

2011 No. 2635

ROAD TRAFFIC

**The M40 Motorway (Junctions 6 to 8 and Junction 11,
Oxfordshire) (Temporary Restriction and Prohibition of Traffic)
Order 2011**

Made - - - - *24th October 2011*

Coming into force - - *31st 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 lengths of that motorway and on some of those connecting roads in the County of Oxfordshire 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 (Junctions 6 to 8 and Junction 11, Oxfordshire) (Temporary Restriction and Prohibition of Traffic) Order 2011 and shall come into force on 31st October 2011.

2. In this Order –

“tip of the nosing” means, as indicated by the road 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;

“the first length of motorway” means the –

(a) northbound carriageway of the M40 between a point 1450 metres south of the tip of the nosing, to the tip of the nosing, of the exit slip road at Junction 7, and

(b) southbound carriageway of the M40 from a point 1465 metres north of Wharf Lane overbridge for a distance of 2540 metres in a southerly direction;

“the second length of motorway” means the –

(a) northbound carriageway of the M40 between the tip of the nosing of the exit slip road at Junction 7 and the tip of the nosing of the entry slip road at Junction 8a, and

(b) southbound carriageway of the M40 from a point 615 metres north of Wharf Lane overbridge for a distance of 1690 metres in a southerly direction;

“the third length of motorway” means the southbound carriageway of the M40 from a point 315 metres north of Chalk Lane overbridge for a distance of 1150 metres in a southerly direction;

“the first slip road” means the M40 northbound exit slip road at Junction 7;

“a second slip road” means the M40 –

(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.

- (a) northbound exit slip road at Junction 6,
- (b) northbound Oxford Spur to the A40 Trunk Road at Junction 8, and
- (c) northbound entry slip road at Junction 11;

“works” mean the installation of replacement Motorway Incident Detection (MIDAS) loops in the carriageway of the motorway;

“a works period” means a period of 7 hours starting at 22:00 hours on Thursday 3rd November 2011 or on any subsequent day (other than a Saturday or a Sunday) until the 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 and a reference to a bridge is a reference to the centre point of that bridge.

3. Subject as mentioned in articles 5, 6 and 7 no person shall, during a works period, cause or permit any vehicle to be driven at a speed exceeding 50 miles per hour on the first length of motorway or the first slip road.

4. Subject as mentioned in articles 5 and 6 no person shall, during a works period, cause or permit any vehicle to enter or proceed in the second length of motorway, the first slip road or a second 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 article 4 shall not apply to a vehicle –

- (a) being used in connection with the works or for traffic officer or winter service maintenance 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 or to a vehicle falling within regulation 3(4) of the Road Traffic Exemptions (Special Forces) (Variation and Amendment) Regulations 2011(a) when used in accordance with regulation 3(5) of those Regulations.

7. 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(b) are hereby suspended in relation to the hard shoulder adjacent to the third 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.

Signed by authority of the Secretary of State for Transport

Woodlands, Manton Lane, Bedford
24th October 2011

P Undrell
A Team Leader
in the Highways Agency

(a) S.I. 2011/935.

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