

**2011 No. 619**

**ROAD TRAFFIC**

**The M40 and M42 Motorways (M42 Junction 3a to Junction 4)  
(Temporary Restriction and Prohibition of Traffic) (No. 2)  
Order 2011**

*Made* - - - - 25th February 2011

*Coming into force* - - 4th March 2011

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 six of those connecting roads in the County of Warwickshire and the Metropolitan Borough of Solihull 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) and (7) of the Road Traffic Regulation Act 1984(a), and of all other powers enabling him in that behalf, hereby makes the following Order:-

1. This Order may be cited as the M40 and M42 Motorways (M42 Junction 3a to Junction 4) (Temporary Restriction and Prohibition of Traffic) (No. 2) Order 2011 and shall come into force on 4th March 2011.

2. In this Order –

- “the first length of motorway” means –
- (i) the northbound and southbound carriageways of the M42 between the centreline of the B4102 Earlswood Common overbridge (west of Junction 3a) and the centreline of Widney Manor Road overbridge (north of Junction 4); and
  - (ii) the eastbound and westbound carriageways of the M40 between its junction with the M42 at Junction 3a and the centreline of the B4101 Spring Lane overbridge;

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(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

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“the second length of motorway”	means –
	(i) the southbound carriageway of the M42 from its junction with the exit slip road at Junction 4 to its junction with the link roads leading to the westbound carriageway of the M42 and the eastbound carriageway of the M40 at Junction 3a; and
	(ii) the northbound carriageway of the M42 from its junction with the link roads leading from the eastbound carriageway of the M42 and the westbound carriageway of the M40 at Junction 3a to its junction with the entry slip road at Junction 4;
“a slip road”	means the slip road leading –
	(i) to the southbound carriageway of the M42 at Junction 4; and
	(ii) from the northbound carriageway of the M42 at Junction 4;
“a link road”	means the link roads at M42 Junction 3a, leading –
	(i) to the northbound carriageway of the M42 from the eastbound carriageway of the M42;
	(ii) to the northbound carriageway of the M42 from the westbound carriageway of the M40;
	(iii) from the southbound carriageway of the M42 to the eastbound carriageway of the M40; and
	(iv) from the southbound carriageway of the M42 to the westbound carriageway of the M42;
“the Regulations”	means the Motorways Traffic (England and Wales) Regulations 1982(a);
“a hard shoulder”	means the hard shoulder, within the meaning of Regulation 3(1)(e) of the Regulations, which is adjacent to the first length of motorway;
"the works period"	means the period starting at 23.30 hours on Monday 7th March 2011 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 in the first length of motorway.

**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 in the second length of motorway, a slip road or a link 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.

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

6. The provisions of -

(a) articles 3 and 4 shall not apply to any vehicle –

- (i) being used for police, fire brigade or ambulance purposes; or
- (ii) proceeding at the direction of, or with the permission of, a police constable, and

(b) article 4 shall not apply to any vehicle being used for or in connection with the said works or by a traffic officer in uniform.

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

25th February 2011

*A Slack*  
A Team Leader  
in the Highways Agency