
STATUTORY INSTRUMENTS

2021 No. 17

ROAD TRAFFIC

SPECIAL ROADS

**The M27 Motorway (Junctions 4 to 11)
(Variable Speed Limits) Regulations 2021**

Made - - - - *7th January 2021*

Laid before Parliament *12th January 2021*

Coming into force - - *2nd February 2021*

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 17(2) and (3) of the Road Traffic Regulation Act 1984(1).

Representative organisations have been consulted in accordance with section 134(2) of that Act.

Citation and commencement

1. These Regulations may be cited as the M27 Motorway (Junctions 4 to 11) (Variable Speed Limits) Regulations 2021 and come into force on 2nd February 2021.

Interpretation

2. In these Regulations—

“the 1982 Regulations” means the Motorways Traffic (England and Wales) Regulations 1982(2);

“the 2016 Regulations and Directions” means the Traffic Signs Regulations and General Directions 2016(3); and

“carriageway”, “hard shoulder”, “motorway” and “verge” have the same meaning as in the 1982 Regulations.

(1) 1984 c.27; section 17(2) was amended by the New Roads and Street Works Act 1991 (c.22), Schedule 8, Part 2, paragraph 28(3); section 17(2)(b) was amended by the Road Traffic Act 1991 (c.40), Schedule 8; section 17(2)(d) was inserted by the Road Traffic Act 1991 (c.40), Schedule 4, paragraph 25. There are other amendments to sections 17 and 134 which are not relevant to these Regulations.

(2) S.I. 1982/1163, relevant amending instruments are S.I. 1983/374, 1984/1479, 1992/1364, 2004/3258 and 2015/392.

(3) S.I. 2016/362, to which there are amendments not relevant to these Regulations.

Variable speed limits

3.—(1) No person shall drive a vehicle on a section of road which is subject to a variable speed limit at a speed exceeding that indicated by a speed limit sign.

(2) A section of a road is subject to a variable speed limit in relation to a vehicle being driven along it if—

- (a) the road is specified in the Schedule;
- (b) the vehicle has passed a speed limit sign;
- (c) the vehicle has not subsequently passed—
 - (i) another speed limit sign indicating a different speed limit; or
 - (ii) a traffic sign which indicates that the national speed limit is in force; and
- (d) no speed restriction is in force by virtue of—
 - (i) an order or notice under section 14(4) of the Road Traffic Regulation Act 1984; or
 - (ii) a traffic sign placed by a traffic officer pursuant to section 7 of the Traffic Management Act 2004(5).

(3) In relation to a vehicle, the speed limit indicated by a speed limit sign is the speed shown at the time the vehicle passes the sign, or, if higher, the speed limit shown by the sign ten seconds before the vehicle passed the sign.

(4) For the purposes of this regulation a speed limit sign is to be taken as not indicating any speed limit if, ten seconds before the vehicle passed it, the sign had indicated no speed limit or that the national speed limit was in force.

(5) In this regulation—

“national speed limit” has the meaning given by Schedule 1 to the 2016 Regulations and Directions and a traffic sign which indicates that the national speed limit is in force means a traffic sign of the type shown in diagram 671 in Part 2 of Schedule 10 to the 2016 Regulations and Directions which is—

- (a) placed on or near a road; and
- (b) directed at traffic on the carriageway on which the vehicle is being driven;

“road” includes the adjacent hard shoulder and verge; and

“speed limit sign” in relation to a vehicle, means a traffic sign of the type shown in diagram 670 in Part 2 of Schedule 10 to the 2016 Regulations and Directions which is—

- (a) situated on or near any part of a road specified in paragraph 1 of the Schedule; and
- (b) directed at traffic on the carriageway on which the vehicle is being driven.

Signed by authority of the Secretary of State for Transport

7th January 2021

Vere
Parliamentary Under Secretary of State
Department for Transport

(4) Section 14 was substituted by the Road Traffic (Temporary Restrictions) Act 1991 (c.26), section 1(1) and Schedule 1.

(5) 2004 c.18.

SCHEDULE

Regulation 3(2)(a)

THE SPECIFIED ROADS

1. The specified roads are—
 - (a) that length of the eastbound carriageway of the M27 beginning at the western edge of the Hadrian Way overbridge at junction 4 (“the western point”) and ending at the eastern edge of the Downend Road overbridge at junction 11 (“the eastern point”);
 - (b) that length of the westbound carriageway of the M27 beginning at the eastern point and ending at the western point;
 - (c) the carriageways of the slip roads referred to in paragraph 4; and
 - (d) the linking carriageways referred to in paragraph 5.
2. Any reference in this Schedule—
 - (a) to the letter “M” followed by a number is a reference to the motorway known by that name;
 - (b) to the letter “A” or “B” followed by a number is a reference to the road known by that name; and
 - (c) save where the context requires otherwise, to a junction followed by a number is a reference to the junction of the M27 of that number.
3. In this Schedule—

“expansion joint” means an assembly holding together, and allowing the expansion and contraction of, parts of a bridge;

“linking carriageway” means part of a carriageway which links the M27 with the M3;

“off-slip road” means a slip road intended for the use of traffic exiting the M27;

“on-slip road” means a slip road intended for the use of traffic entering the M27; and

“slip road” means a road which connects the M27 with another road other than a motorway.
4. The slip roads to which this paragraph refers are—
 - (a) at junction 5, the off-slip roads connecting to, and the on-slip roads connecting from, the A335 and Stoneham Lane;
 - (b) at junction 7, the off-slip roads connecting to, and the on-slip roads connecting from, the A334 and B3036;
 - (c) at junction 8, the off-slip roads connecting to, and the on-slips connecting from, the A3024 and Dodwell Lane;
 - (d) at junction 9, the off-slip roads connecting to, and the on-slip roads connecting from, the A27, Whiteley Way, Bognor Avenue and Hill Coppice Road;
 - (e) at junction 10 the off-slip road connecting from the westbound carriageway to the A32 and the on-slip road connecting from the A32 to the eastbound carriageway; and
 - (f) at junction 11, the off-slip roads connecting to, and the on-slip roads connecting from, the A27.
5. The linking carriageways to which this paragraph refers are—
 - (a) that length of the carriageway from the westbound carriageway of the M27 at junction 4 to the northbound carriageway of the M3 at junction 14 of the M3 which begins at the diverge from the westbound carriageway and ends at the western edge of the bridge carrying the access road to Stoneham Golf Course over the M27; and
 - (b) that length of the carriageway from the southbound carriageway of the M3 at junction 14 of the M3 to the eastbound carriageway of the M27 which begins at the southern expansion

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joint of the bridge over the linking carriageway from the southbound carriageway of the M3 at junction 14 of the M3 to the westbound carriageway of the M27 at junction 4 and ends at the merge with the eastbound carriageway.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations introduce variable speed limits to—

- (a) the eastbound and westbound carriageways of the M27 motorway between junctions 4 and 11;
- (b) the slip roads at junctions 5 to 11 of the M27 motorway; and
- (c) carriageways linking the M27 motorway at junction 4 with the M3 motorway at junction 14.

Regulation 3 provides for variable speed limits to have effect on the roads specified in paragraph 1 of the Schedule. Where variable speed limit signs are in operation a vehicle may not be driven at a speed above the maximum indicated by each speed limit sign passed by a vehicle until it passes a sign indicating that the national speed limit applies or the vehicle leaves the roads covered by the regulation. Where a speed limit changes less than ten seconds before a vehicle passes the sign and the sign had indicated a higher speed limit, the regulation allows the driver to proceed at a speed up to the maximum applicable before the change. Where the speed limit sign indicates a speed limit when it is passed by a vehicle but less than ten seconds previously it was either giving no indication of a speed limit or that the national speed limit applied, the sign is to be taken as giving no indication of a speed limit to the vehicle passing it.

Contravention of these Regulations is an offence under section 17(4) of the Road Traffic Regulation Act 1984.

An impact assessment has not been prepared for these Regulations as no significant impact on the cost of business or the voluntary sector is foreseen. An Explanatory Memorandum is published alongside the Regulations at www.legislation.gov.uk.