

2014 No. 365

ROAD TRAFFIC

**The M40 Motorway and the A34 Trunk Road (Junction 9 –
Weston-on-the-Green) (Temporary Restriction and Prohibition
of Traffic) Order 2014**

Made - - - - - *17th February 2014*

Coming into force - - - - - *8th March 2014*

WHEREAS the Secretary of State for Transport, being the traffic authority for the M40 Motorway, A34 Trunk Road and connecting roads, is satisfied that traffic should be restricted and prohibited on a length of that road and on some of those connecting roads 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 and the A34 Trunk Road (Junction 9 – Weston-on-the-Green) (Temporary Restriction and Prohibition of Traffic) Order 2014 and shall come into force on 8th March 2014.

2. In this Order:

“the M40” and “the A34” mean, respectively, the M40 Motorway and the A34 Trunk Road in the County of Oxfordshire;

“lay-by” means an area of carriageway, intended for the waiting of vehicles, bounded partly by a road marking on the outer edge of that carriageway complying with diagram 1010 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002(b);

“the length of carriageway” means both carriageways of the A34 from the B430 overbridge at Weston-on-the-Green to, and including the roundabout at M40 Junction 9 (A41);

“an A34 lay-by” means the lay-bys adjacent in the length of carriageway;

“a slip road” means –

- (i) the road leading to the northbound carriageway of the A34 at the B430 junction at Weston-on-the-Green,
- (ii) any road leading to or from the southbound carriageway of the M40 at Junction 9 (A34/A41), or
- (iii) any road leading to or from the northbound carriageway of the M40 at Junction 9 (A34/A41);

(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. 2002/3113.

“a section of the roundabout” means –

- (i) the southern section of the A34 roundabout at M40 Junction 9 (A41) between the southbound entry slip road of the A34 and the northbound exit slip road of the A34, or
- (ii) the northern section of the A34 roundabout at M40 Junction 9 (A41) between the northbound entry slip road of the A41 and the southbound exit slip road of the A41;

“works” mean major highways improvement and all other associated work on the M40 and the A34;

“a first works period” means a period of 24 hours starting at 0001 hours on Monday 10th March 2014 or on any subsequent day until 7th September 2015;

“a second works period” means a period of 8 hours starting at 2200 hours on Monday 10th March 2014 or on any subsequent day until 7th September 2015; and

3. Subject as mentioned in articles 5 and 6 below, no person shall, during –

- (a) a first works period, cause or permit any vehicle to enter or proceed in, or wait on, an A34 lay-by;
- (b) a first works period, use a pedal cycle with four wheels or fewer and not being a mechanically propelled vehicle, shall enter or proceed in the length of carriageway; or
- (c) a second works period, cause or permit any vehicle to enter or proceed in the length of carriageway, a slip road or a section of the roundabout.

4. Subject as mentioned in articles 5 and 6 below, no person shall, during a first works period, drive any motor vehicle at a speed exceeding -

- (a) 10 miles per hour on the length of carriageway while traffic signs of a character authorised under section 64 of the Road Traffic Regulation Act 1984 indicating “convoy working” on that carriageway are displayed; or
- (b) 40 miles per hour on the length of carriageway while the traffic signs specified in paragraph (a) of this article in relation to that carriageway are not displayed.

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

6. (1) Nothing in article 3 above shall apply to -

- (a) a vehicle being used in connection with the said works;
- (b) a vehicle being used for police, ambulance, fire and rescue authority or traffic officer purposes;
- (c) anything done at the direction of, or with the permission of, a constable or traffic officer in uniform; or
- (d) any vehicle being used for winter maintenance purposes.

(2) Nothing in article 4 above shall apply to a vehicle being used for police, ambulance or fire and rescue authority purposes and to vehicles falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011(a) when used in accordance with regulation 3(5) of those Regulations.

(a) S.I. 2011/935.

Signed by authority of the Secretary of State for Transport

17th February 2014

G Threader
A Service Delivery Team Leader
in the Highways Agency