

2011 No. 1840

ROAD TRAFFIC

**The M40 Motorway (Junctions 3 to 12) and the A40 and A404
Trunk Roads (Temporary Prohibition of Traffic) Order 2011**

Made - - - - 18th July 2011

Coming into force - - 25th July 2011

WHEREAS the Secretary of State for Transport, being the traffic authority for the M40 Motorway (“the M40”), the A40 Trunk Road (“the A40”), the A404 Trunk Road (“the A404”) and connecting roads, is satisfied that traffic on lengths of that motorway and on some of those connecting roads in the Counties of Buckinghamshire, Oxfordshire and Warwickshire should be 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) hereby makes the following Order:-

1. This Order may be cited as the M40 Motorway (Junctions 3 to 12) and the A40 and A404 Trunk Roads (Temporary Prohibition of Traffic) Order 2011 and shall come into force on 25th July 2011.

2. In this Order -

“tip of the nosing” means, as indicated by the markings on the carriageway, the first point where an entry slip road joins, or the last point where an exit slip road leaves, the carriageway of the motorway or trunk road;

“the first lengths of motorway” means the M40 –

- (a) northbound carriageway from a point 1800 metres north of the centre point of Lane End overbridge (north of Junction 4) for a distance of 4000 metres north,
- (b) northbound carriageway from a point 920 metres north of the centre point of the north overbridge at Junction 9 for a distance of 4100 metres north, and
- (c) southbound carriageway from a point 2000 metres south of the centre point of Wharf Lane overbridge (north of Junction 10) for a distance of 2150 metres south;

“the second length of motorway” means the M40 northbound carriageway from the tip of the nosing of the exit slip road at Junction 4 to a point 1180 metres north of the centre point of the A404 west bridge at that same junction;

“the trunk road” means the A40 –

- (a) northbound Oxford Spur at Junction 8 from its diverge with the M40 to the tip of the nosing of the entry slip road leading to the A418 including the northbound exit slip road from the A418 at Junction 8,

(a) 1984 c.27; a new section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 199 (c.26), section 1(1) and Schedule 1.

- (b) southbound Oxford Spur at Junction 8 from the tip of the nosing of the exit slip road leading to the A418 to its merge with the M40 including the southbound entry slip road from the A418 at Junction 8;

“a slip road” means the -

- (a) M40 southbound entry slip road at Junction 3,
- (b) A404 dedicated northbound entry slip road from the A404 Handy Cross Roundabout at Junction 4 of the M40 for a distance of 510 metres north,
- (c) A404 northbound entry slip road from the A404 Handy Cross Roundabout at Junction 4 of the M40 for a distance of 100 metres east of the tip of the nosing to the tip of that same nosing,
- (d) M40 southbound exit slip road at Junction 9,
- (e) M40 northbound exit slip roads at Junction 11 and Junction 12;

“works” mean carriageway resurfacing and renewal of road markings and road studs;

“a works period” means a period of 8 hours starting at 22.00 hours on Wednesday 27th July 2011 or on any subsequent day (other than a Saturday or Sunday) until the 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 a works period, cause or permit any vehicle to enter or proceed in –

- (a) the first lengths of motorway or the second length of motorway,
- (b) the trunk road, or
- (c) a slip road.

4. The provisions of article 3 shall apply only at such times and to such extent as shall, from time to time, be indicated by traffic signs.

5. The provisions of article 3 shall not apply to a vehicle –

- (a) being used for, or in connection with, the works or for traffic officer purposes,
- (b) being used for police, fire and rescue authority, ambulance purposes, or
- (c) proceeding at the direction, or with the permission, of a constable, or a traffic officer in uniform.

6. The provisions of Regulations 5 and (in so far as it relates to a vehicle being driven) 9 of the Motorways Traffic (England and Wales) Regulation 1982(a) are hereby suspended in relation to the hard shoulder adjacent to the first lengths of motorway at such times and to such extent as may be indicated by traffic signs; and in this article “hard shoulder” has the meaning given in regulation 3(1)(e) of those Regulations.

Signed by authority of the Secretary of State for Transport

Woodlands, Manton Lane, Bedford
18th July 2011

R T Hughes
A Service Delivery Team Leader
in the Highways Agency

(a) S.I. 1982/1163, amended by S.I. 1983/374, 1984/1479, 1992/1364, 1995/158 and 2004/3258.