

**2010 No. 3091**

**ROAD TRAFFIC**

**The M5 Motorway (Junctions 9-10 and Junctions 13-14)  
(Temporary Restriction of Traffic) Order 2010**

*Made* - - - - - 29 December 2010

*Coming into force* - - - 31 December 2010

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 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(a), hereby makes the following Order:-

**1.** This Order may be cited as the M5 Motorway (Junctions 9-10 and Junctions 13-14) (Temporary Restriction of Traffic) Order 2010 and shall come into force on 31 December 2010.

**2.** In this Order –

“the first length of the M5” means both carriageways of the M5 from a point at the centre of Stoke Road Overbridge (north of Junction 10) to a point at the centre of the River Cheltenham Culvert (900 metres south of the tip of the nosing with the northbound entry slip road at Junction 10);

“the second length of the M5” means both carriageways of the M5 between Junctions 13 and 14 from a point at the centre of the unclassified road overbridge (2500 metres south of the centre of Bath Road Overbridge) to a point at the centre of Woodend Lane Overbridge;

“the slip road” means the northbound entry slip road at M5 Junction 10;

“the tip of the nosing” means the first point where an entry slip road joins the carriageway of a motorway;

“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 and the second length of the M5;

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

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

“the works” mean the installation of concrete pier protection;

“the works period” means the period starting at 00.01 hours on Monday 3 January 2011 or any subsequent day and ending when the said works have been completed;

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

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 article 5, no person shall, during the works period, drive any motor vehicle at a speed exceeding 50 miles per hour on the first length of the M5, the second length of the M5, the slip road and the hard shoulder.

4. Subject as mentioned in articles 5 and 6, no person shall, during the works period, cause or permit:

- (a) any vehicle with an overall width in excess of 3 metres to enter or proceed in any lane other than the left hand or nearside lane of the first length of the M5 and the second length of the M5;
- (b) any vehicle with an overall width exceeding 2.5 metres to enter or proceed in any lane other than the middle or left hand lane of the first length of the M5 and the second length of the M5.

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 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.

Signed by authority of the Secretary of State

29 December 2010

*David Sledge*  
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in the Highways Agency