

EXPLANATORY MEMORANDUM TO
THE M621 MOTORWAY (SPEED LIMIT) REGULATIONS 2024

2024 No. 683

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department for Transport and is laid before Parliament by Command of His Majesty.

2. Declaration

- 2.1 Guy Opperman MP, Parliamentary Under Secretary of State at the Department for Transport confirms that this Explanatory Memorandum meets the required standard.
- 2.2 Kate Walters, Deputy Director for the Strategic Roads Directorate at the Department for Transport confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Christopher Ward at National Highways Limited, telephone: 07841 533892 or email: christopher.ward@nationalhighways.co.uk, can be contacted with any queries regarding the instrument.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

- 4.1 This instrument amends the speed limits on certain entry and exit slip roads between junctions 1 to 7 of the M621 motorway, as set out in the schedules to the instrument.
- 4.2 This instrument also makes permanent the temporary 50mph speed limit on a section of the eastbound carriageway between junctions 6 and 7 of the M621 motorway.

Where does the legislation extend to, and apply?

- 4.3 The extent of this instrument (that is, the jurisdiction which the instrument forms part of the law of) is England and Wales.
- 4.4 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England. The sections of road affected, namely junctions 1 to 7 of the M621 motorway, are situated in England.

5. Policy Context

What is being done and why?

- 5.1 The M621 motorway runs from junction 27 of the M62 to junction 43 of the M1 and serves the centre of Leeds and surrounding areas. The M621 Junctions 1 to 7 Improvement Scheme (“the Scheme”) provides capacity and technology upgrades to the M621 between junctions 1 and 7.
- 5.2 The Scheme entailed a review of speed limits on the M621 motorway. As a result of this review, National Highways Limited determined that some changes to the speed

limits were required for safety reasons and to help ensure a smooth-running network. This is partly due to the unusual layout of the M621 motorway, which has tighter bends than on rural motorways due to its urban location. Additionally, the M621 motorway junctions are located close together, which results in a high level of weaving traffic.

- 5.3 As set out in the schedules to the instrument, speed limits will be changed on:
- certain entry and exit slip roads between junctions 1 to 7 of the M621, and
 - a section of the eastbound carriageway between junctions 6 and 7 of the M621, where the current temporary 50mph speed limit will be made permanent.

What was the previous policy, how is this different?

- 5.4 Prior to this instrument, the speed limits on the M621 were set out in the M621 Motorway (Speed Limit) Regulations 2000, as amended by the M621 Motorway (Speed Limit) (Amendment) Regulations 2007. Together, these instruments implemented a permanent 50mph speed limit between junctions 1 and 7 of the westbound carriageway of the M621 and between junctions 1 to 6 of the eastbound carriageway. This instrument revokes and replaces these instruments.
- 5.5 To date, a temporary 50mph speed limit on a section of the eastbound carriageway between junctions 6 and 7 of the M621 has been implemented using a Temporary Traffic Regulation Order (“TTRO”). This instrument makes the temporary speed limit permanent.

6. Legislative and Legal Context

How has the law changed?

- 6.1 This instrument revokes and replaces the M621 Motorway (Speed Limit) Regulations 2000 and the M621 Motorway (Speed Limit) (Amendment) Regulations 2007.
- 6.2 This instrument makes permanent the temporary 50mph speed limit on a section of the eastbound carriageway between junctions 6 and 7 of the M621 motorway. The TTRO which implemented the temporary 50mph speed limit will be revoked before this instrument comes into force.
- 6.3 This instrument has been made under sections 17(2), (3) and (3ZB) of the Road Traffic Regulation Act 1984¹, which empowers the Secretary of State for Transport to make regulations regarding the use of special roads generally and, in this case, with respect to particular lengths of motorway.

Why was this approach taken to change the law?

- 6.4 A statutory instrument made under sections 17(2), (3) and (3ZB) of the Road Traffic Regulation Act 1984 is the only legislative option available to make the necessary changes permanent.

7. Consultation

Summary of consultation outcome and methodology

- 7.1 The consultation for the proposed implementation of this instrument took place between 28th November 2023 and 23rd January 2024. A consultation document was issued to stakeholders and provided detailed information about the instrument. The

¹ 1984 c. 27.

consultation document was also published on National Highways Limited's Citizen Space consultation website and can be viewed here: https://highwaysengland.citizenspace.com/he/m621-j1-7-speed-limit-amendments/supporting_documents/M621_J7_SpeedLimitChanges_ConsultationDocument_November2023.pdf².

- 7.2 The consultation was open to public participation through the Citizen Space website. Details about the consultation were also sent to 334 stakeholders, including local councillors, MPs, members of the emergency services and transport services, local businesses, schools and community groups. The consultation provided an opportunity for consultees to comment on the proposed instrument. Respondents provided their comments by completing a consultation response questionnaire or by e-mail.
- 7.3 A detailed analysis of the consultation outcome and the consultation response is available on National Highways Limited's website and can be viewed here: <https://nationalhighways.citizenspace.com/he/m621-j1-7-speed-limit-amendments/results/m621j1-7consultationrespondedocument-march2024.pdf>³. Consultation respondents who provided contact details were also sent a copy of the consultation response.
- 7.4 Thirty-one responses were received to the consultation. Twenty-six of these were from members of the public and businesses. Five were from other stakeholders.
- 7.5 The consultation response questionnaire asked respondents if they were in favour of National Highways Limited's proposals. Twelve respondents said they were in favour of the proposals and nineteen said they were against the proposals. Respondents were invited to comment on the proposals. Fifteen respondents provided comments.
- 7.6 Nine respondents commented that the proposed 50mph speed limit on a section of the eastbound carriageway between junctions 6 and 7 of the M621 was too low. At present, a temporary 50mph speed limit is in place on this stretch of road. In their response to the consultation, West Yorkshire Police commented that the temporary speed limit had contributed to road safety on this stretch of motorway.
- 7.7 National Highways Limited has conducted safety reviews which show that a speed limit higher than 50mph on this stretch of carriageway would be unsafe. The shape of the carriageway between junctions 6 and 7 dictates that a 50mph speed limit is necessary to enable the recommended minimum safe stopping distance on this section of road.
- 7.8 Safety on this stretch of carriageway was also reviewed as part of the junction 7 improvement works. These works facilitated the establishment of the Stourton Park and Ride. The Park and Ride generates more traffic queuing on the junction 7 eastbound exit slip road, which increases the risk of high-speed shunts on this short slip road. As a result, it was determined that safety benefits would arise from implementing a permanent 50mph speed limit on the section of the eastbound carriageway approaching the slip road between junctions 6 and 7.
- 7.9 Four respondents stated that lower speed limits have the effect of causing, rather than easing, congestion and delays. However, the M621 motorway is an urban motorway

² https://highwaysengland.citizenspace.com/he/m621-j1-7-speed-limit-amendments/supporting_documents/M621_J7_SpeedLimitChanges_ConsultationDocument_November2023.pdf.

³ <https://nationalhighways.citizenspace.com/he/m621-j1-7-speed-limit-amendments/results/m621j1-7consultationrespondedocument-march2024.pdf>.

with an unusual layout. The 50mph speed limit is required due to a tight 500 metre bend along this stretch and will help to achieve a smoother flow of traffic on this section of road.

- 7.10 One respondent commented that vehicles travelling at 50mph cause more pollution than traffic travelling at 60mph. However, the M621 motorway is not considered to be an air quality problem zone and pollution levels are within safe limits. The Scheme is compliant with environmental requirements and is not considered to have a significant adverse effect on air quality.
- 7.11 Two respondents raised concerns around the use of average speed cameras, commenting that these can lead to accidents as drivers can become fixated on watching their speed instead of paying attention to their surroundings.
- 7.12 The Scheme's use of average speed cameras was determined following consultation with enforcement experts and organisations including West Yorkshire Police and the West Yorkshire Safety Camera Partnership. The Scheme's average speed camera installation strategy was designed to increase safety. For instance, average speed cameras will be installed along sections of carriageway where lanes are narrower, to deter speeding. This will reduce the risk of collisions and should make the road safer for motorists.
- 7.13 The Scheme's use of average speed cameras was approved following a review by National Highways Limited's National Safety Control Review Group on 27th March 2018. This concluded that average speed cameras are appropriate on this stretch of the M621 and deliver greater compliance than spot speed enforcement.
- 7.14 One respondent commented that the introduction of speed cameras was aimed at raising revenue from the motorist. However, whilst National Highways Limited is responsible for the installation and maintenance of camera technology on motorways and some A roads in England, it is not an enforcement agency and does not benefit financially from the enforcement of speed limits. Enforcement is carried out by the police for the purposes of public safety.
- 7.15 One respondent felt that the consultation had been hidden from the public and stated that the information contained in the consultation document was unclear and vague. However, National Highways Limited takes its consultation obligations seriously and complies with the Government's consultation principles when conducting consultations.
- 7.16 Information about the consultation and a link to the consultation document were published in The Yorkshire Evening Post on 28th November 2023 (see <https://www.yorkshireeveningpost.co.uk/news/transport/m621-leeds-public-consultation-launched-over-plans-to-reduce-speed-limit-on-major-city-motorway-4425109>⁴).
- 7.17 Full details about the proposals and a link to the consultation document were published on National Highways Limited's Citizen Space website (see <https://highwaysengland.citizenspace.com/he/m621-j1-7-speed-limit-amendments/>⁵) and details were also sent to 334 stakeholders.
- 7.18 The proposed changes and the reasons why these are necessary are clearly set out the consultation document. Section 3 explains the proposed speed limit changes. It

⁴ <https://www.yorkshireeveningpost.co.uk/news/transport/m621-leeds-public-consultation-launched-over-plans-to-reduce-speed-limit-on-major-city-motorway-4425109>.

⁵ <https://highwaysengland.citizenspace.com/he/m621-j1-7-speed-limit-amendments/>.

includes a map showing the affected stretch of motorway and a table which explains each proposed speed limit in turn.

- 7.19 It is considered that the concerns raised in relation to the proposed speed limit changes were adequately addressed during the consultation process. The consultation report concluded that the proposed speed limits changes should be implemented.

8. Applicable Guidance

- 8.1 This instrument does not require any guidance.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

- 9.1 A full Impact Assessment has not been prepared for this instrument because there is no significant impact on the cost to business. The de minimis assessment undertaken by National Highways Limited concluded that the equivalent annual net direct cost to business of compliance with the amended speed limits would be nil.

Impact on businesses, charities and voluntary bodies

- 9.2 There is no, or no significant, impact on business, charities or voluntary bodies because compliance with the amended speed limits will have no significant impact on these entities.
- 9.3 The legislation does not impact small or micro businesses.
- 9.4 There is no, or no significant, impact on the public sector.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

- 10.1 The approach to monitoring this legislation is that the new speed limits will be monitored and assessed to establish their effectiveness in relation to safety. National Highways Limited will produce Post Opening Project Evaluation (“POPE”) reports one year and five years after the opening of the Scheme.
- 10.2 The instrument does not include a statutory review clause because it does not impose a regulatory burden impacting on business costs and there are no factors that would make it particularly desirable to include a review provision.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

- 11.1 None.

12. European Convention on Human Rights

- 12.1 The Parliamentary Under Secretary of State at the Department for Transport has made the following statement regarding Human Rights:

“In my view the provisions of the M621 Motorway (Speed Limit) Regulations 2024 are compatible with the Convention rights.”

13. The Relevant European Union Acts

- 13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 (“relevant European Union Acts”).