

2013 No. 1557

ROAD TRAFFIC

**The M42 Motorway (Junction 9 to Junction 10) (Temporary
Restriction and Prohibition of Traffic) Order 2013**

Made - - - - 10th June 2013

Coming into force - - 17th June 2013

WHEREAS the Secretary of State for Transport, being the traffic authority for the M42 Motorway (“the M42”) and connecting roads, is satisfied that traffic on lengths of that motorway and four of those connecting roads in the County of Warwickshire, 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 Motorway Traffic (England and Wales) Regulations 1982(b), hereby makes the following Order:-

1. This Order may be cited as the M42 Motorway (Junction 9 to Junction 10) (Temporary Restriction and Prohibition of Traffic) Order 2013 and shall come into force on 17th June 2013.

2. In this Order –

“the first length of motorway” means –

- i) the northbound carriageway of the M42 from a point 250 metres south of the centreline of Marsh Lane overbridge to a point 300 metres north of the centreline of Bodymoor Heath Lane overbridge; and
- ii) the southbound carriageway of the M42 from a point 185 metres south of the centreline of A51 Tamworth Road overbridge to a point 90 metres south of the M42 Junction 9 southern overbridge;

“the second length of motorway” means –

- i) the northbound carriageway of the M42 from its junction with exit slip road at Junction 9 to its junction with the entry slip road at Junction 10; and

(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

	ii)	the southbound carriageway of the M42 from its junction with exit slip road at Junction 10 to its junction with the entry slip road at Junction 9;
“the third length of motorway”	means –	
	i)	the northbound carriageway of the M42 from a point 90 metres south of the M42 Junction 9 southern overbridge to a point 100 metres north of the centreline of Bodymoor Heath Lane overbridge; and
	ii)	the southbound carriageway of the M42 from a point 500 metres north of the centreline of Bodymoor Heath Lane overbridge to a point 65 metres north of the M42 Junction 9 southern overbridge;
“a slip road”	means the slip road leading –	
	i)	to the southbound carriageway of the M42 at Junction 10;
	ii)	from the southbound carriageway of the M42 at Junction 9;
	iii)	to the northbound carriageway of the M42 at Junction 9; and
	iv)	from the northbound carriageway of the M42 at Junction 10;
“the Regulations”	means the Motorways Traffic (England and Wales) Regulations 1982;	
“a hard shoulder”	means the hard shoulder, within the meaning of Regulation 3(1)(e) of the Regulations, which is adjacent to the third length of motorway;	
“overall width”	has the same meaning given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986(a);	
"the works period"	means the period starting at 00.01 hours on Saturday 22nd June 2013 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 6 and 7, no person shall, during the works period, drive any motor vehicle at a speed exceeding 50 miles per hour in the first length of motorway.

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

4. Subject as mentioned in articles 6 and 7, no person shall, during the works period, cause or permit any vehicle to enter or proceed in the second length of motorway, the third length of motorway or a slip road.

5. Subject as mentioned in articles 6 and 7, no person shall, during the works period, cause or permit any vehicle with an overall width exceeding 3.25 metres to enter or proceed in a lane in a carriageway or length of carriageway where only that lane in that carriageway or length and the hard shoulder adjacent to that carriageway or length, are open for use by traffic proceeding in that carriageway and in this article a reference to a carriageway is a reference to the northbound carriageway or the southbound carriageway.

6. The provisions of articles 3, 4 and 5 shall apply only during such times and to such extent as shall from time to time be indicated by traffic signs.

7. The provisions of:

(a) articles 3, 4 and 5 shall not apply to any vehicle -

(i) being used for police, fire brigade or ambulance purposes, or

(ii) proceeding at the direction of, or with the permission of, a police constable;

(b) article 3 shall not apply to any vehicle being used for special forces purposes; and

(c) articles 4 and 5 shall not apply to any vehicle being used in connection with the said works or by a traffic officer in uniform.

8. During the works period, regulations 5 and (in so far as it relates to a vehicle being driven) 9 of the Regulations are hereby suspended in respect of a hard shoulder, at such times and to such extent as may from time to time be indicated by traffic signs.

Signed by authority of the Secretary of State

10th June 2013

V Bennett
A Team Leader
in the Highways Agency