S T A T U T O R Y I N S T R U M E N T S

2010 No. 700

ROAD TRAFFIC

The M40 Motorway (Junction 1, Denham to Junction 4, Handy Cross, Buckinghamshire and Junction 5, Stokenchurch, Buckinghamshire to Junction 6, Lewknor, Oxfordshire) (Temporary Restriction and Prohibition of Traffic) Order 2010

Made - - - -	*1 February 2010*
Coming into force - -	*8 February 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 that motorway and on some of those connecting roads in the Counties of Buckinghamshire and 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 (Junction 1, Denham to Junction 4, Handy Cross, Buckinghamshire and Junction 5, Stokenchurch, Buckinghamshire to Junction 6, Lewknor, Oxfordshire) (Temporary Restriction and Prohibition of Traffic) Order 2010 and shall come into force on Monday 8 February 2010.

2. In this Order –

"the first lengths of motorway" mean the -

(a) eastbound carriageway of the M40 between points 1.3 kilometres west of the B482 Hedgepit overbridge and 600 metres west of Bigmore Lane overbridge, and

(b) westbound carriageway of the M40 between points 1.1 kilometres east of the west overbridge at Junction 1 and 200 metres east of Hollybush Lane overbridge;

"the second length of motorway" means the eastbound and westbound carriageways of the M40 between the tips of the nosings of the eastbound and westbound entry and exit slip roads leading from and to Junction 5 and Junction 6;

"the tip of the nosing" means, as indicated by the markings on the carriageway, 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 –

(a) eastbound entry and westbound exit slip roads leading to and from Junctions 3,4 and 6; and

(b) eastbound exit and westbound entry slip roads leading from and to Junction 5;

(**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.

"the works" mean construction works to enable the replacement of all road markings and road studs between Junctions 3 and 4 and road studs only between Junctions 5 and 6 on both carriageways;

"a works period" means a period of 7 ½ hours starting at 22:00 hours on Monday 15 February 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 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 in the second length of motorway.

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 first lengths of motorway or a 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. Nothing in article 4 shall apply to a vehicle –

(a) being used for, or in connection with, the said works,

(b) being used for winter service maintenance or traffic officer purposes,

(c) being used for police, fire and rescue authority or ambulance purposes, or

(d) proceeding at the direction, or with the permission, of a police officer or traffic officer in uniform;

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

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**(a)** are hereby suspended in relation to the hard shoulder adjacent to either carriageway of the second length of motorway.

Signed by authority of the Secretary of State

Iain S Semple
An Area Performance Manager
in the Highways Agency

Woodlands, Manton Lane, Bedford
1 February 2010

(**a**) S.I. 1986/1078, to which there are amendments not relevant to this Order.