

2013 No. 196

ROAD TRAFFIC

**The M5 Motorway (Junctions 27-28) (Temporary Restriction
and Prohibition of Traffic) Order 2013**

Made - - - - - *28th January 2013*

Coming into force - - - *30th January 2013*

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 a length of that road and those connecting roads at Junction 27 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 (Junctions 27-28) (Temporary Restriction and Prohibition of Traffic) Order 2013 and shall come into force on 30th January 2013.

2. In this Order –

“the M5” means both carriageways of the M5 from a point at the centre of the Bedbrook Overbridge (north of junction 27) to a point at the centre of the Duke Street Overbridge (south of junction 28);

“the slip roads” mean the northbound and southbound exit and entry slip roads at M5 Junction 27;

“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” mean carriageway resurfacing, joint repairs, white lining and studding works;

“the works period” means the period starting at 19.00 hours on Friday 1st February 2013 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 4, 5 and 7, no person shall, during the works period:

(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; and paragraph 27(1) of Schedule 9 was amended by section 1(4) of that Act.

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

- (a) drive any motor vehicle at a speed exceeding 50 miles per hour on the M5 and the slip roads;
- (b) cause or permit any vehicle to enter or proceed in the slip roads.

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

5. The provisions of article 3(b) shall not apply to a vehicle being used in connection with the said works or for traffic officer purposes.

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.

7. 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

28th January 2013

David Sledge
A Service Delivery Team Leader
in the Highways Agency