2007 No. 1575

ROAD TRAFFIC

The A404 Trunk Road (Maidenhead Thicket to Handy Cross) (24 Hours Clearway) Order 2007

Made - - - - -	*24th May 2007*
Coming into force - -	*9th June 2007*

The Secretary of State for Transport in exercise of the powers conferred by sections 1(1), 2(1) and (2) and 4(1) of the Road Traffic Regulation Act 1984(**a**), having consulted with such representative organisations as he thought fit, makes the following Order:

1. This Order may be cited as the A404 Trunk Road (Maidenhead Thicket to Handy Cross) (24 Hours Clearway) Order 2007 and shall come into force on 9th June 2007.

2. In this Order:

"the Trunk Road"	means the A404 Trunk Road from its junction with the A404 (M) Motorway and the A4 at Maidenhead Thicket in the Royal Borough of Windsor and Maidenhead, to, and including the roundabout and the link road across the roundabout, at its junction with the M40 Motorway at Handy Cross (Junction 4) in the County of Buckinghamshire;
"a slip road"	means (i) any slip road leading to or from the Trunk Road at its junction with the A4 at Maidenhead Thicket, (ii) any slip road leading to or from the Trunk Road at its junction with the A4130 and Henley Road at Burchett's Green, (iii) any slip road leading to or from the Trunk Road at its junction with the A4155 at Marlow;
"the road"	means the Trunk Road or a slip road;
"carriageway"	means a way consisting of, or comprising in, a road being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles and a surface suitable for the exercise of that right;
"layby"	means any area of carriageway intended for the waiting of vehicles and bounded partly by a traffic sign of the type shown in diagram 1010 in Schedule 6 to the Traffic Signs Regulations and General Directions 2002(**b**) and partly by the outer edge of the carriageway on the same side of the road as the traffic sign;
"water authority"	means a water or sewerage undertaker within the meaning of the Water Industry Act 1991(**c**).

(**a**) 1984 c. 27; sections 1(1), 2(1) and (2) were amended by the New Roads and Street Works Act 1991 (c. 22), section 168 and Schedule 8, paragraphs 17(2) and 18(2) and (3).
(**b**) S.I. 2002/3113.
(**c**) 1991 c. 56.

[DfT 1600]

3. Save as provided in article 4 below, no person shall cause or permit any vehicle to wait on any part of the road, other than a layby, except upon the direction of, or with the permission of, a police officer in uniform, a traffic warden or a traffic officer.

4. Nothing in article 3 shall apply—

(a) so as to prevent a vehicle waiting on any part of the road, other than a layby, for so long as may be necessary to enable that vehicle to be used in connection with—

(i) any building operation or demolition;

(ii) the removal of any obstruction to traffic;

(iii) the maintenance, improvement or reconstruction of the road;

(iv) the laying, erection, inspection, maintenance, alteration, repair, renewal or removal in or near the road of any sewer, main, pipe, conduit, wire, cable or other apparatus for the supply of gas, water, electricity or any telecommunications apparatus as defined in Schedule 2 of the Telecommunications Act 1984(**a**);

(b) in relation to a vehicle being used—

(i) for police, ambulance, fire brigade or traffic officer purposes;

(ii) in the services of a local authority or a water authority in pursuance of statutory powers or duties;

(c) in relation to a vehicle waiting when the person in control of it is—

(i) required by law to stop;

(ii) obliged to stop in order to avoid an accident; or

(iii) prevented from proceeding by circumstances outside his or her control.

5. The A404 Trunk Road (Maidenhead Thicket to Handy Cross) (24 Hours Clearway) Order 1994 is revoked.

Signed by authority of
the Secretary of State for Transport

P. C. Arnold
Highways Agency
Department for Transport

24th May 2007

(**a**) 1984 c. 12.

£3.00

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E0719 6/2007 170719 19585