

**EXPLANATORY MEMORANDUM TO**  
**THE M62 AND M606 MOTORWAYS (CHAIN BAR ROUNDABOUT) (CAR SHARE**  
**LANE) (REVOCATION) REGULATIONS 2020**

**2020 No. 68**

**1. Introduction**

- 1.1 This explanatory memorandum has been prepared by the Department for Transport and is laid before Parliament by Command of Her Majesty.

**2. Purpose of the instrument**

- 2.1 The instrument revokes the M62 and M606 (Chain Bar Roundabout) (Car Share Lane) Regulations 2009 (S.I. 2009/2247) to remove the restrictions on the free-flow link road connecting the nearside lanes of the M606 southbound and M62 eastbound (formerly the car share lane).

**3. Matters of special interest to Parliament**

*Matters of special interest to the Joint Committee on Statutory Instruments*

- 3.1 None.

*Matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business (English Votes for English Laws)*

- 3.2 As the instrument is subject to negative resolution procedure there are no matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business at this stage.

**4. Extent and Territorial Application**

- 4.1 The territorial extent of this instrument is England and Wales.
- 4.2 The territorial application of this instrument is England. Only the free-flow link road specified in section 2.1 will be affected and this is in the county of West Yorkshire.

**5. European Convention on Human Rights**

- 5.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

**6. Legislative Context**

- 6.1 This instrument revokes the regulations referred to in section 2.1.

**7. Policy background**

*What is being done and why?*

- 7.1 On 20th March 2008 a car share lane was opened at junction 26 of the M62 motorway at the intersection with the M606 motorway. The car share lane was on the nearside lane of the link road bypassing the Chain Bar roundabout and took southbound traffic on the M606 directly onto the eastbound M62. The lane was designated for use only

by shared cars, vans and taxis with at least one passenger and by buses, coaches and motorcycles. HGVs were prohibited from using the lane regardless of how many people were in the vehicle. Following an initial period of operation and assessment the regulations referred to in section 2.1 were made to make the car share lane restrictions permanent.

- 7.2 The car share lane restrictions were suspended from May 2015 to March 2017 for safety reasons during the construction of an improvement scheme at junction 26 of the M62. Upon the reinstatement of the restrictions it was observed that congestion on the M606 and M62 around the junction became significantly worse with numerous instances of non-compliance with the car share lane restrictions. To address these issues and in response to public complaints a new temporary traffic order was put into effect in April 2017 to suspend the restrictions whilst a review of this junction was undertaken.
- 7.3 Following the review and associated traffic modelling it was recommended that the car share lane restrictions should be removed permanently to improve the operation of the M62 at junction 26 and provide improve journey times for all road users.
- 7.4 One of Highways England's key objectives is to provide a more free flowing road network by reducing delay. Traffic modelling shows that the permanent removal of the car share lane restrictions should achieve that objective for all road users as well as improving journey times and providing additional capacity. It is unlikely that the restrictions can continue to be suspended by temporary orders so if the regulations referred to in section 2.1 are not revoked then the car share lane restrictions will take effect again in April 2020 which will increase delays at this location.

## **8. European Union (Withdrawal) Act/Withdrawal of the United Kingdom from the European Union**

- 8.1 This instrument does not relate to withdrawal from the European Union.

## **9. Consolidation**

- 9.1 This instrument revokes the regulations referred to in section 2.1 so no consolidation is intended.

## **10. Consultation outcome**

- 10.1 During the development of the proposal to permanently revoke the car share lane restrictions, the relevant Local Authorities along with West Yorkshire Police have been regularly consulted, with this engagement informing the preferred option.
- 10.2 The consultation period on the proposal ran for 6 weeks from the 12th September 2019 to the 25th October 2019. An information leaflet was produced, and this was sent to all statutory consultees, relevant Local Authorities, the West Yorkshire Combined Authority, emergency services, local councillors, local MPs, public transport operators and groups representing customers or sectors such as the RAC and Freight Transport Association. In addition to this an information leaflet was sent to approximately 170 local business addresses along with details of the proposal being provided on the Highways England website:

<https://highwaysengland.co.uk/regions/north-east/>

- 10.3 A total of 8 responses were received. 5 of these responses were in support of the proposal, 2 were neither for nor against and one questioned the effectiveness of the proposal and raised other congestion issues in this location.
- 10.4 One of the comments of support was from the West Yorkshire Combined Authority (WYCA) and whilst they are supportive of the proposal in relation to the objectives of reducing congestion and improving the operation of the junction, they did express some concerns about Highways England's commitment to supporting sustainable transport. WYCA have suggested some approaches for Highways England to explore including greater promotion of car sharing through various means, which is something which will be explored further with them.

## **11. Guidance**

- 11.1 A press notice will be issued when the regulations come into force. There is on road guidance for users in the form of temporary signage. New permanent advanced direction signs will be introduced to reflect the new arrangement.

## **12. Impact**

- 12.1 The impact on business, charities or voluntary bodies is that opening the car share lane will benefit motorists by reducing congestion and improving journey times.
- 12.2 The impact on the public sector is as stated in section 12.1.
- 12.3 An Impact Assessment has not been prepared for this instrument because the costs and benefits to business fall below the £5m threshold in any one year. Over the 10-year appraisal period the benefit to business is £2,872,834 with no cost, giving an equivalent annual net direct cost to business (EANDCB) of -£0.287m which results in the proposals being below the £5m annual impact threshold.

## **13. Regulating small business**

- 13.1 The legislation does not apply to activities that are undertaken by small businesses in the sense of imposing any regulatory burden.

## **14. Monitoring & review**

- 14.1 Highways England undertakes regular monitoring of traffic flows and operation by way of its Regional Control Centres and so as a minimum the traffic conditions at junction 26 will be under observation. In addition, Highways England has a programme of evaluation for congestion relief measures known as Post Opening Project Evaluation (POPE). Not every measure is evaluated but the removal of the car share lane restrictions could be the subject of a POPE. In such a case a POPE would be carried out in the second and sixth years following removal of the car share lane and the purpose would be to measure the business case aims and benefits against what is being realised.

## **15. Contact**

- 15.1 Toni Rios at Highways England Telephone: 0300 470 2556 or email: [toni.rios@highwaysengland.co.uk](mailto:toni.rios@highwaysengland.co.uk) can be contacted with any queries regarding the instrument.

- 15.2 Rosemary Hopkins, Deputy Director for the Strategic Roads Directorate, at the Department for Transport can confirm that this Explanatory Memorandum meets the required standard.
- 15.3 Baroness Vere of Norbiton at the Department for Transport can confirm that this Explanatory Memorandum meets the required standard.