#### STATUTORY INSTRUMENTS

## 2013 No. 3274

## ROAD TRAFFIC

# The M5 Motorway (Junctions 30-31) (Temporary Restriction and Prohibition of Traffic) Order 2013

Made - - - - 30th December 2013

Coming into force - - 4th January 2014

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 road and some of those connecting roads between Junctions 30 and 31 in the County of Devon 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 the M5 Motorway (Junctions 30-31) (Temporary Restriction and Prohibition of Traffic) Order 2013 and shall come into force on 4th January 2014.

### 2. In this Order -

"the first length of the M5" means both carriageways of the M5 from a point 200 metres south of the centre of Old Rydon Lane Overbridge (south of Junction 30) to a point at the centre of Pearces Hill Overbridge (at Junction 31);

"the second length of the M5" means (i) the southbound carriageway of the M5 from the tip of the nosing of the southbound exit slip road at Junction 30 to the tip of the nosing of the southbound exit slip road at Junction 31; and (ii) the northbound carriageway of the M5 from the tip of the nosing of the northbound entry slip road at Junction 31 to the tip of the nosing of the northbound entry slip road at Junction 30;

"the slip roads" mean (i) the southbound entry slip road at M5 Junction 30; and (ii) the northbound entry slip road at M5 Junction 31;

"the works" mean replacement of a bridge parapet system and the installation of approved transitions;

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

"overall width" has the meaning given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986(c);

<sup>(</sup>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.

<sup>(</sup>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

<sup>(</sup>c) S.I. 1986 / 1078, to which there are amendments not relevant to this Order;

"the 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 the M5;

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

"the works period" means the period starting at 00.01 hours on Monday 6th January 2014 and ending when the said works have been completed;

"a works period" means a period of 10 hours starting at 20.00 hours on Monday 6th January 2014 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 the article in this Order which bears that number.

- **3.** Subject as mentioned in articles 5 and 7, no person shall, during the works period:
  - (a) drive any motor vehicle at a speed exceeding 50 miles per hour on the first length of the M5 and the hard shoulder;
  - (b) cause or permit any vehicle with an overall width exceeding 2.5 metres to enter or proceed in any lane other than the left hand lane or middle lane of the first length of the M5;
- (c) cause or permit any vehicle with an overall width exceeding 3 metres to enter or proceed in any lane other than the left hand lane of the first length of the M5.
- **4.** Subject as mentioned in articles 5 and 6, no person shall, during a works period, cause or permit any vehicle to enter or proceed in the second length of the M5 and the slip roads.
- **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 and shall not apply to:
  - (a) a vehicle being used for police, fire and rescue authority or ambulance purposes;
  - (b) anything done at the direction of, or with the permission of, a constable.
- **6.** The provisions of article 4 shall not apply to a vehicle being used for or in connection with the said works or for traffic officer purposes.
- 7. 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.
- **8.** 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.

Signed by authority of the Secretary of State

David Sledge
A Service Delivery Team Leader
in the Highways Agency

30th December 2013