

2014 No. 661

ROAD TRAFFIC

**The M40 and M42 Motorways (Sherbourne to Hockley Heath,
Warwickshire) (Temporary Restriction and Prohibition of
Traffic) Order 2014**

Made - - - - - *21st February 2014*

Coming into force - - - - - *28th February 2014*

WHEREAS the Secretary of State for Transport, being the traffic authority for the M40 Motorway (“the M40”), the M42 Motorway (“the M42”) and connecting roads, is satisfied that traffic on lengths of those motorways and some 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 Motorways Traffic (England and Wales) Regulations 1982(b), hereby makes the following Order:-

1. This Order may be cited as the M40 and M42 Motorways (Sherbourne to Hockley Heath, Warwickshire) (Temporary Restriction and Prohibition of Traffic) Order 2014 and shall come into force on Friday 28th February 2014.

2. In this Order –

“the first length of motorway” means –

- a) the northbound carriageway of the M40 from the centreline of the M40 Junction 15 southern overbridge, to its junction with the M42 (M42 Junction 3a);
- b) the southbound carriageway of the M40 from its junction with the M42 (M42 Junction 3a) to the centreline of the M40 Junction 15 southern overbridge;

“the second length of motorway” means –

- a) the northbound carriageway of the M40 from its junction with the exit slip road at Junction 15 to its junction with the link road leading from the M42 (M42 Junction 3a

(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.

- b) the southbound carriageway of the M40 from its junction with the link road leading from the M42 (M42 Junction 3a) to its junction with the entry slip road at Junction 15;

“the third length of motorway”	means – <ul style="list-style-type: none">a) the northbound carriageway of the M40 from a point 525 metres south of the B4463 overbridge, to its junction with the link road leading from the M42 (M42 Junction 3a);;b) the southbound carriageway of the M40 from its junction with the link road leading from the M42 (M42 Junction 3a) to a point 710 metres south of the B4463 overbridge;
“a first link road”	means the link roads – <ul style="list-style-type: none">a) connecting the southbound carriageway of the M42 to the southbound carriageway of the M40 from a point 200 metres south of the centreline of Cut Throat Lane overbridge to a point 180 metres north of Spring Lane overbridge; andb) the link road connecting the northbound carriageway of the M40 to the northbound carriageway of the M42 between points 30 metres north and 500 metres north of the centreline of the B4101 overbridge;
“a second link road”	means the link roads leading – <ul style="list-style-type: none">a) from the southbound carriageway of the M42, to the southbound carriageway of the M40, at M42 Junction 3a;b) from the northbound carriageway of the M40, to the northbound carriageway of the M42, at M42 Junction 3a;
“a slip road”	means the slip roads leading – <ul style="list-style-type: none">a) from the southbound carriageway of the M40 at Junction 16;b) from the southbound carriageway of the M40 at Junction 15;c) to the northbound carriageway of the M40 at Junction 15;d) to the northbound carriageway of the M40 at Junction 16;
“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;
"the works period"	means the period starting at 20:00 hours on Saturday 1st March 2014 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 5 and 6, no person shall, during the works period, cause or permit any vehicle to be driven at a speed exceeding 50 miles per hour on the first length of motorway or a first link road.

4. Subject as mentioned in articles 5 and 6, no person shall, during the works period, cause or permit any vehicle to enter or proceed on the second length of motorway, the third length of motorway, a second link road or a slip road.

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.

6. The provisions of –

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

(b) articles 3 and 4 shall not apply to any vehicle being used for police, fire brigade or ambulance purposes; and

(c) article 4 shall not apply to any vehicle –

(i) proceeding at the direction of, or with the permission of, a police constable, or traffic officer in uniform;

(ii) being used by a traffic officer in uniform; or

(iii) being used in connection with the said works.

7. 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

21st February 2014

E. Davis
A Team Leader
in the Highways Agency