

EXPLANATORY MEMORANDUM TO
THE M271 MOTORWAY (JUNCTION 1 TO REDBRIDGE ROUNDABOUT) (FIXED
SPEED LIMITS) REGULATIONS 2021

2021 No. 82

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 introduce 40 mph and 50 mph speed limits on the M271 motorway southbound between junction 1 and the Redbridge Roundabout.

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 section of motorway specified in the Regulations will be affected and that is 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 in respect of the use of a particular length 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 and 50mph speed limits in relation to the length of road specified in the Regulations.

6.2 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.

7. Policy background

What is being done and why?

- 7.1 The M271 Redbridge Roundabout upgrade Scheme (“the Scheme”) was included in the Government’s Roads Investment Strategy 2015 and included the creation of a dedicated left turn lane for traffic leaving the southbound M271 for Southampton docks and the city centre.
- 7.2 The dedicated left-turn lane at the end of the M271 Southbound requires a speed limit of 40mph for safety reasons, due to geometric departures from standard. Accordingly, it would be unsafe for the speed limit to remain at 70mph on the southbound M271 as it approaches the roundabout and then for the speed limit to suddenly reduce to 40mph. Therefore, a section of 50mph speed limit is proposed on the southbound M271 between junction 1 and Redbridge Roundabout and also on the junction 1 southbound on-slip road. As such the stepped speed limit reduction is intended to reduce vehicle speeds gradually on approach to the geometric departures from standard to avoid sudden hard braking as vehicles approach the roundabout reducing the likelihood and severity of collisions as vehicles change speed on approach to the roundabout.
- 7.3 The M271 motorway opened in 1975 and even though one of the shortest sections of motorway in the UK is nevertheless a strategic route for local, regional and international traffic and forms part of the Strategic Road Network in England. The M271 motorway connects Southampton with the M27 and M3 and stretches for 3 miles in length.
- 7.4 Highways England is committed to ensuring traffic safety on all roads and primarily for this reason the Scheme design necessitated permanent 40 mph and 50 mph speed limits for the southbound carriageway of the M271 from Junction 1 to Redbridge Roundabout for its safe operation.

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 / trigger the statement requirements under the European Union (Withdrawal) Act.

9. Consolidation

- 9.1 This instrument is not amending another instrument.

10. Consultation outcome

- 10.1 A consultation which included the proposed implementation of a permanent 50 mph and 40 mph mandatory speed limit on the southbound carriageway of the M271 as part of the Scheme took place between 23rd November 2020 and 20th December 2020. The consultation was open to stakeholder and public participation through the Highways England website and the consultation document can be accessed using the following link- <https://assets.highwaysengland.co.uk/roads/road-projects/M271+Redbridge+roundabout/Statutory+Instrument+Consultation+Document.pdf>

- 10.2 Highways England encouraged the specific consultees and the general public to register their views on the speed limits proposed for the Scheme. A total of two responses were received. One response included support for the speed limits in general. One objection to the proposed permanent 50mph speed limit was made by Hampshire Police on the basis that a 50mph speed limit for the southbound carriageway does not encourage self-compliance by drivers and that the collision history does not support a reduction in speed limit. However, independent traffic surveys have been undertaken in accordance with best practice and procedure set out in the Design Manual for Roads and Bridges CA185 – Vehicle Speed Measurements, whilst a temporary 50mph speed limit is in force under the Temporary Traffic Regulation Order. These indicate that a 50mph speed limit would be suitable based on the observed traffic speeds, since there is a more than an acceptable degree of self-compliance by drivers with the 50mph limit. In addition, the lack of a history of serious collisions on this section of road is not considered to outweigh the risk assessment undertaken by Highways England which finds that a 50mph speed limit is necessary for reasons of road safety relating to the departures from standard at the Redbridge Roundabout. Therefore, the proposal to introduce the 50mph speed limit in advance of the 40mph speed limit should be maintained.
- 10.3 Highways England addressed, and responded in writing to, all the issues and concerns regarding the speed limits raised by respondents. The post-consultation report concluded that the speed limits proposed for the Scheme should be implemented. The report can be accessed using the following link- <https://s3.eu-west-2.amazonaws.com/assets.highwaysengland.co.uk/roads/road-projects/M271+Redbridge+roundabout/Summary+of+Statutory+Instrument+Consultation+Responses.docx>

11. Guidance

- 11.1 The consultation pack issued by Highways England to stakeholders on 23 November 2020 contained information on the operation of the 50 mph and 40mph permanent speed limits on the M271 proposed for the Scheme. This consultation pack was published on the Highways England website. Stakeholders included members of the emergency services, road user groups, local authorities and vehicle recovery operators. Stakeholders will continue to receive updates and news on the Scheme implementation with consideration given to the commencement of the Scheme and its effects on local residents, the travelling public and businesses through Highway's England's website, media and press releases.

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 An impact assessment has not been prepared for this instrument because there is an insignificant impact on business. The de minimis assessment undertaken by Highways England concluded that the annual monetised costs to business of compliance with the speed limits would be £342,000 (based on 2019 prices discounted to 2020)

13. Regulating small business

- 13.1 The legislation does not directly impose a regulatory burden on business activity.

14. Monitoring & review

- 14.1 The approach to monitoring of the legislation for the Scheme as a whole is to conduct an assessment of the effectiveness of the Scheme in relation to traffic flows, accidents and environmental factors. A Post Opening Project Evaluation (POPE) of the Scheme is planned in the second and sixth years of its 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 statutory review provision is not included in the Regulations 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 Joseph Clark at Highways England, email: Joseph.Clark@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.