

2011 No. 2319

ROAD TRAFFIC

The M5 Motorway (Junctions 30-31) (Temporary Restriction of Traffic) Order 2011

Made - - - - *16th September 2011*

Coming into force - - *17th September 2011*

WHEREAS the Secretary of State for Transport, being the traffic authority for the M5 Motorway (“the M5”), is satisfied that traffic on a length of that road between Junctions 30 and 31 in the County of Devon 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 30-31) (Temporary Restriction of Traffic) Order 2011 and shall come into force on 17th September 2011.

2. In this Order –

“the M5” means the southbound carriageway of the M5 between Junctions 30 and 31 from a point at the centre of Old Rydon Lane Overbridge to the tip of the nosing where the A30 eastbound joins the A38 southbound at M5 Junction 31 (the end of the M5 Motorway);

“the works” mean planing and resurfacing works;

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

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

“the works period” means the period starting at 00.01 hours on Monday 19th September 2011 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 4 and 5, no person shall, during the works period:

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

(b) 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 M5;

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

(c) S.I. 1982 / 1163, amended by S.I. 1983 / 374, 1984 / 1479 and 1992 / 1364;

- (c) 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 M5; or
- (d) 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 M5.

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;
- (b) anything done at the direction of, or with the permission of, a constable.

5. 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.

6. 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

16th September 2011

Chris Pope
A Service Delivery Team Leader
in the Highways Agency