

2015 No. 1192

ROAD TRAFFIC

The M5 Motorway (Junction 29) (Temporary Restriction and Prohibition of Traffic) Order 2015

Made - - - - *3rd March 2015*

Coming into force - - *7th March 2015*

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 one of those connecting roads at Junction 29 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 (Junction 29) (Temporary Restriction and Prohibition of Traffic) Order 2015 and shall come into force on 7th March 2015.

2. In this Order –

“the first length of the M5” means (i) the southbound carriageway of the M5 from a point at the centre of the Poltimore Bowls Overbridge to a point at the centre of the Newcourt Road Overbridge; and (ii) the northbound carriageway of the M5 from a point at the centre of the Newcourt Road Overbridge to the tip of the nosing of the northbound entry slip road at Junction 29;

“the second length of the M5” means (i) the northbound carriageway of the M5 at Junction 29 between the tip of the nosing of the northbound exit slip road and the tip of the nosing of the northbound entry slip road; and (ii) the southbound carriageway of the M5 at Junction 29 between the tip of the nosing of the southbound exit slip road and the tip of the nosing of the southbound entry slip road;

“the slip road” means the northbound exit slip road at M5 Junction 29;

“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;

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

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

“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;

“the works” mean expansion joint replacement works, resurfacing, line marking and barrier works;

“the works period” means the period starting at 00.01 hours on Monday 9th March 2015 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 9th March 2015 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 5 and 8, 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;
- (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 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 road.

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; or
- (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 in connection with the said works, for traffic officer purposes or for winter maintenance purposes.

7. 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.

8. 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

3rd March 2015

David Sledge
A Team Leader
in the Highways Agency