STATUTORY INSTRUMENTS

2013 No. 2649

ROAD TRAFFIC

The M40 Motorway (Junctions 1 to 6 and 9) (Temporary Restriction and Prohibition of Traffic) Order 2013

Made - - - - 7th October 2013

Coming into force - - 15th October 2013

WHEREAS the Secretary of State for Transport, being the traffic authority for the M40 Motorway ("the M40") and connecting roads, is satisfied that traffic on several lengths of that motorway and on twenty one of those connecting roads, in the Districts of South Buckinghamshire and Wycombe in the County of Buckinghamshire and the Districts of South Oxfordshire and Cherwell in the County of Oxfordshire, should be restricted and prohibited because works are proposed to be executed thereon and nearby; and whereas the Secretary of State for Transport in accordance with section 14(3) of the Road Traffic Regulation Act 1984(a) has had regard to the existence of alternative routes suitable for the traffic which will be affected by this Order:

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 Motorway Traffic (England and Wales) Regulations 1982(b), hereby makes the following Order:-

1. This Order may be cited as the M40 Motorway (Junctions 1 to 6 and 9) (Temporary Restriction and Prohibition of Traffic) Order 2013 and shall come into force on 15th October 2013 and remain in force until 22nd December 2013.

2. In this Order:

"the 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;

"a works period" means a period of -

- (a) 7 hours between 22:00 hours and 05:00 hours, during a period starting on Tuesday 15th October 2013, or on any subsequent day (other than a Friday or a Saturday), ending on Friday 20th December 2013, or
- (b) 9 hours between 22:00 hours and 07:00 hours, during a period starting on Friday 18th October 2013, or on any subsequent Friday or Saturday, ending on Sunday 22nd December 2013,

when the works have been completed;

"works" mean annual routine and major maintenance works including carriageway resurfacing and joint and crack sealing, renewal of road markings, bridge inspections, safety fence repair,

⁽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) 1982/1163, as amended by S.I. 1983/374, 1984/1479, 1992/1364, 1995/158, 1996/3053, 2004/3168, 2004/3258 and 2006/594.

drainage and lighting maintenance, litter picking, grass cutting and sweeping, on both the main carriageway and connecting roads of the M40 between Junctions 1 to 6 and Junction 9.

- **3.** Subject as mentioned in article 5 of this Order no person shall, during a works period, cause or permit any motor vehicle to enter or proceed in the lengths of carriageway described in Part 1 of the Schedule to this Order.
- **4.** Subject as mentioned in article 5 of this Order no person shall, during a works period, cause or permit any motor vehicle to enter or proceed in the slip roads described in Part 2 of the Schedule to this Order.
- **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 and shall not apply to a vehicle
 - (a) being used for, or in connection with, the works or for winter maintenance or traffic officer purposes,
 - (b) being used for police, fire and rescue authority or ambulance purposes, or
 - (c) proceeding at the direction, or with the permission, of a constable, or a traffic officer in uniform.
- **6.** During a works period, 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 a length of motorway described at item number 7, 8 and 9 of Part 1 of the Schedule to this Order, 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 MK41 7LW 7th October 2013

A Nugent A Team Leader in the Highways Agency

SCHEDULE

PART 1

Article 3

No.	Description of lengths of carriageway subject to closure
1	The northbound carriageway of the M40 at Junction 1 from the tip of the nosing of the exit slip
	road to the tip of the nosing of the entry slip road
2	The northbound carriageway of the M40 at Junction 4 from the tip of the nosing of the exit slip
	road to the tip of the nosing of the entry slip road
3	The southbound carriageway of the M40 at Junction 4 from the tip of the nosing of the exit slip
	road to the tip of the nosing of the entry slip road
4	The northbound carriageway of the M40 from the tip of the nosing of the exit slip road at
	Junction 5 to the tip of the nosing of the entry slip road at Junction 6
5	The southbound carriageway of the M40 from the tip of the nosing of the exit slip road at

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

	Junction 6 to the tip of the nosing of the entry slip road at Junction 5
6	The southbound carriageway of the M40 at Junction 9 from the tip of the nosing of the exit slip
	road to the tip of the nosing of the entry slip road
7	The southbound carriageway of the M40, between Junction 4 and Junction 3, from a point
	1200 metres south of the centre point of the east bridge, at Junction 4 Handy Cross
	Interchange, for a distance of 3800 metres south
8	The southbound carriageway of the M40, between Junction 5 and Junction 4, from a point
	1040 metres south of the centre point of Park Lane over-bridge, north of Junction 4, for a
	distance of 1700 metres south
9	The northbound carriageway of the M40, between Junction 6 and Junction 7, from a point
	1700 metres north of the centre point of Salt Lane under-bridge, north of Junction 6, for a
	distance of 1800 metres north

PART 2

Article 4

No.	Description of slip roads subject to closure
1	The entry slip road to the southbound carriageway of the M40 at Junction 1A from the M25
	anticlockwise carriageway at Junction 16
2	The exit slip road from the northbound carriageway of the M40 at Junction 2
3	The entry slip road to the northbound carriageway of the M40 at Junction 2
4	The exit slip road from the southbound carriageway of the M40 at Junction 2
5	The entry slip road to the southbound carriageway of the M40 at Junction 2
6	The entry slip road to the southbound carriageway of the M40 at Junction 3
7	The exit slip road from the northbound carriageway of the M40 at Junction 4
8	The dedicated entry slip road to the northbound carriageway of the M40 at Junction 4 from the
	A404
9	The entry slip road to the northbound carriageway of the M40 at Junction 4
10	The exit slip road from the southbound carriageway of the M40 at Junction 4
11	The entry slip road to the southbound carriageway of the M40 at Junction 4
12	The entry slip road to the northbound carriageway of the M40 at Junction 5
13	The entry slip road to the southbound carriageway of the M40 at Junction 5
14	The exit slip road from the southbound carriageway of the M40 at Junction 5
15	The entry slip road to the northbound carriageway of the M40 at Junction 6
16	The exit slip road from the northbound carriageway of the M40 at Junction 6
17	The entry slip road to the southbound carriageway of the M40 at Junction 6
18	The entry slip road to the northbound carriageway of the M40 at Junction 9
19	The exit slip road from the northbound carriageway of the M40 at Junction 9
20	The entry slip road to the southbound carriageway of the M40 at Junction 9
21	The exit slip road from the southbound carriageway of the M40 at Junction 9