

2010 No. 1413

ROAD TRAFFIC

**The M5 Motorway (Junction 28) (Temporary Prohibition and
Restriction of Traffic) Order 2010**

Made - - - - 7 May 2010

Coming into force - - 12 May 2010

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 at Junction 28 in the County of Devon should be prohibited and 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) of the Road Traffic Regulation Act 1984(a), hereby makes the following Order:-

1. This Order may be cited as the M5 Motorway (Junction 28) (Temporary Prohibition and Restriction of Traffic) Order 2010 and shall come into force on 12 May 2010.

2. In this Order –

“the M5” means the southbound carriageway of the M5 from a point at the centre of the B3181 Overbridge (north of Junction 28) to a point at the centre of Old Hill Overbridge (south of Junction 28);

“the works” mean the construction of a layby to allow access for silt removal and the silt removal operation;

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

“the works period” means the period starting at 08.00 hours on Friday 14 May 2010 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 article 5, no person shall, during the works period, drive any motor vehicle at a speed exceeding 50 miles per hour in the M5.

4. Subject as mentioned in articles 5 and 6, no person shall, during the works period, cause or permit any vehicle with an overall width exceeding 3.3 metres to enter or proceed in 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;

(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;

(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 or for traffic officer purposes.

Signed by authority of the Secretary of State

7 May 2010

DAVID SLEDGE
An Area Performance Manager
in the Highways Agency