

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 Even prior to the suspension in 2015 it had been observed that the car share lane was adding to congestion problems at this location. Its capacity was significantly underutilised with only around 300-400 vehicles per hour using the lane in peak hours compared to around 1500-1700 vehicles per hour using the lane which has to pass through the traffic signals. Traffic growth over the last decade has also added to the congestion issues at this sensitive location, increasing the demand for the M606 to M62 eastbound movement.
- 7.4 The improvement scheme that was implemented between 2015-2017 widened the southern and western parts of the circulatory carriageway to four lanes. The purpose of the scheme was to improve flow from the M62 westbound to the M606 northbound by increasing capacity on the circulatory carriageway. The scheme implemented between 2015-2017 is not creating the congestion issue relating to the car share lane and it's likely that without this, the operation of the junction would in fact be worse than it is.
- 7.5 Following the review and associated traffic modelling during the period of suspension, 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 improved journey times for all road users.
- 7.6 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.
- 7.7 In line with the Design Manual for Roads and Bridges (DMRB), the scope of the proposed intervention did not require an air quality or greenhouse gas assessment. Highways England have however carried out an operational assessment and modelled the impacts of the proposal using a traffic model, covering a region from the west of the M62 junction 26 to the east of the M62 junction 27, and northward to the M606 junction 3, incorporating the surrounding roads. The assessment shows an overall reduction in delay and queueing, reducing congestion and queue lengths away from sensitive receptors. As the main benefit of the scheme is reduced congestion it is not anticipated to have any negative impact on air quality. The car share lane has

effectively been suspended since 2015, however on average, traffic growth at this location appears to be consistent with the Yorkshire & Humber region suggesting that the temporary revocation of the car share lane has not attracted significantly more traffic to the area.

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 ways that Highways England could work with them on alternative means of promoting car sharing and an initial meeting to discuss this has already taken place with a view to supporting WYCA with the suggested activity. WYCA do also recognise the work that Highways England has already delivered in the area to mitigate the impact of the SRN on the environment, though the use of Environment Designated Funds. During the first Road Investment Strategy Highways England have invested around £10m of environment designated funds on measures in the WYCA region to reduce the environmental impact of the SRN. These have included measures to reduce carbon, address flooding and noise and improve the roadside habitat. Highways England have also used the Cycling, Safety and Integration fund to work with WYCA to promote sustainable travel options including cycling.

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 the same as that 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 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.