

Managed Motorway M1 Junctions 10 to 13

Response to Consultation Report October 2011



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EXECUTIVE SUMMARY

This document details the Highways Agency's response to comments raised during the 8-week consultation period on the draft regulations required to allow the implementation of Variable Mandatory Speed Limits (VMSL) and Hard Shoulder Running (HSR) on the M1 motorway between junctions 10 and 13.

The consultation period started on 22 August 2011 and closed on 14 October 2011 providing an opportunity for stakeholders and interested parties to comment on the proposal (the "M1 managed motorway scheme").

Managed Motorway Objectives

The proposed M1 managed motorway scheme is a pro-active traffic management system, which when operational will meet the following objectives to:

- Reduce congestion and improve journey time reliability;
- Reduce the frequency of accidents;
- Reduce driver stress.

Managed motorway schemes also reduce noise levels.

Consultation Process

Access to the consultation document "Managed Motorways M1 Junctions 10 to 13 - Consultation Paper (August 2011)" was via the Highways Agency website:

- 106 stakeholders were advised of the consultation by e-mail or by post (where no e-mail address was available);
- Other interested parties were also able to access the consultation documents on the Highways Agency's website.

The consultation encouraged representative organisations, businesses and interested parties to make contact with the Highways Agency and communicate their views. The results of this process can be summarised as follows:

- 11 responses were received within the consultation period;
- Seven respondents were in favour of the scheme and two in favour but expressed concerns about the operational viability of the managed motorway scheme. Two responses were neither in favour nor not in favour of the scheme.

The responses also raised a number of issues that were not directly related to the proposed regulations and are addressed later in this report for completeness.

Recommendation

Given the positive responses and due consideration of the issues raised, this report recommends that VMSL and HSR be implemented on the M1 between junctions 10 and 13.

1 INTRODUCTION

1.1 Purpose of Document

The purpose of this document is to provide a summary of the responses received during the M1 managed motorway scheme consultation and to address all the issues raised. The consultation took place between 22 August 2011 and 14 October 2011 and provided an opportunity for stakeholders, such as road user groups, local government organisations and other interested parties to comment on the proposed draft regulations to allow the implementation of VMSL and HSR on the M1 between junctions 10 and 13.

1.2 Background

Full details of the background to the scheme were published in the consultation document, "Managed Motorways M1 Junctions 10 to 13 - Consultation Paper (August 2011)".

1.3 Government's Code of Practice on Consultation

This consultation was conducted in line with the principles of the Government's Code of Practice for Consultation (see below).

1) When to consult - Formal consultation should take place at a stage when there is scope to influence the policy outcome.

2) Duration of consultation exercises - Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

3) Clarity of scope and impact - Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

4) Accessibility of consultation exercises - Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

5) The burden of consultation - Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

6) Responsiveness of consultation exercises - Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

7) Capacity to consult - Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

The Code of Practice on Consultation recommends that consultations should normally last for at least 12 weeks but recognises that where there are good reasons, the consultation period may be shorter. This consultation lasted for 8 weeks.

A reduced consultation period was undertaken for this scheme for the following reasons

- I. Public information exhibitions for the project were undertaken in 2009. These provided scheme details and invited comment from stakeholders and the public on the proposals for improvements to M1 junctions 11 and 12. Details included our proposals to operate the hard shoulder as part of the managed motorway;
- II. The reduced consultation period will give the opportunity for the hard shoulder between junction 10 and 11 of the M1 to be used as a running lane early during 2012;
- III. It would be possible for hard shoulder running between junction 10 and junction 11 to be delivered ahead of the publicised scheme completion date of April 2013;
- IV. The reduced consultation period will reduce the time difference from when the infrastructure will be complete to when it can commence operations enabling benefits of the investment to be realised at the earliest opportunity.

Further information about the Code of Practice can be located on the Department of Business Enterprise and Regulatory Reform website:

<http://www.berr.gov.uk/whatwedo/bre/consultation-guidance/page44420.html>

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2 SUMMARY OF RESPONSES

2.1 Analysis of Responses

In total 11 responses were received with seven in favour of the scheme and two in favour but expressing concerns about the operational viability of the managed motorway scheme. Two responses were neither in favour nor not in favour of the scheme.

Those in favour include local government organisations and representative organisations and associations.

Figure 1 gives a breakdown of the responses received

Figure 2 gives a breakdown of scheme support

Figure 3 gives breakdown of issues raised

Responses were received from the following organisations:

- Campaign to Protect Rural England
- two from Luton Borough Council
- Bedfordshire Fire and Rescue service
- Road Haulage Association
- Road Rescue Recovery Association
- Freight Transport Association
- two members of the public
- two small to medium businesses

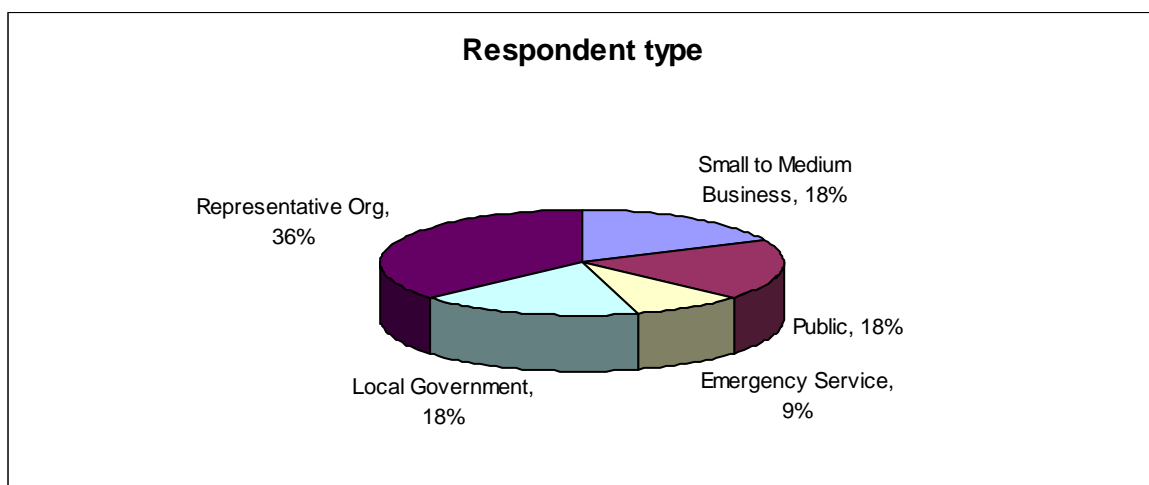


Figure 1 gives a breakdown of the responses received

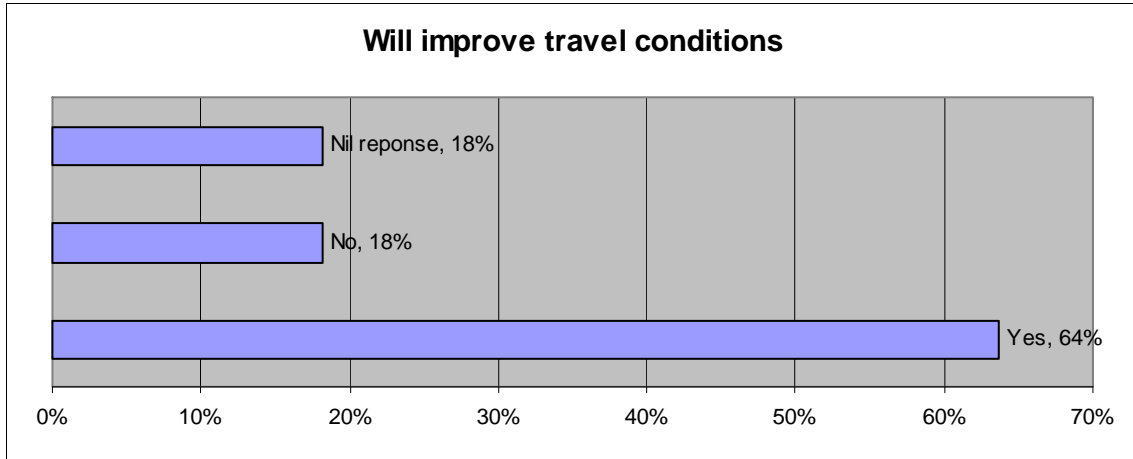


Figure 2 gives a breakdown of scheme support

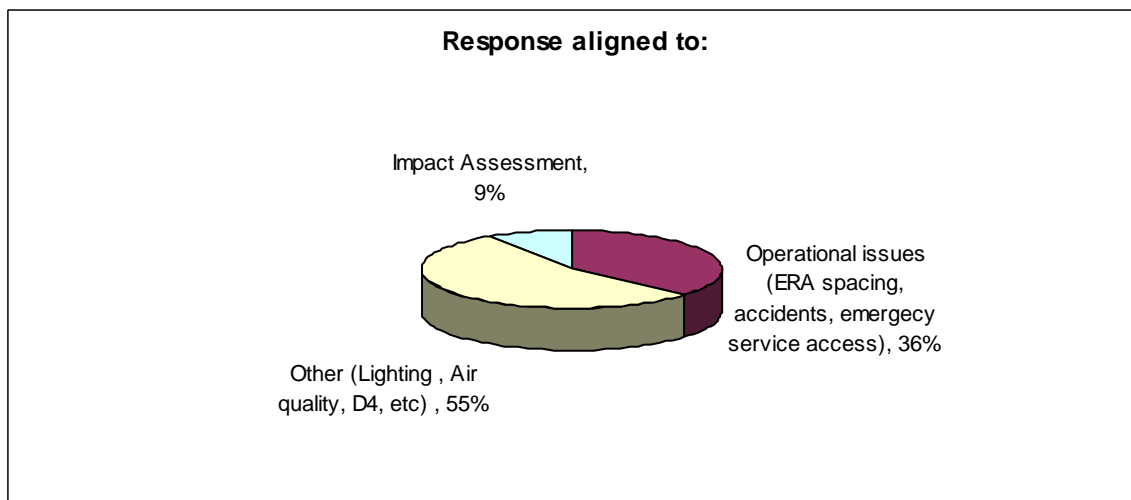


Figure 3 gives breakdown of issues raised

2.2 Support for the Proposed Scheme

During the consultation period, there was general support for the M1 managed motorway scheme from all the respondent organisations.

Two of the interested parties who regularly use the M1 between junctions 10 and 13 commented from a subjective viewpoint that they found the proposed VMSL and HSR arrangement from junction 10 to junction 13 preferable to the current situation; however, they felt that it was only a temporary solution and that widening should be considered.

The local council had no objection to the scheme, however they wished for clarification on the operating, accident and Co2 savings given in the Impact Assessment and an understanding from the Agency that without improvements to junction 10a the HSR would not deliver the forecast benefits. Clarification of the impact assessment has been addressed in Table 3.1. Improvements to junction 10 a have been addressed in table 4.1

The issue of educating road users in the operation and understanding of HSR and VMSL was raised by one respondent. This issue has been addressed in table 3.1a

The Road Rescue Recovery Association were in favour of both HSR and VMSL.

2.3 Objections to the Proposed Scheme

No respondents objected to the scheme outright; however, a number of concerns were raised which are summarised below.

One respondent was concerned over the spacing of emergency refuge areas and the ability of failing vehicles to reach an emergency refuge area safely without causing further disruption to the traffic flows. This concern is addressed in table 3.1a

The local fire and rescue service raised a concern over access to incidents when HSR is in operation. These concerns have been addressed in Table 3.1a

2.4 Other comments received through this consultation, but not directly related to the purpose of the consultation were;

- Concern over the proposal to switch off lighting, this concern is addressed in table 4.1
- The provision of a new junction 11a and the A5 / M1 Link road – this issue is addressed in table 4.1
- Improvements to junction 10a – this issue is addressed in table 4.1

3 ISSUES RAISED AND THE HIGHWAYS AGENCY'S RESPONSE

The comments received during the consultation period have been analysed and separated into three categories:

- Comments regarding the proposed draft regulations (Table 3.1)
- Comments on the proposed operation of the scheme (Table 3.1a)
- Other issues affecting the M1 between junction 10 and junction 13 (Table 4.1)

Responses to the comments raised are shown in the relevant table.

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TABLE 3.1: COMMENTS ON REGULATION CHANGES AND THE IMPACT ASSESSMENT

Ref	Respondents' Comment	Highways Agency's Response
1	Can you explain why there are negative vehicle operating benefits, accident benefits and Co2 benefits	<p>Vehicle Operating Costs: The increase in vehicle operating costs for consumer users and business users is caused by higher average journey speeds, longer journeys travelled (as drivers take advantage of the reduction in congestion on the motorway), and also because some additional consumer trips would be generated onto the motorway and local road network. More detail is on page 12 and 13 of the impact assessment</p> <p>Accident Benefits: There would be a reduction in accidents of 15% due to the introduction of managed motorway controls. However, this would be offset by the increase in flows on the motorway that would be induced by the additional capacity, resulting in a slight negative value across the whole road network in the study area. Taken from table on page 10 of impact assessment.</p> <p>Post consultation note: Following consultation, the impact assessment has been updated. This update shows that accidents are reduced for the scheme but there is a slight increase for the network as a whole.</p> <p>Co2 Benefits: Green house gases would increase due to the additional vehicle kilometres travelled by induced trips. This impact has been assessed over the wide area covered by the scheme traffic model. See also comments on page 16 of impact assessment.</p>
2	Is this consultation the correct forum to raise issue of high occupancy vehicles (HOV) lanes	There are no plans at the moment for HOV lanes on Managed Motorway schemes. The regulations that are being introduced, e.g. the authority to vary speed limits, do not prevent or make any more possible the introduction of the dedicated use of lanes, whether HOV or any other form of restricted use. This type of use would require the introduction of other regulations and a separate consultation process.

TABLE 3.1a: COMMENTS ON OPERATIONAL ASPECTS OF SCHEME

Ref	Respondents' Comment	Highways Agency's Response
1	Concerns about the spacing of emergency refuge areas and ability of vehicles to reach them in times of emergency.	The provision of emergency refuge areas has been designed to provide the best positions for these features which will enable the majority of road users to reach a safer location away from live traffic rather than stopping on the hard shoulder during times of hard shoulder operation. It is however impossible to predict that these locations are correct for every eventuality and there may well be cases where vehicles cannot reach a refuge area and will have to stop on the hard shoulder. If this eventuality should occur, the controls that the control centre operatives have at their disposal mean that the Highways Agency is able to react quickly to these incidents, move traffic to other lanes and access to the stricken vehicle quickly with resolution of the incident more efficiently minimising disruption and delay.
2	Concerns relating to missed opportunity to permanently increase capacity & that hard shoulder running will only provide a temporary fix. No proper allowances for accidents.	Experience from other similar schemes on the M42 and M6 have shown that hard shoulder running has significant benefits in terms of reducing delays experienced from congestion without the need to increase the size of the asset. By managing traffic speed and utilising the hard shoulder, we aim to smooth traffic flow and remove the stop start culture, which is one of the main causes of congestion. By having the ability to control traffic in this way we are also able to manage incidents and accidents more effectively and speed up response and clearance times, further reducing delays to road users.
3	Support scheme but only as temporary measure, would like to see widening to Dual 4 lanes when budgets are less constrained.	No response prepared as this is a statement of what the respondent would like to see.

4	<p>Concern about the ability of emergency services to effectively respond to incidents on the M1 Motorway.</p>	<p>The Regional Control Centres (RCC) and Traffic Office Services have specific procedures in place to ensure access routes are made available wherever possible by closing the appropriate lanes. If lane closures are not possible there are other options available such as;</p> <ul style="list-style-type: none"> • Easing traffic through queues, as you would on any other road without hard shoulders, • Reverse flow or • Attending from opposite carriageway, in this case the carriageway would be closed by RCC operators and emergency vehicle advised accordingly. <p>It is felt that with the new controls available to the RCC operatives, identification of and access to incidents should be quicker and easier.</p>
5	<p>Re-educating the general driving public regarding the operation of this scheme, signage & rules are very specific. How will drivers be alerted to this?</p>	<p>The principle of managed motorways is to make the signalling as intuitive as possible. All the signals used are referenced in the current version of the Highway Code along with the associated laws and relevant regulations. All road users should be aware of their use and meaning.</p>
6	<p>Hard shoulder running is a good idea. The variation in speed limits makes drivers more aware</p>	<p>No response required</p>

7	<p>We believe that this particular section of the M1 has many of the characteristics of the M42 pilot scheme that developed hard shoulder running in the West Midlands to the east of Birmingham and therefore is likely to achieve many of the benefits that are currently being seen on that part of the strategic network</p> <p>It is on that basis that we concluded that the this manage motorway proposal is the best option to improve journey reliability, reduce accidents and reduce carbon high emissions that are typically created by stop start traffic.</p> <p>We also believe that the higher level of road management created the introduction of gantries to help with the management of speed, lane usage with the ability to monitor traffic through the use of camera technology will give the travelling public greater confidence in the system of managed motorway and lead to higher compliance in speed and general driving standards.</p>	No response required
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4 ISSUES CONSIDERED TO BE OUTSIDE OF THE CONSULTATION REMIT

Interested parties have taken the opportunity during the M1 managed motorway scheme consultation process to convey a number of their concerns with other aspects of the M1.

Table 4.1 overleaf sets out a summary of these concerns together with the corresponding Highways Agency response.

TABLE 4.1: RESPONDENTS' COMMENTS OUTSIDE THE CONSULTATION REMIT AND THE HIGHWAYS AGENCY'S RESPONSE

Ref	Respondents' Comment	Highways Agency's Response
1	Concerns over the Highways Agency policy to turn off lighting	Removal of the lighting supports the Government's wider agenda on reducing carbon emissions. This will also reduce the level of light pollution, save energy costs, reduce scheme costs and remove the need for lighting maintenance thereby minimising subsequent traffic disruption. Under a revised standard for lighting on England's motorways and major A roads (introduced in 2007), lights would not be replaced or installed on this stretch of motorway if it was being opened as new. Following careful assessment, analysis also shows that the lights can be switched off on the M1 motorway between junctions 10 (Luton) and 13 (Milton Keynes) without increasing risks to road user safety. There is no requirement for lighting as part of the overall design for Managed Motorway schemes. Lighting assessments are considered as part of overall scheme design, but lighting is not a requirement for hard shoulder running. The junctions on the M1 (J10, J11, J12 and J13), will remain lit, as will sections of the M1 on either side of the junction 11.
2	A new junction 11A and the A5/M1 link road is urgently needed	Information on this project and the proposed Public Inquiry due to take place early next year will be made available to all interested parties through the posting of information leaflets and information made available on the Highways Agency website.

TABLE 4.1: RESPONDENTS' COMMENTS OUTSIDE THE CONSULTATION REMIT AND THE HIGHWAYS AGENCY'S RESPONSE

<p>3</p>	<p>That the HA proposals be supported but that: The Agency acceptance that full benefits will not be achieved unless J10a is improved. That extreme concerns regarding switching off lighting be expressed and that the HA review its decision on this matter. Disappointment that the Agency decided to withdraw the use of speed to control air quality.</p>	<p>No response required as part of consultation however, a response to Luton Borough Council will be provided for all the issues raised as follows.</p> <p>Improvements to junction 10a are outside of the scheme scope and have been addressed back to Luton Borough Council by the local Highways Agency team (Area 8).</p> <p>It is not necessary to use variable speed limits to maintain air quality. On the M1 near Luton, modelling did not demonstrate any significant benefits of using variable speed limits to improve air quality, and that the scheme would be compliant without the need for additional speed control for air quality reasons.</p> <p>Removal of the lighting supports the Government's wider agenda on reducing carbon emissions. This will also reduce the level of light pollution, save energy costs, reduce scheme costs and remove the need for lighting maintenance thereby minimising subsequent traffic disruption. Under a revised standard for lighting on England's motorways and major A roads (introduced in 2007), lights would not be replaced or installed on this stretch of motorway if it was being opened as new. Following careful assessment, analysis also shows that the lights can be switched off on the M1 motorway between junctions 10 (Luton) and 13 (Milton Keynes) without increasing risks to road user safety. There is no requirement for lighting as part of the overall design for managed motorway schemes. Lighting assessments are considered as part of overall scheme design, but lighting is not a requirement for hard shoulder running. The junctions on the M1 (J10, J11, J12 and J13), will remain lit, as will sections of the M1 on either side of the junction 11.</p>
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5 SUMMARY AND RECOMMENDATIONS

5.1 Summary

As the response analysis shows, there has been very little response from the number of organisations invited to comment. This may be due to the fact that:

- The M25, M42 and M6 managed motorway schemes are well understood by users and it is felt no further comment is necessary.
- the published responses to other consultation documents for managed motorway schemes or information on the Agency's website has adequately addressed concerns.

The majority of authorities, people and organisations who responded support the introduction of VMSL and HSR on the M1 between junctions 10 and 13.

Whilst a small number of concerns have been raised, it is considered that the issues raised have been suitably addressed in the analysis. The analysis also notes that some of the comments received were outside of the consultation remit, but it is accepted that an open consultation of this nature also provides a platform for other views to be put forward.

5.2 Recommendations

In support of the proposal to introduce VMSL and HSR on the M1 between junctions 10 and 13, various studies commissioned since the introduction of the trial scheme on the M42 have established conclusively that managed motorway technology does provide the benefits set out in the Impact Assessment, which formed part of the public consultation document.

In addition, having addressed the various issues and concerns raised in the consultation process and noting that the consultation responses have not provided any new information to warrant amending the Impact Assessment, although the impact assessment has been updated as requested by RPC with regard to rebasing prices to 2011, it is recommended that VMSL and HSR are implemented on the M1 between junctions 10 and 13.