

**2011 No. 2591**

**ROAD TRAFFIC**

**The M40 Motorway (Junction 16) (Temporary Restriction and Prohibition of Traffic) Order 2011**

*Made* - - - - - *12th October 2011*  
*Coming into force* - - - - - *19th October 2011*

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 a length of that motorway and one 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) 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 Motorway (Junction 16) (Temporary Restriction and Prohibition of Traffic) Order 2011 and shall come into force on 19th October 2011.

2. In this Order –

- |                    |  |
|--------------------|--|
| "the motorway"     | means the northbound carriageway of the M40 from the centreline of the A3400 Stratford Road overbridge at Junction 16 to the centreline of the B4101 Spring Road overbridge; |
| "the slip road"    | means the slip road leading to the northbound carriageway of the M40 at Junction 16;   |
| "the Regulations"  | means the Motorways Traffic (England and Wales) Regulations 1982(b);   |
| "a hard shoulder"  | means the hard shoulder, within the meaning of Regulation 3(1)(e) of the Regulations, which is adjacent to the motorway;   |
| "the works period" | means the period starting at 21:30 hours on Wednesday 26th October 2011 and ending when the said works have been completed;  |

---

(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, amended by S.I. 1983/374, 1984/1479, 1992/1364.

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, drive any motor vehicle at a speed exceeding 50 miles per hour in the 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 motorway or the 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) 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;

(b) article 3 shall not apply to any vehicle being used for Special Forces purposes; and

(c) article 4 shall not apply to any vehicle being used in connection with the said works or by, or with the permission of, 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

12th October 2011

*A Slack*  
A Team Leader  
in the Highways Agency