

EXECUTIVE NOTE

THE A823(M) PITREAVIE SPUR TRUNK ROAD (VARIABLE SPEED LIMITS) REGULATIONS 2012

SSI 2012/145

The above regulations are made in exercise of powers conferred by sections 17(2) and (3) of the Road Traffic Regulation Act 1984. The Regulations are subject to negative procedure.

Policy Objectives

The regulations provide for the operation of variable speed limits on sections of the A823(M) Pitreavie Spur Trunk Road between Pitreavie Roundabout and the M90 at Junction 2 Masterton Junction.

Background

The regulations are connected to the Forth Replacement Crossing project. Construction of the Forth Replacement Crossing project was authorised with the Bill for the Forth Crossing Act 2011 being passed by the Scottish Parliament on 15th December 2010 and subsequently receiving Royal Assent on 20th January 2011. Consultation on the project was previously undertaken in 2009 as part of the consultations required for the Bill. The Policy Memorandum which was produced for the Bill advised that the project would include an Intelligent Transport System (ITS) and that the powers to operate the ITS would be pursued by means of existing legislation. The ITS will use technology and infrastructure provided as part of the project to manage the flow of traffic to reduce congestion and increase safety.

Variable speed limits keep traffic moving by controlling the flow of vehicles when a road is becoming congested. As traffic levels increase, lower speed limits reduce the build-up of traffic and resulting negative effects on traffic flow. Mandatory variable speed limits will be indicated by means of signing above the road provided on gantries or signing in the verge.

Consultation

Consultation on the provisions to be included in the regulations was undertaken in accordance with section 134(2) of the Road Traffic Regulation Act 1984 and a separate consultation report has been prepared. The report is available on the Transport Scotland website at <http://www.transportscotland.gov.uk/road/projects/forth-replacement-crossing/project-library/construction-plans-and-reports+>.

The consultation was issued to 40 organisations. The consultation was also available on the Forth Replacement Crossing website, with links to the website from the Scottish Government and Transport Scotland websites.

The consultation period commenced on 18 January 2012 and ended on 10 April 2012. Feedback was received from 15 organisations and one member of the public. All responses were considered in finalising the regulations.

The feedback was supportive and no concerns or objections made regarding the intention to implement variable speed limits, although a number of comments sought further information about the design and implementation of the scheme.

Impact Assessment

An equality impact assessment was not considered necessary given the nature of the regulations.

Financial Effects

The Minister for Housing and Transport has confirmed that a Business and Regulatory Impact Assessment is not necessary as the regulations have no financial effects on the Scottish Government, local government or business. The regulations are enabling provisions to allow certain restrictions to be placed on traffic once the relevant parts of the Forth Replacement Crossing project have been completed.

Transport Scotland

May 2012