

EXPLANATORY MEMORANDUM TO

THE M32 MOTORWAY (BUS LANE AND SPEED LIMIT) REGULATIONS 2018

2018 No. 11

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 These Regulations provide for a bus lane to start on the southwest-bound carriageway of the M32 motorway in Bristol. The bus lane is on the offside of the carriageway and will merge with the existing offside bus lane on the southwest-bound A 4032 Newfoundland Way which begins when the M32 ends. The Regulations also introduce a 40 miles per hour speed limit on both carriageways of the M32 at its southern end (extending a short distance beyond the length of the bus lane on the southwest-bound carriageway) and also on the slip roads at Junction 3 of the M32.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

- 3.1 None.

Other matters of interest to the House of Commons

- 3.2 As this instrument is subject to the negative procedure and has not been prayed against, consideration as to whether there are other matters of interest to the House of Commons does not arise at this stage.

4. Legislative Context

- 4.1 These Regulations have been made under section 17(2) and (3) of the Road Traffic Regulation Act 1984, which empowers the Secretary of State to make regulations with respect to the use of special roads generally and, as in this case, with respect to particular lengths of motorway. These Regulations allow for the operation and enforcement of a bus lane and a fixed 40 miles per hour speed limit as mentioned in paragraph 2.1 and which apply, respectively, to the roads specified in Schedules 1 and 2 to the Regulations.
- 4.2 Section 134(2) of the Road Traffic Regulation Act 1984 requires the Secretary of State to consult with representative organisations as he sees fit prior to making regulations under that Act.

5. Extent and Territorial Application

- 5.1 The extent of this instrument is England and Wales.
- 5.2 The territorial application of this instrument is England. Only those sections of motorway specified in the Schedule to this instrument will be affected, all of which are in England.

6. European Convention on Human Rights

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

7. Policy background

What is being done and why

- 7.1 The M32 motorway provides a Strategic Road Network link from M4 Junction 19 directly into Bristol City centre.
- 7.2 The provision of a more rapid bus service between the underdeveloped and predominantly residential south side of Bristol and the significant employment areas of the Bristol North Fringe and South Gloucestershire is a regional priority to make bus travel a viable alternative for commuters needing to make these journeys. The provision of bus lanes is necessary to achieve this objective.
- 7.3 The M32 motorway can accommodate a bus lane only in one direction without making the remaining lanes too narrow. The bus lane has been placed on the southwest-bound carriageway primarily so that it will link up with the existing bus lane on the southwest-bound carriageway of the A4032 (Newfoundland Way).
- 7.4 Bristol City Council operates a bus lane on the A4032 and has imposed a 30mph speed limit. Currently this bus lane only begins where the southwest-bound carriageway of the M32 ends and the A4032 begins.
- 7.5 In order to reduce journey times from the Bristol North Fringe to the south side of Bristol the starting point of the bus lane is to be extended 900 metres back onto the southwest-bound carriageway of the M32 motorway. The motorway and the hard shoulder and central reserve are to be reduced in order to maintain two running lanes plus the bus lane. The hard shoulder and central reserve are also to be reduced on the northeast-bound carriageway of the M32 motorway as the bus lane will reduce the width of both carriageways.
- 7.6 As the lanes on both carriageways of the M32 motorway will be narrower to accommodate the bus lane a speed limit lower than the current 60 miles per hour is necessary for safety reasons; namely because traffic is running closer together and closer to the central reserve and retaining walls and because a lower speed allows safer merging of traffic. The proposed speed limit is 40 mph and on the southwest-bound carriageway of the M32 motorway it would begin before the start of the bus lane. A 40 mph speed limit on the northeast-bound carriageway would extend for the same distance. A 40 mph speed limit would also apply to the northbound entry slip road and southbound exit slip road at M32 junction 3 to match the limit on the main carriageways.

8. Consultation outcome

- 8.1 The consultation took place between 14th December 2016 and 17th January 2017. The consultation document “M32 Bristol Consultation on the introduction of a permanent 40 mph speed limit and the extension of the southbound bus lane” was:
- issued directly to 57 stakeholders;
 - published on the Highways England Citizen Space website allowing the public to comment on the proposed legislative changes.

- 8.2 The consultation received responses covering all aspects of the scheme as a whole.
- 8.3 Responses to the consultation were as follows:
- 5 responses were received within the consultation period;
 - 2 were from representative organisations;
 - 3 were from non-affiliated individuals;
 - 3 related to the specifics of the scheme.
- 8.4 Detailed responses raising a small number of concerns were received from the Chartered Institute of Logistics and Transport and one non-affiliated individual. These related to the suitability of the narrower lanes for HGVs, the effect of a vehicle breaking down on a section with reduced hard shoulder, the possibility of drivers diverting to avoid the speed limit, and the speed limit.
- 8.5 The width of the lanes has been approved via the Highways England Safe Roads Design team (HESRD) design departure process (which allows for a departure from normal design standards where those standards would be physically impossible or significantly uneconomic to meet) and is considered safe for all vehicles, including HGVs, traveling at 40 mph.
- 8.6 The reduced hard shoulder was considered by HESRD along with the designer's risk assessments. It is Highways England's view that once in place the road will be very similar in configuration to other restricted highway networks across the country, which are considered safe and adequate. While a breakdown or accident would cause congestion it is considered likely to be a rare occurrence, and is offset by the measures being introduced by the scheme, i.e. a reduced speed limit and access to Bristol's CCTV coverage.
- 8.7 The possibility of drivers diverting to avoid the speed limit is considered unlikely as alternative routes into Bristol have lower speed limits and often worse congestion.
- 8.8 The only alternative to reducing the speed limit would have been to widen the M32 in this location. This was not economically or environmentally viable. If the speed could not be reduced, then the scheme to extend the bus lane could not have been progressed at all for safety reasons given the reduced carriageway width.
- A detailed response to the consultation can be viewed on the Highways England Citizen Space web site:
<https://highwaysengland.citizenspace.com/he/m32-bristol/>
- 8.9 Highways England has considered all the responses to the consultation and carried out an analysis of those responses. Highways England continues to work closely with the emergency services and local authorities on the scheme to address the concerns raised.
- 8.10 It is considered that the issues raised during the consultation relating to the extension of the start of the bus lane and the introduction of a 40 mph speed limit have been addressed.

9. Guidance

- 9.1 The consultation document issued by Highways England to stakeholders contained information on the operation of the bus lane and mandatory 40 mph speed limit. These consultation documents were also published on the Highways England Citizen

Space website. Stakeholders included local authorities, members of the emergency services, road user groups and vehicle recovery operators.

10. Impact

- 10.1 The impact on business, charities, voluntary bodies and the public sector is that the extended start to the bus lane and 40 mph speed limit will help to reduce congestion providing more reliable journey times and connect the underdeveloped and predominantly residential south side of Bristol to the significant employment areas of the Bristol North Fringe and South Gloucestershire.
- 10.2 An impact assessment has not been prepared for these Regulations as no impact on the costs of business, charities, voluntary bodies or the public sector is foreseen.

11. Regulating small business

- 11.1 The legislation applies to activities that are undertaken by small businesses.
- 11.2 The introduction of the bus lane and 40 mph mandatory speed limits will not have an adverse effect on small businesses. The Regulations do not impose any new or increased burden.

12. Monitoring & review

- 12.1 Highways England will continue to monitor the effectiveness of the measures put in place to mitigate the risks associated with the narrow lanes, reduced hard shoulder and vehicles merging into the bus lane. Accidents and their causes are habitually recorded and CCTV will allow the frequency and impact of any breakdowns or incidents in the locality to be monitored.

13. Contact

- 13.1 Edward Hall at Highways England Telephone: 0300 470 4177 or email: Edward.Hall@highwaysengland.co.uk can answer any queries regarding the instrument.