

**EXPLANATORY MEMORANDUM TO**  
**THE M6 MOTORWAY (JUNCTION 19) (40 MILES PER HOUR SPEED LIMIT)**  
**REGULATIONS 2021**

**2021 No. 824**

**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 To replace, for safety reasons, variable speed limits with a fixed 40mph speed limit on the off-slip roads at junction 19 of the M6 motorway as they approach the interchange.

**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 sections of motorway specified in the Regulations will be affected and these are in England.

**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 These Regulations are being made with respect to the use of particular lengths of special road (i.e. motorway) rather than in relation to the use of special roads generally. These Regulations allow the operation and enforcement of fixed 40mph speed limits in relation to the lengths of road specified in the Regulations.
- 6.2 Section 134(2) of the Road Traffic Regulation Act 1984 Act requires the Secretary of State to consult with representative organisations as he sees fit prior to making regulations under that Act.
- 6.3 The M6 Motorway (Junctions 16 to 19) (Variable Speed Limits) Regulations 2018 are amended to enable the variable speed limit on the specified lengths of road to be replaced by the 40mph speed limit.

## **7. Policy background**

### ***What is being done and why?***

- 7.1 A new bridge has been built across the centre of junction 19 of the M6 motorway, providing two new dedicated link roads, one from the M6 northbound to the A556 northbound and the other from the M6 southbound to the A556 southbound. This Scheme (“the Scheme”) will provide improved road links and capacity which will decrease journey times using the junction, reduce congestion on the interchange and improve safety by removing queuing traffic from the main carriageway of the M6.
- 7.2 The new design is unable to achieve the ideal standards for horizontal curves, vertical curves and stopping sight distance, so for safety reasons a reduction in the speed limit to 40mph is required on the sections of the off-slip roads connecting to the new link roads. The slip roads are currently subject to variable mandatory speed limits. Driving at a speed in excess of 40mph would be unsafe for traffic using the slip roads on the approach to the interchange and the new link roads at the improved junction 19. The 40mph speed limit will help mitigate the effects of the departures from the ideal standards of design at the junction.
- 7.3 The proposed 40mph speed limit will cover approximately the final third of each exit slip road, where traffic needs to slow down to safely join the interchange or new link roads.

## **8. European Union Withdrawal and Future Relationship**

- 8.1 This instrument does not relate to withdrawal from the European Union / trigger the statement requirements under the European Union (Withdrawal) Act.

## **9. Consolidation**

- 9.1 No consolidation is appropriate.

## **10. Consultation outcome**

- 10.1 A consultation took place between 12<sup>th</sup> May 2021 and 9<sup>th</sup> June 2021. The consultation was open to stakeholder and public participation through the Citizen Space website. The consultation document can be accessed using the following [link](#). *The* consultation document was sent to the consultees listed in its Appendix C.
- 10.2 A total of eight responses were received during this consultation exercise. All of these were received via the Citizen Space website. Six respondents considered the proposed 40mph speed limits will lead to an improvement in safety or travelling conditions or both. Five respondents had some concerns about the 40mph speed limits, particularly whether drivers will comply with a 40mph speed limit and how the speed limit should be enforced.
- 10.3 Highways England addressed, and responded in writing to, all the issues and concerns raised by respondents. The post-consultation report concluded that the necessary legislative changes should be made by way of regulations to allow the implementation of the 40mph permanent speed limits on sections of the M6 junction 19 northbound and southbound off-slip roads.
- 10.4 A consultation summary report is available on the Citizen Space website and can be accessed using the following [link](#).

## **11. Guidance**

- 11.1 The consultation pack issued by Highways England to stakeholders on 12<sup>th</sup> May contained information on the operation of the 40 mph fixed speed limit on the M6 Junction 19 exit slip roads proposed for the Scheme. This consultation pack was published on the Citizen Space website. Stakeholders included members of the emergency services, road user groups, local authorities, environmental advisory bodies, road and transport organisations and business organisations.

## **12. Impact**

- 12.1 There is no, or no significant, impact on business, charities or voluntary bodies.
- 12.2 There is no, or no significant, impact on the public sector.
- 12.3 A full Impact Assessment has not been prepared for this instrument because there is no significant impact on businesses. The de minimis assessment undertaken by Highways England concluded that in implementing the 40mph fixed speed limit the equivalent annual net direct cost to business would be nil.

## **13. Regulating small business**

- 13.1 The legislation applies to activities that are undertaken by small businesses.
- 13.2 No specific action is proposed to minimise the impact on small businesses as the legislation does not impose unnecessary burdens.

## **14. Monitoring & review**

- 14.1 A Post Opening Project Evaluation (POPE) of the Scheme is planned in the second and sixth years of the Scheme's operation. The purpose of the POPE is to measure the business case aims and benefits of the Scheme against what it is actually delivering at the time of the evaluations.
- 14.2 A Road Safety Audit will be carried out prior to opening and a further one is to be carried out 18 months after opening. These will assess whether any safety issues have arisen.
- 14.3 The instrument does not include a statutory review provision because a review would be disproportionate when taking into account the economic impact of the Regulations on business and there are no factors that would make it particularly desirable to include a review provision.

## **15. Contact**

- 15.1 Khalid El-Rayes at Highways England, telephone 0300 470 5186 or email: [Khalid.ElRayes@highwaysengland.co.uk](mailto:Khalid.ElRayes@highwaysengland.co.uk) can be contacted with any queries regarding the instrument.
- 15.2 Danny Trup, 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.