

Controlled Motorway

M20 Junctions 4 to 7

Consultation Paper

May 2009



Summary of the Consultation

Topic of this consultation:	The M20 Junctions 4 to 7 Controlled Motorway Scheme.
Scope of this consultation:	We are keen to have your comments on the proposal to introduce variable mandatory speed limits on the M20 between junctions 4 and 7 (“the Controlled Motorway Scheme”) specifically how they could affect your organisation or those you represent.
Geographical scope:	This consultation covers the Controlled Motorway Scheme, which will enable proactive management of the motorway network in the Maidstone area.
Impact Assessment:	The Impact Assessment can be found at Appendix A. When responding to the consultation, please comment on the analysis of costs and benefits, giving supporting evidence wherever possible.

General Information

To:	The consultation is aimed at any affected stakeholder groups and the general public.
Body/bodies responsible for the consultation:	The Highways Agency.
Duration:	The consultation will last for a period of 12 weeks commencing on 05 th May 2009. The consultation will close on 28 th July 2009. Please ensure responses arrive no later than that date.
Enquiries:	Hugh Maxwell Highways Agency GA Federated House London Road Dorking RH4 1SZ Email: Area4MACCorrespondence@highways.gsi.gov.uk

<p>How to Respond:</p>	<p>Please send your consultation response using the “Consultation Response Form” at Appendix B to:</p> <p>Hugh Maxwell GA Highways Agency Federated House London Road Dorking RH4 1SZ</p> <p>Or you can respond to the consultation by email:</p> <p>Area4MACCorrespondence@highways.gsi.gov.uk</p> <p>When responding, please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of a larger organisation please make it clear who the organisation represents, and where applicable, how the views of members were assembled.</p>
<p>Additional ways to become involved:</p>	<p>The Highways Agency website will include a copy of this consultation pack which will be available to the general public. The website address is:</p> <p>http://www.highways.gov.uk/m20controlledmotorway</p>
<p>After the consultation:</p>	<p>All responses received from consultees within the consultation period will be considered and responded to as necessary. Following the consultation, a summary report will be made available on the Highways Agency website. The summary report will provide an analysis of responses received and the Highways Agency’s response.</p> <p>Subject to the results of the consultation, we envisage that the Controlled Motorway Scheme will be implemented in Summer 2009.</p>
<p>Compliance with the Code of Practice on Consultation:</p>	<p>This consultation complies with the Government’s Code of Practice on Consultation.</p>

Background

Getting to this stage:	The Government has announced a programme of up to £6 billion to improve and make better use of motorways and other key roads. The introduction of variable mandatory speed limits builds upon similar schemes already introduced on the M25 and is a scheme to tackle congestion through the introduction of new technology.
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APPENDICES

Appendix A – Impact Assessment

Appendix B – Consultation Response Form

Appendix C – List of Consultees

Executive Summary

This consultation will provide an opportunity for interested parties and individuals to comment on the proposal to introduce variable mandatory speed limits on the M20 between junctions 4 and 7 (“the Controlled Motorway Scheme”). Secondary legislation in the form of regulations made under section 17 of the Road Traffic Regulation Act 1984 will be required to implement the Controlled Motorway Scheme.

The proposed regulations will restrict drivers from driving at a speed exceeding that displayed on the speed limit signs or the national speed limit where no other speed limit sign is displayed.

The Controlled Motorway Scheme will enable proactive management of the motorway network around Maidstone, an area with a previous history of congestion and accidents. The speed limits that will be displayed on the motorway will take into account prevailing traffic conditions with the aim of ensuring the smooth flow of traffic. The mandatory speed limits will be clearly displayed above each lane of the main carriageway.

We are keen to have your comments on the proposal to introduce variable mandatory speed limits, specifically how they could affect your organisation or those you represent. Similarly we welcome your comments on the Impact Assessment which can be found at Appendix A. Consultees are invited to offer views on the treatment of costs and benefits in the accompanying Impact Assessment.

The Introduction of Variable Mandatory Speed Limits

The Highways Agency is committed to building upon the success of the existing controlled motorways scheme, which has been operational on the M25 between junctions 10 and 15 since 1995, and was extended to junction 16 in 2002. It is expected that the Controlled Motorway Scheme will:

- Reduce congestion;
- Provide more reliable journey times;
- Reduce the frequency of accidents;
- Reduce carbon emissions; and
- Reduce driver stress.

1. HOW ARE WE CONDUCTING THE CONSULTATION?

1.1 WHAT IS THIS CONSULTATION ABOUT?

We are consulting on the proposal to allow the operation of variable mandatory speed limits on the M20 between Junctions 4 and 7 (“the Controlled Motorway Scheme”).

1.2 WHY DO WE NEED THE CONTROLLED MOTORWAY SCHEME?

The Government has announced a programme of up to £6 billion to improve and make better use of motorways and other key roads. The Highways Agency is developing its role as Network Operator through a series of traffic management, network control and other measures with the aim of:

- Achieving best use of existing road space;
- Responding more quickly to incidents and reducing clear-up times; and
- Reducing congestion and increasing the reliability of journey times.

The use of variable mandatory speed limits is an essential element in achieving these requirements. It is aimed at tackling congestion through the introduction of technology to make best use of the existing road space whilst maintaining and where possible, improving current safety standards.

1.3 JOINING THE DEBATE

We would like to encourage any representative organisations, businesses or individuals affected by the proposed Controlled Motorway Scheme to make contact with us and communicate their views.

If you are responding on behalf of an organisation, it would be helpful if you could note this in your reply. Please also indicate the nature of the organisation, how many individuals’ views are included in the response, and ways in which these views were gathered.

1.4 SENDING YOUR CONSULTATION RESPONSE

All responses should be sent in writing (email or by post) to the address below. Please let us have your comments by the 28th July 2009.

Hugh Maxwell
Highways Agency,
GA Federated House,
London Road,
Dorking, RH 4 1SZ

Email: Area4MACCorrespondence@highways.gsi.gov

1.5 HOW WE WILL ACT ON YOUR RESPONSES

Following the consultation period, we will publish a 'Response to Consultation Report'. This will be published on the Highways Agency website.

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

If you want any information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this, it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Highways Agency.

The Highways Agency will process your personal data in accordance with the DPA and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

1.6 FURTHER INFORMATION

To receive further information on the Controlled Motorway Scheme you can contact our Highways Agency Information Line on: 08457 504030 where a representative will get back to you with a response to your questions. Alternatively visit the Highways Agency website at:

<http://www.highways.gov.uk/m20controlledmotorway>

1.7 GOVERNMENT'S CODE OF PRACTICE ON CONSULTATION

We are conducting this consultation in accordance with the GOVERNMENT'S CODE OF PRACTICE on consultation. The consultation criteria are listed 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.

If you have reason to believe this Consultation does not comply with this Code of Practice, please write to our consultation co-ordinator at the address below, setting out the areas where you believe this Paper does not meet the criteria:

Monica Brown
Highways Agency,
Zone 2/27AH,
Temple Quay,
Bristol, BS1 6HA

Or alternatively monica.brown@highways.gsi.gov.uk

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>

2. GENERAL INFORMATION ON THE CONTROLLED MOTORWAY SCHEME

2.1 PROPOSED EXTENT OF THE CONTROLLED MOTORWAY SCHEME

A map showing the Controlled Motorway Scheme is shown in Figure 2A, including the proposed extent of the scheme. The precise configuration of the extent of the roads that are included within the scheme may be subject to variation. The Controlled Motorway Scheme will include the motorway and the on-slip and the off-slip roads between junctions 4 and 7.

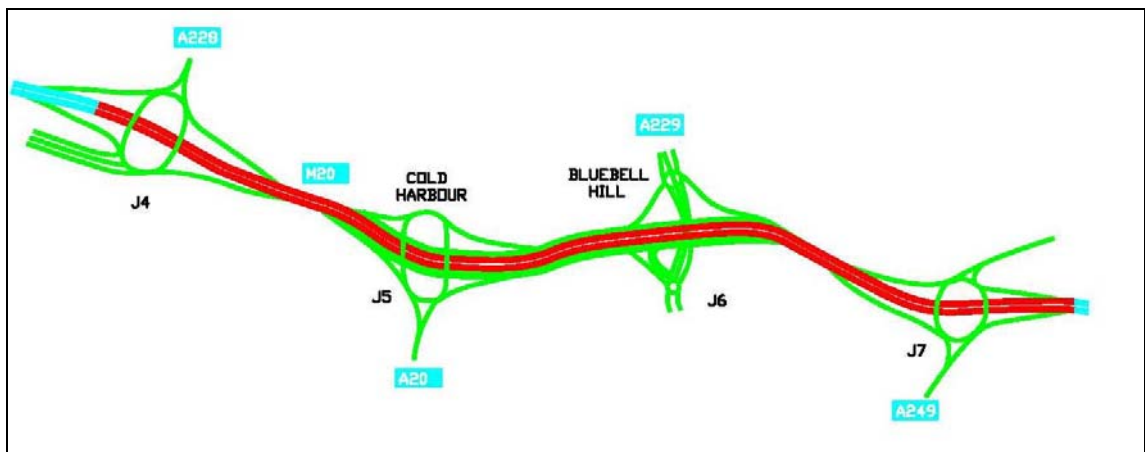
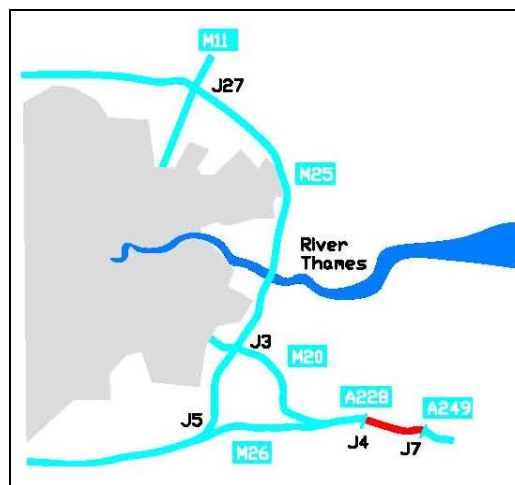


Figure 2A: Controlled Motorway Scheme Map

2.2 KEY FEATURES

The Controlled Motorway Scheme will include the following key features:

- Gantries at regular spacing with lane specific Advanced Motorway Indicator signals;
- Variable Message Signs to provide the latest driver travel information and provide advance warning of incidents;
- Digital speed enforcement equipment to facilitate enforcement and manage compliance. The Highways Agency Digital Enforcement Camera System 2 (“HADECS 2”) will be used to enforce variable mandatory speed limits automatically;
- A system where in-road vehicle detector loops will detect queuing traffic and set warning signals, plus a network of CCTV cameras to monitor traffic conditions;
- Partnership with the Police;
- Provision of Highways Agency Traffic Officers to ensure effective incident management; and
- Incident response teams to remove obstructions, assist with traffic management and repair roadside infrastructure.

2.3 ENFORCEMENT

Obtaining an acceptable level of compliance with the speed limits displayed on overhead gantries is key to the successful and safe operation of the Controlled Motorway Scheme. Enforcement of variable mandatory speed limits is planned to be carried out using a combination of gantry-mounted speed enforcement cameras and traditional enforcement by the Police.

HADECS 2 will be used to automatically enforce variable mandatory speed limits.

Relevant Questions:

Will the new variable mandatory speed limits be enforced, and how will this take place?

Yes, speed limits will be actively enforced to ensure compliance. The Highways Agency Digital Enforcement Camera System 2 will provide automated detection. In addition, Police officers will have powers to enforce the variable speed limits.

3 VARIABLE MANDATORY SPEED LIMITS

3.1 INTRODUCTION

The Controlled Motorway Scheme will be implemented on the M20 between junctions 4 and 7.

In order to inform motorists that they are entering the Controlled Motorway Scheme area, fixed signage on main carriageways and slip roads will indicate entry and exit locations.

During normal motorway operation, signals on gantries will be blank and the motorway will operate as a standard motorway.

When variable mandatory speed limits are in operation, the variable mandatory speed limit signals will be displayed on gantries on the M20 between junctions 4 and 7. The signals are capable of automatically displaying one of three mandatory settings, 40 mph, 50 mph or 60 mph. The speed selected will depend upon prevailing traffic conditions and is automatically calculated from sensors buried in the road surface. It is also possible to manually set mandatory speed limit signals to show a speed below 40 mph.

To confirm that the speed limit is mandatory and enforceable, the speed shown will have a red circle around it signifying that the speed is to be obeyed as is the case with all other mandatory speed limit signs.

Some gantries will be fitted with HADECS 2 capable of providing evidence to secure prosecutions for speeding under the Road Traffic Act 1988.

The Operational Regimes to be implemented within the Controlled Motorway Scheme include:

- Normal operation;
- Variable mandatory speed limits to manage congestion; and
- Incident management.

3.2 NORMAL OPERATION

During normal motorway operation, signals on gantries will be blank and the motorway will operate as a standard motorway, as shown in Figure 3A below. This follows the same operating approach as the existing controlled motorway scheme operating on the M25 between junctions 10 and 16. When any other operational regime is introduced signals will be displayed over the carriageway lanes.

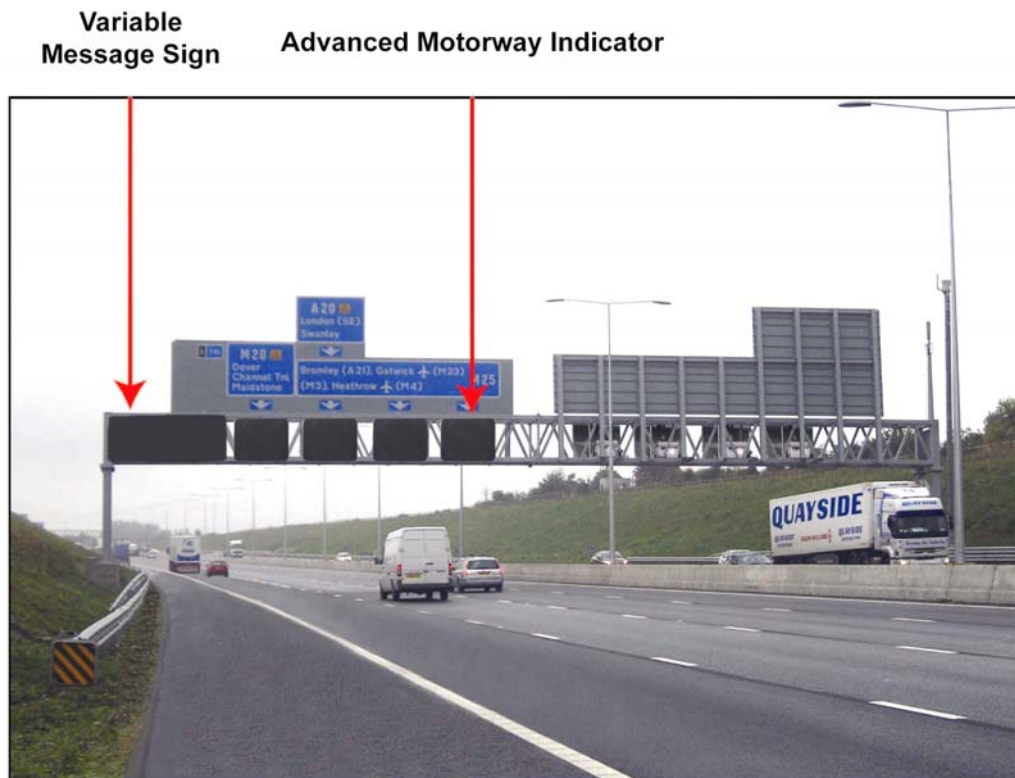


Figure 3A: The scheme during Normal Motorway Operations

Relevant Questions:

When variable mandatory speed limit signals are left blank what speed limits apply?

When the signals are left blank, the speed applicable will be the National Speed Limit and therefore a maximum speed of 70mph will apply to all lanes.

3.3 VARIABLE MANDATORY SPEED LIMITS

When variable mandatory speed limits are set, clear instructions will be given to drivers via the overhead signs and signals, as illustrated in Figure 3B below.

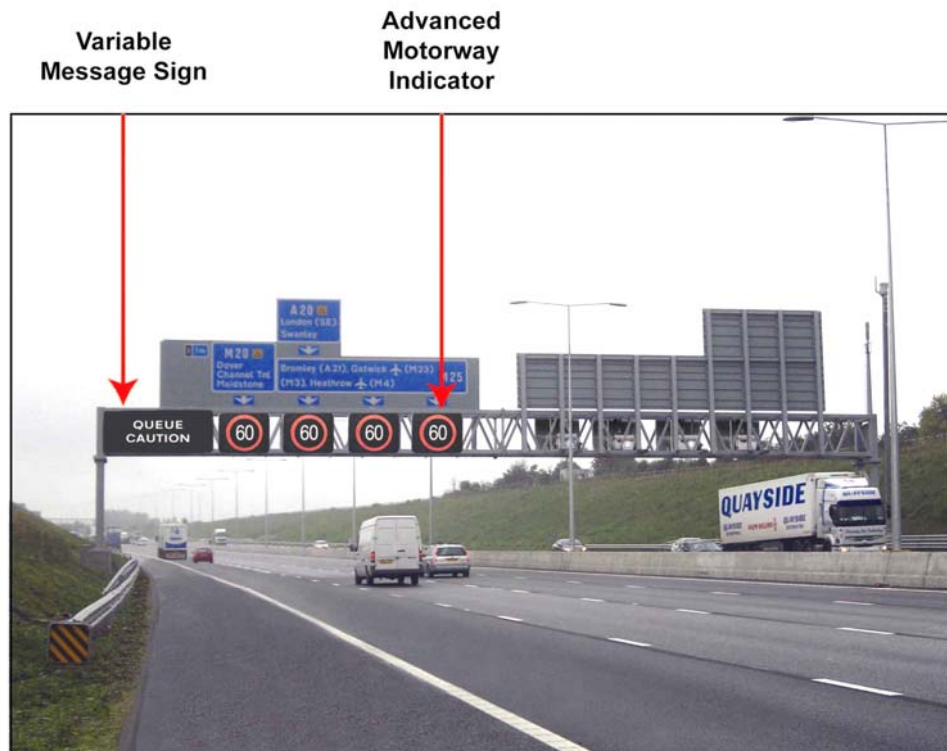


Figure 3B: Variable Mandatory Speed Limits

Variable mandatory speed limits will operate in a similar manner to the M25 junctions 10 to 16 controlled motorway scheme, which has variable mandatory speed limits displayed above all the main carriageway lanes. The variable mandatory speed limit signal will be displayed on gantries on the M20 between junctions 4 and 7. The speed selected will depend upon prevailing traffic conditions and is automatically calculated from sensors buried in the road surface.

The following points detail the operational regime for variable mandatory speed limits to manage congestion:

- During the display of variable mandatory speed limits, the signals mounted on overhead gantries above all the lanes of the main carriageway will automatically display one of three mandatory settings, 40mph, 50mph or 60mph speed limits as appropriate to the road conditions. Lower speed limits such as 20mph or 30mph can be manually set by operators when considered necessary for the safety of the travelling public or those working within the carriageway.
- When queuing traffic is present, the message signs will display a “Queue Ahead” (or similar) message.

Relevant Questions:

What speed limits can be displayed?

When the variable mandatory speed limits are in operation the Advanced Motorway Indicators will normally display speed limits at 60mph, 50mph and 40mph. Blank signals indicate that the National Speed Limit of 70mph applies.

Who controls the signals?

There are two ways in which variable mandatory speed limits can be controlled:

- Direct control by trained Highways Agency Regional Control Centre staff; and.
- Automatic speed setting when the in-road vehicle detector loops indicate that the signs of developing congestion are present.

3.4 INCIDENT MANAGEMENT

During incident management, the signs and signals can be set in order to ensure the safety of road users and protect the scene of an incident and provide access to enable the Emergency Services to attend if required. Speed restrictions and lane availability will be indicated through the use of variable mandatory speed limits, lane divert arrow signal with flashing amber lanterns and Red X signals which can be displayed over any of the main carriageway lanes. Figure 3C below shows the Red X signals and lane divert arrow signals in operation.

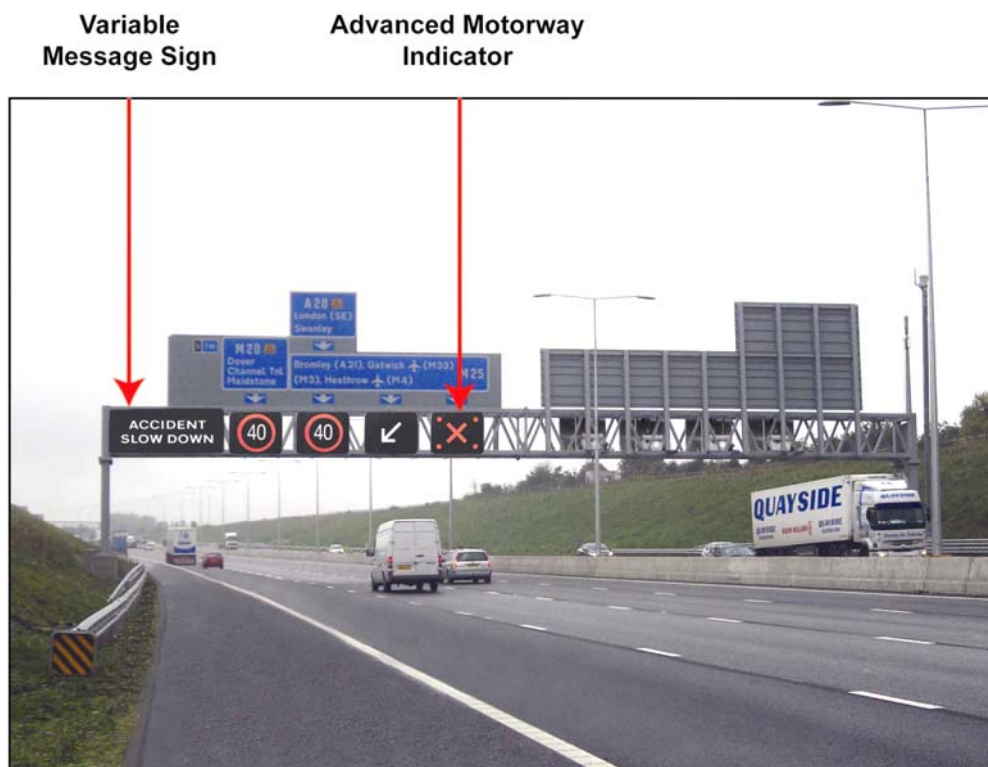


Figure 3C: Management of an incident within variable mandatory speed limit section

Relevant Questions:

Are Incident Management signals mandatory?

Red X signals are mandatory and enforceable. Lane divert arrow signals are not mandatory, although they are normally followed by a Red X signal, and therefore it is advisable to change lanes once it is safe to do so in order to ensure compliance once the Red X signal indicating that traffic should not proceed past it is displayed.

4. LEGISLATIVE CHANGES

4.1 LEGISLATIVE CHANGES FOR THE IMPLEMENTATION OF THE CONTROLLED MOTORWAY SCHEME

Regulations need to be made under section 17(2) and (3) of the Road Traffic Regulation Act 1984 ('the 1984 Act') for the implementation of the Controlled Motorway Scheme. The proposed regulations will restrict drivers from driving at a speed exceeding that displayed on the speed limit signs or the national speed limit where no other speed limit sign is displayed.

The relevant legislative power in the 1984 Act permits the making of regulations that regulate the manner in which and the conditions subject to which motorways may be used by traffic authorised to use such motorways

Within the Controlled Motorway Scheme, it is an offence to use a motorway in contravention of regulations applying to the scheme made under section 17(2) of the 1984 Act.

Drivers of vehicles that pass a speed limit sign indicating that a speed limit other than the national speed limit applies, should obey that sign until the vehicle passes another sign indicating either that a new speed limit or the national speed limit applies.

However, when there is a change in the speed limit displayed on the speed limit sign and if the vehicle had passed that sign ten seconds earlier, then the speed limit applicable to the driver of the vehicle will be the speed limit displayed on that sign prior to it changing.

The regulations when made will apply in relation to the M20 between junctions 4 and 7. The roads governed by the regulations will be set out in the regulations.