway of the M5 at Junction 3; (b) from the southbound carriageway of the M5 at Junction 3; (c) from the northbound carriageway of the M5 at Junction 2; and (d) to the southbound carriageway of the M5 at Junction 2;
“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 third 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 Tuesday 14th February 2012 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 the first length of motorway.

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 in the second length of motorway, the third length of motorway or 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 3.25 metres to enter or proceed in the third 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;

(b) article 3 shall not apply to any vehicle being used for special forces purposes; and

(c) articles 4 and 5 shall not apply to any vehicle being used in connection with the said works or by, or at the direction of, a traffic officer in uniform.

8. 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

31st January 2012

A Slack
A Team Leader
in the Highways Agency