

2010 No. 2107

ROAD TRAFFIC

The M40 Motorway (Junction 3 Loudwater to Junction 4 Handy Cross Interchange, Buckinghamshire) (Temporary Restriction and Prohibition of Traffic) Order 2010

Made - - - - *16 August 2010*
Coming into force - - *23 August 2010*

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 lengths of that motorway and on some of those other roads in the County of Buckinghamshire 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) and 7 of the Road Traffic Regulation Act 1984(a), hereby makes the following Order: -

1. This Order may be cited as the M40 Motorway (Junction 3 Loudwater to Junction 4 Handy Cross Interchange, Buckinghamshire) (Temporary Restriction and Prohibition of Traffic) Order 2010 and shall come into force on 23 August 2010.

2. In this Order –

“a first length of motorway” means the M40 –

- (a) eastbound carriageway from a point 100 metres west of the tip of the nosing of the entry slip road at Junction 4 to a point 200 metres east of the centre point of Watery Lane underbridge, and
- (b) westbound carriageway from a point 100 metres east of the centre point of Broad Lane overbridge to a point 150 metres east of the centre point of Daws Hill Lane/Heath End Road overbridge;

“a second length of motorway” means the M40 –

- (a) between the tips of the nosings of the exit and entry slip roads at Junction 3 and Junction 4, and
- (b) eastbound carriageway from a point 200 metres west of the centre point of Abbey Barn underbridge to a point 400 metres east of the tip of the nosing of the entry slip road at Junction 3;

“the eastbound carriageway” and “the westbound carriageway” mean, respectively, the eastbound carriageway and the westbound carriageway of the M40 from a point 400 metres east

(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.

of the tip of the nosing of the entry slip road at Junction 3 to a point 200 metres west of Abbey Barn underbridge;

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

“a slip road” means the M40 –

- (a) eastbound entry slip road at Junction 4 from a point 100 metres west of the tip of its nosing, to the tip of that nosing,
- (b) eastbound entry slip road at Junction 3 from a point 350 metres west of the tip of its nosing, to the tip of that nosing, and
- (c) westbound exit slip road at Junction 3 from the tip of its nosing, to a point 200 metres west of the tip of that nosing;

“hard shoulder” means the hard shoulder, within the meaning of the Regulations, which is adjacent to the M40 –

- (a) westbound carriageway from a point 300 metres west of the centre point of Holtspur overbridge to a point 400 metres west of Abbey Barn underbridge,
- (b) eastbound carriageway from a point 850 metres east of the tip of the nosing of the entry slip road at Junction 4 to the centre point of Watery Lane overbridge,
- (c) eastbound carriageway from a point 200 metres west of the centre point of Abbey Barn underbridge to a point 400 metres east of the tip of the nosing of the entry slip road at Junction 3,
- (d) eastbound entry slip road at Junction 3 from a point 200 metres west of the tip of its nosing, to the tip of that nosing, and
- (e) westbound exit slip road at Junction 3 from the tip of its nosing, to a point 200 metres west of the tip of that nosing;

“overall width” has the meaning given in regulation 3(2) of the Road Vehicles (Construction and Use) Regulations 1986(a);

“the Regulations” mean the Motorways Traffic (England and Wales) Regulations 1982(b);

“works” mean resurfacing work between Junctions 3 and 4, to include Loudwater Viaduct, Loudwater Railway Bridge, Treadaway Hill and Abbey Barn underbridges; waterproofing work to Loudwater Railway Bridge and Treadaway Hill underbridges; and completion of the Highways Agency Safety Scheme.

“the works period” means the period starting at 22.00 hours on Tuesday 31 August 2010 and ending when the said works have been completed;

“a works period” means a period of nine hours starting at 22.00 hours on Tuesday 31 August 2010 or on any subsequent day until 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 7, 8 and 9 no person shall, during the works period, drive any vehicle at a speed exceeding 50 miles per hour on a first length of motorway or a slip road.

4. Subject as mentioned in articles 7 and 8 no person shall, during a works period, cause or permit any vehicles to enter or proceed in the second length of motorway.

5. Subject as mentioned in articles 7 and 8 no person shall, during the works period, cause or permit any vehicle to enter or proceed in –

(a) 1986/1078, to which there are amendments not relevant to this Order.
(b) S.I. 1982/1163 amended by S.I. 1983/374, 1984/1479 and 1992/1364.

- (a) offside lane of the westbound carriageway, or
- (a) offside lane of the eastbound carriageway in any direction other than westwards.

6. Subject as mentioned in articles 7 and 8 no person shall, during the works period, cause or permit any vehicle with an overall width exceeding 2 metres to enter or proceed in the –

- (a) middle or offside lane of the M40 westbound carriageway from a point 50 metres east of the centre point of Broad Lane overbridge to a point 150 metres east of the centre point of Daws Hill Lane/Heath End Road overbridge, or
- (b) offside lane of the M40 eastbound carriageway from a point 100 metres west of the tip of the nosing of the entry slip road at Junction 4 to a point 200 metres west of the centre point of Watery Lane underbridge;

7. The provisions of articles 3, 4, 5 and 6 shall apply only during such times and to such extent as shall, from time to time, be indicated by traffic signs.

8. Nothing in articles 4, 5(a) and 6 shall apply to a vehicle –

- (a) being used for, or in connection with, the said works, or for winter service 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;

and nothing in article 3 shall apply to a vehicle being used for a purpose specified in paragraph (b) of this article.

9. During the works period the undermentioned provisions of the Regulations are hereby suspended -

- (a) regulations 5 and (in so far as it relates to a vehicle being driven) 9, in respect of a hard shoulder at such times and to such extent as shall be indicated by traffic signs; and
- (b) regulation 6(3), in respect of a vehicle being driven westwards in the eastbound carriageway by virtue of article 5.

Signed by authority of the Secretary of State for Transport

Woodlands, Manton Lane, Bedford
16 August 2010

P Undrell
An Area Performance Manager
in the Highways Agency