

2013 No. 800

ROAD TRAFFIC

**The M40 Motorway (Junctions 6 to 9) (Temporary Prohibition
of Traffic) Order 2013**

Made - - - - *18th February 2013*

Coming into force - - *25th February 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 fourteen of those connecting roads, in the District of Wycombe in the County of Buckinghamshire and the Districts of South Oxfordshire and Cherwell in the County of Oxfordshire, should be prohibited because works are proposed to be executed thereon; 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 6 to 9) (Temporary Prohibition of Traffic) Order 2013 and shall come into force on Monday 25th February 2013 and remain in force until Thursday 30th May 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 M40;

“the northbound Oxford Spur” means the northbound Oxford Spur Motorway, at Junction 8 of the M40, from its diverge point from the northbound carriageway of the M40 to its merge point with the entry slip road to the westbound carriageway of the A40 Trunk Road, including the A40 Trunk Road exit slip road to the A418;

“the southbound Oxford Spur” means the southbound Oxford Spur Motorway, at Junction 8 of the M40, from its diverge point with the exit slip road from the A418 to the eastbound carriageway of the A40 Trunk Road, to its merge point with the southbound carriageway of the M40, including the entry slip road from the A418;

“the first lengths of motorway” mean the M40 between the tips of the nosings of the –

(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.

- (a) exit slip road from, and the entry slip road to, the southbound carriageway at Junction 9, and
- (b) entry slip road to the southbound carriageway of the M40 at Junction 9 and the entry slip road from the southbound Oxford Spur to the southbound carriageway of the M40 at Junction 8;

“the second length of motorway” means the southbound carriageway of the M40, north of Junction 9, from a point 300 metres north of the centre point of Middleton Stoney Road overbridge (B4030 Bicester Road) for a distance of 3800 metres south;

“a slip road” means the –

- (a) exit slip road from, and the entry slip road to, the northbound carriageway of the M40 at Junction 6,
- (b) exit slip road from, and the entry slip road to, the southbound carriageway of the M40 at Junction 6,
- (c) exit slip road from the northbound carriageway of the M40 at Junction 7,
- (d) entry slip road to the southbound carriageway of the M40 at Junction 7,
- (e) exit slip road from, and the entry slip road to, the northbound carriageway of the M40 at Junction 8A,
- (f) exit slip road from, and the entry slip road to, the southbound carriageway of the M40 at Junction 8A,
- (g) exit slip road from, and the entry slip road to, the northbound carriageway of the M40 at Junction 9, and
- (h) exit slip road from, and the entry slip road to, the southbound carriageway of the M40 at Junction 9;

“a works period” means a period of 10 hours, between 22:00 hours and 08:00 hours, during a period starting on Friday 1st March 2013 and ending on Thursday 30th May 2013 when the works have been completed; and

“works” mean annual routine and major maintenance works, including the installation of motorway incident detection (MIDAS) loops, on both the main carriageway and connecting roads of the M40.

3. Subject as mentioned in article 4 of this Order no person shall, during a works period, cause or permit any motor vehicle to enter or proceed in the first lengths of motorway, the second length of motorway, the northbound Oxford Spur, the southbound Oxford Spur or a slip road.

4. The provisions of article 3 of this Order 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 being used in connection with the works, for winter maintenance or for emergency purposes by the police, fire and rescue authority, ambulance or traffic officer services or anything done at the direction, or with the permission, of a constable, or a traffic officer in uniform.

5. 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 the second length of motorway, 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.

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

Signed by authority of the Secretary of State for Transport

Woodlands, Manton Lane, Bedford, MK41 7LW
18th February 2013

M R Evans
A Team Leader in the Highways Agency