



# Overtaking ban on the M11 for Heavy Goods Vehicles above 7.5 tonnes

November 2018

# Summary of the consultation

<b>Topic of this consultation</b>	To reduce congestion and improve journey times, a temporary ban on Heavy Goods Vehicles (HGV) 7.5t and above from overtaking in lane 2 between junctions 8 and 9 of the M11 motorway, applying between the hours of 07:00 and 19:00 has been in place. This consultation relates to proposed regulations to make this ban permanent.
<b>Scope of this consultation</b>	To gather views ahead of the application for and implementation of a Statutory Instrument (SI) made under section 17(2) and (3) of the Road Traffic Regulation Act 1984, that would restrict HGVs from using lane 2 along signed sections of the M11 between junctions 8 and 9. We would like to hear how the proposal could affect you, your organisation or those you represent.
<b>Geographical scope</b>	This will apply in both directions on approach to a hill located to the south of M11 junction 9 near Great Chesterford and Saffron Walden, Essex. The restriction applies over a length of 2 miles on the northbound carriageway and 1 mile on the southbound carriageway.

## General information

<b>To</b>	The consultation is aimed at any affected stakeholder groups or individuals.
<b>Body/bodies responsible for the consultation</b>	Highways England
<b>Duration</b>	The consultation will last for a period of 4 weeks starting on 1 November 2018. The consultation will close on 29 November 2018. Please ensure responses arrive no later than the closing date.
<b>Enquiries</b>	Sarah Mason, Project Sponsor c/o Richard Harman Senior Traffic Engineer WSP Shirehall Abbey Foregate Shrewsbury SY2 6ND <b>M11J8-9Consultation2018@wsp.com</b>

<b>How to respond</b>	<p>Please respond to the consultation through our online survey which can be found on the Highway England Consultation Hub</p> <p><b><a href="https://highwaysengland.citizenspace.com/he/m11-overtaking-hgvs">highwaysengland.citizenspace.com/he/m11-overtaking-hgvs</a></b></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 the represented organisation clear and, where applicable, how the views of members were gathered.</p>
<b>Additional ways to become involved</b>	<p>You can also complete the consultation response form and send it to:</p> <p><b>Sarah Mason, Project Sponsor</b>  <b>c/o Richard Harman</b>  <b>Senior Traffic Engineer</b>  <b>WSP</b>  <b>Shirehall</b>  <b>Abbey Foregate</b>  <b>Shrewsbury</b>  <b>SY2 6ND</b></p>
<b>After the consultation</b>	<p>All responses received within the consultation period will be considered and responded to. Following the consultation a summary report will be made available on the Highways England website. The summary report will provide an analysis of responses received and the Highways England response. Subject to the results of the consultation, we envisage that the permanent legal order would be implemented by 2019.</p>
<b>Getting to this stage</b>	<p>An original trial of the M11 junction 8 to 9 HGV overtaking ban scheme (the scheme) was carried out between April 2010 and September 2011. Data gathered during the trial period showed that the scheme had positive benefits to traffic flows and reduced congestion. No significant objections were received during the consultation period of the trial scheme.</p> <p>A temporary HGV overtaking ban is currently in place at the same location under a Temporary Traffic Regulation Order (TTRO). As this is due to expire in January 2020, we are taking steps to implement the ban on a permanent basis by introducing a Statutory Instrument, the legal order required to enforce the restrictions.</p>

# How we are conducting the consultation

## What is this consultation about?

We are consulting on the proposed implementation of a permanent 7.5t and over Heavy Goods Vehicle (HGV) overtaking ban between junctions 8 and 9 of the M11 motorway.

## Why do we need the HGV overtaking ban?

The M11 Motorway is a strategic route for local, regional and international traffic, and plays a major role as:

- A national artery providing a direct motorway route between the North Circular Road, the M25, Stansted Airport, Cambridge and routes to Norwich and the East Midlands.
- A major interurban regional route connecting major conurbations and providing access to important international gateways. This section of the M11 carries in excess of 70,000 vehicles a day.

It is expected that the HGV ban will:

- Reduce congestion for all traffic
- Smooth traffic flows
- Provide more reliable journey times

The implementation of Regulations to ban HGV's over 7.5t from overtaking on the inclines located to the south of junction 9 near Great Chesterford is essential to achieving the objectives above. Through the implementation of this scheme, we aim to make best use of the existing road space. Comments on the introduction of the HGV overtaking ban statutory instrument

We encourage any organisations, businesses or individuals affected by these proposals 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 the ways in which these views were gathered.

## How we will act on your responses

The information you provide will be kept in a secure environment only accessible by Highways England and the specific contractor(s) working with us on this project. Your personal information will not be shared with any other individuals or organisations beyond the provision set out in the Freedom of Information Act 2000 and Environmental Information Regulations 2004. The information you submit will only be used in support of the purpose specified in the survey. Personal details are collected only to ensure entries are not duplicated and in order to contact correspondents if necessary.

## Legislative changes for the implementation of the HGV 7.5t overtaking ban

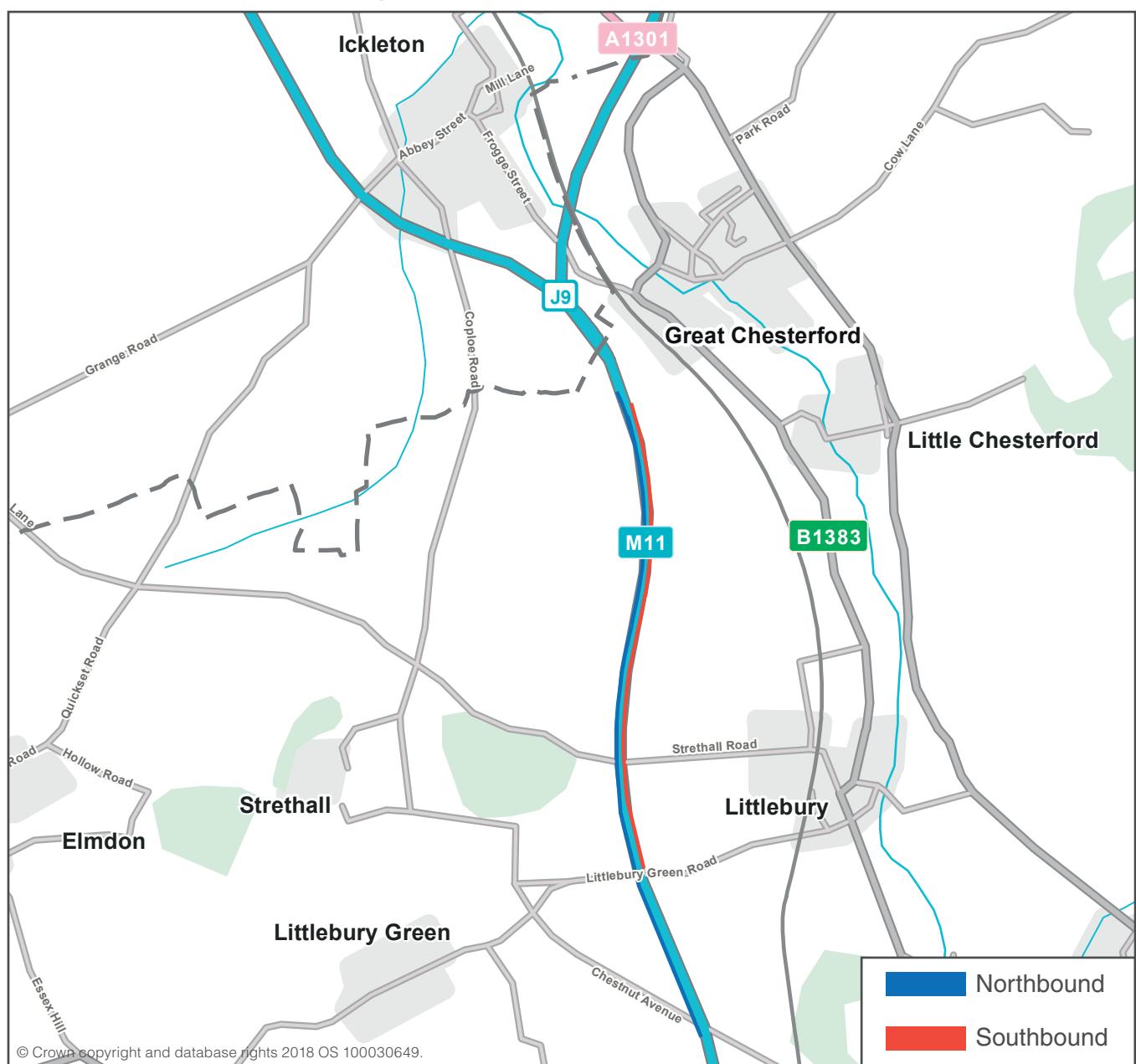
Subject to the outcome of the consultation, Regulations will need to be made under section 17(2) and (3) of the Road Traffic Regulation Act 1984 ('the 1984 Act') to support the M11 junction 8 to 9 HGV overtaking ban. These Regulations would be made by the form of a Statutory Instrument which would require approval by Parliament via the Secretary of State for Transport.

Drivers of HGVs exceeding 7.5t will be restricted by the proposed regulations from using the offside lane between the hours of 07:00 and 19:00 over the sections of the M11 where the relevant signs are displayed to indicate the restriction. A Heavy Goods Vehicle (HGV), also known as a Large Goods Vehicle (LGV) is a rigid or articulated lorry or truck with a combined gross weight over 7.5 tonnes, as defined as a "heavy commercial vehicle" under section 138 of the Road Traffic Regulation Act 1984.

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. The proposed regulations restricting HGVs from using the offside lane differs from the normal rules governing the use of motorways with three or more lanes given under section 12 of the Motorways Traffic (England and Wales) Regulations 1982, as suitable traffic signs are not available within the Traffic Signs Regulations and General Directions 2016 to convey the types of vehicles to which these rules apply.

Drivers of HGVs that pass a 7.5t weight limit sign indicating the start of the restriction should not overtake until the vehicle passes another sign indicating that the restriction has ended. The regulations will include exemptions for emergency service response vehicles and for times when the nearside lane is closed or obstructed in emergency situations.

## M11: Location of overtaking ban for Heavy Goods Vehicles over 7.5 tonnes



The M11 HGV 7.5t overtaking ban will include sections of both the northbound and southbound carriageway located to the south of junction 9 near to Great Chesterford and Saffron Walden in Essex.

The northbound restriction is proposed to commence at a point south of the Littlebury Green Road bridge crossing the M11 and will extend for a distance of approximately 2 miles, up to a point south of the junction 9 off-slip.

The southbound restriction is proposed to commence at a point approximately 1 mile south of the junction 9 southbound on-slip and will extend for a distance of approximately 1 mile, up to a point north of the Littlebury Green Road bridge crossing the M11.

The overtaking ban would be in force daily between the hours of 07:00 and 19:00.

A temporary HGV 7.5t overtaking ban is currently implemented over the same length of the M11 as described above. We propose to simply make these restrictions permanent.

## Benefits of the HGV 7.5t overtaking ban in this area

This stretch of the M11 has previously experienced considerable congestion due to high traffic volumes and the uphill gradients. The congestion reduces the efficiency of the movement of goods and people to the detriment to productivity and social activity.

The purpose of the scheme is to reduce the congestion during busy periods which arises when HGVs use the offside lane to overtake. HGVs are speed restricted to 90kph (56mph) and will frequently seek to overtake other HGVs travelling at only slightly lower speeds than themselves, especially on uphill sections. These overtaking movements can therefore take some time to complete, during which time a queue of other faster vehicles (travelling at, or close to the 70mph speed limit) will develop behind the overtaking HGV. By effectively preventing the overtaking, other faster vehicles will not be delayed and their journey times will reduce. The effect on HGV journey times will be minimal as the speed differential between them is relatively small, even on uphill gradients.

Evaluation of a previous trial of the HGV 7.5t overtaking ban carried out at this location between April 2010 and October 2011 demonstrated that the intervention reduced journey times and improved journey time reliability.

## Enforcement

Obtaining an acceptable level of compliance with the HGV 7.5t overtaking ban (displayed on signs in advance of and at the start and end of the restriction) is key to the successful and safe operation of the restriction. No new offences or sanctions will be introduced as a result of the proposed Regulations.

Enforcement of the HGV 7.5t overtaking ban is to be carried out by the police.

## Next steps

Once the consultation has closed on 29 November 2018, comments will be taken into account and will inform, if necessary and where possible, further refinements to the scheme.



# General Data Protection Regulations (GDPR)

On 25 May 2018, the General Data Protection Regulations (GDPR) came into force. This legislation requires Highways England to explain to consultees, stakeholders and customers how their personal data will be used and stored.

Highways England adheres to the Government's Consultation Principles, the Planning Act 2008 and the Highways Act 1980 as required, and may collect personal data to help shape development of highways schemes.

Personal data collected for the M11 Junction 8-9 HGV overtaking ban will be processed and retained by Highways England and its appointed contractors until the scheme is complete.

Under the GDPR regulations you have the right to request the following information from us:

1. Right of access to the data (Subject Access Request);
2. Right for the rectification of errors;
3. Right to erasure of personal data – this is not an absolute right under the legislation;
4. Right to restrict processing or to object to processing and
5. Right to data portability.

If, at any point, Highways England plans to process the personal data we hold for a purpose other than that for which it was originally collected, we will provide you with information about what that other purpose is. This will be done prior to any further processing taking place. The extra information will include any relevant further information as referred to above, including the right to object to that further processing.

You have the right to lodge a complaint with the supervisory authority, the Information Commissioners Office.

If you'd like more information about how we manage data, or a copy of our privacy notice, please contact [DataProtectionAdvice@Highwaysengland.co.uk](mailto:DataProtectionAdvice@Highwaysengland.co.uk)



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