

2013 No. 3277

ROAD TRAFFIC

The M5 Motorway (Junction 23) (Temporary Restriction and Prohibition of Traffic) Order 2013

Made - - - - 30th December 2013

Coming into force - - 6th 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 a length of that road and one of those connecting roads near Junction 23 in the County of Somerset 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 (Junction 23) (Temporary Restriction and Prohibition of Traffic) Order 2013 and shall come into force on 6th January 2014.

2. In this Order –

“the M5” means the southbound carriageway of the M5 from a point 100 metres north of the centre of the Puriton Road Overbridge (north of Junction 23) to a point at the centre of the Bath Road Overbridge (south of Junction 23);

“the slip road” means the southbound entry slip road at M5 Junction 23;

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

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

“the works” mean resurfacing, white lining, stud replacement, bridge joint and loop cutting works;

“a works period” means a period of 9 hours starting at 21.00 hours on Wednesday 8th January 2014 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, 5 and 7, no person shall, during a works period:

(a) drive any motor vehicle at a speed exceeding 50 miles per hour on the M5;

(b) cause or permit any vehicle to enter or proceed in the slip road.

(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.

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) 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. The provisions of article 3(b) shall not apply to a vehicle being used in connection with the works, for traffic officer purposes or for winter maintenance purposes.

6. 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.

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.

Signed by authority of the Secretary of State

30th December 2013

David Sledge
A Service Delivery Team Leader
in the Highways Agency