

Smart Motorways Programme

M56 Junction 6 to 8 Smart Motorway

Response to Statutory Instrument Consultation
The introduction of variable mandatory speed limits

April 2020

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Executive Summary

The M56 is a key strategic route carrying high volumes of vehicles between Manchester and Cheshire. The section between junctions 6 and 8 is approximately four miles in length and runs between Manchester Airport and Bowdon.

The M56 junction 6 to 8 smart motorway scheme runs from the Wilmslow Road underbridge at junction 6 to the Yarwoodheath Lane overbridge at junction 7 including the westbound on-slip and eastbound off-slip at junction 6, and portions of the westbound off-slip and eastbound on-slip at junction 7.

This section of the M56 is a key commuter route into Manchester and provides access to and from the M6 south via the A556 at junction 7. The scheme is intended to add capacity to the existing strategic road network and significantly reduce congestion. The provision of an additional lane and introduction of variable mandatory speed limits will help to alleviate this congestion.

The M56 junction 6 to 8 smart motorway scheme requires the implementation of variable mandatory speed limits (VMSL) between junctions 6 to 7. Regulations will need to be made under section 17(2) and (3) of the Road Traffic Regulation Act 1984, for the implementation of VMSL on the M56 junctions 6 to 7.

We held a four week Statutory Instrument consultation from 2 September to 30 September 2019, which provided an opportunity for consultees to comment on the proposal to introduce, by way of Regulations, VMSL between junctions 6 and 7 of the M56 junction 6 to 8 smart motorway scheme.

A total of 13 responses were received to the consultation. Seven questionnaire responses were received via CitizenSpace, and six written responses were sent directly to the Highways England project team.

This report provides a full account of our approach to the consultation, and the responses received. It will demonstrate how we have taken the feedback from the consultation into account.

We have regard for all responses received and recommend that the Secretary of State proceed with the necessary Regulations to allow for the implementation of VMSL on the M56 between junctions 6 and 7.

1. Introduction

1.1. Document structure

Section 1 provides background information about the M56 junction 6 to 8 smart motorway scheme and the proposed changes to legislation.

Section 2 details how the consultation on the proposed changes was carried out

Section 3 provides a summary of the responses to the consultation that were received, as well as our responses to the issues raised.

Section 4 summarises the outcome of the consultation and makes recommendations for next steps.

1.2. Purpose of this report

This document is intended to provide a summary of the responses received to the consultation on the introduction of variable mandatory speed limits (VMSL) on the M56 junction 6 to 7 within the M56 junction 6 to 8 smart motorway scheme. The consultation, which we held between 2 September 2019 and 30 September 2019, provided an opportunity for stakeholders, such as road user groups and other interested parties, to comment on the proposals. We have considered the comments raised by consultees and this document summarises our response to those comments.

1.3. Background to the consultation

The M56 junction 6 to 8 is a strategic route located in north west England. This road network carries high volumes of heavy goods and other vehicles. Congestion and unreliable journey times are currently experienced at busy periods and traffic is predicted to grow.

The M56 junction 6 to 8 smart motorway scheme will relieve congestion and smooth the flow of traffic, improve safety and journey times.

1.4. Legislative changes

Regulations have been proposed to be made under section 17(2) and (3) of the Road Traffic Regulation Act 1984 (“the 1984 Act”) for the implementation of VMSL for the M56 junction 6 to 8 smart motorway all-lane running scheme. The proposed Regulations will restrict drivers from driving within the area of the smart motorways scheme 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 way, and the conditions subject to which, motorways may be used by traffic authorised to use such motorways.

Within the M56 junction 6 to 8 smart motorway all lane running scheme it will be an offence to use a motorway in contravention of Regulations applying to the scheme made under section 17(2) of the 1984 Act.

2. Conducting the consultation

2.1. What the consultation was about?

The consultation provided the opportunity for interested parties to comment on the proposal to introduce a statutory instrument to implement variable mandatory speed limits on the M56 between junctions 6 to 7 of the M56 junction 6 to 8 smart motorway scheme.

2.2. How the consultation was carried out

The Statutory Instrument Consultation Document for the scheme was sent to the 44 consultees listed in Appendix C of the consultation document.

The consultation was also open to public participation through our consultation hub at: <https://highwaysengland.co.uk/m56j6to8>

We encouraged representative organisations, businesses and the general public to register their views. The four week consultation period commenced on 2 September 2019 and closed on 30 September 2019.

In addition to the online survey, respondents were also able to send their responses via email or post to the Highways England project manager as follows:

Clare Bond

Project Manager
Highways England
2 Colmore Square
Birmingham
B4 6BN

Email: M56J6-8SmartMotorway@highwaysengland.co.uk

2.3. Government consultation principles

The consultation was carried out in accordance with the Government's Consultation Principles, which are available at:

<https://www.gov.uk/government/publications/consultation-principles-guidance>

If you have reason to believe this consultation did not comply with these Consultation Principles, please write to our consultation co-ordinator at the address below, setting out the areas where you believe this consultation did not meet the principles:

Andy Johnson

Highways England
The Cube
199 Wharfside Street
Birmingham
B1 1RN

Email: andy.johnson@highwaysengland.co.uk

3. Responses to the consultation and Highways England’s response

3.1. Summary of responses

During the four week consultation period, from 2 September to 30 September 2019, a total of 13 responses were received.

A total of seven responses were received via CitizenSpace. Of these seven, four responses were from members of the public, one identified as an interest group, one was received from a local resident in Ashley, and one was anonymous.

Of the six written responses received, one was from a local business and four were from members of the public. One of these responses was not related to the M56 junction 6 to 8 smart motorway scheme. We have responded individually to all the written enquiries received.

The questionnaire asked respondents to answer three questions, with space provided for comments on each. The questions and an analysis of the responses are provided below.

3.2. Question 1: Improvements to travelling conditions

Q1. Do you consider that the proposal to introduce variable mandatory speed limits on the M56 between junctions 6 and 7 will lead to an improvement in travelling conditions on this section of motorway?

Consultee	Yes	No
Member of public	2	2
Local Parish Council	1	0
Interest Group	0	1
Anonymous	1	0
Total	4	3

Of the responses received, 57% considered that the proposals to implement variable mandatory speed limits would lead to an improvement in travelling conditions on the M56 between junctions 6 to 7 of the M56 junction 6 to 8 smart motorway scheme. Of the seven respondents, five provided comments.

Key themes identified:

Congestion

- Improvement to the network considered unnecessary due to the cost versus short periods of congestion and the disruption that this would cause motorists.

- Currently too many cars on the network.
- The scheme would encourage road users to use the route as it would offer more capacity.

Variable mandatory speed limits (VMSL)

- Variable mandatory speed limits may cause increased stress to motorists due to the changing speeds on the network.
- Low speed limits operating which are unrelated to the current road condition.
- Controlling the speed of the travelling public on the M56 from junctions 6 to 7 would have a marked improvement on travel times due to the number of vehicles using the network. It would make the daily commute much easier.
- VMSL would improve travel conditions by keeping the network flowing rather than the congestion that is currently experienced during peak times.

Highways England Response to Question 1: Improvements to travelling conditions

Congestion

The smart motorway concept supports the economy by providing much needed capacity on the busiest sections of the motorway, while maintaining safety for drivers and those who work on the SRN.

The M56 junction 6 to 8 smart motorway scheme forms part of the strategic road network (SRN). It links with major A roads and links Cheshire and the surrounding areas into Manchester Airport and Manchester City Centre.

An assessment was undertaken before the development of the scheme where various options to improve the M56 J6-8 scheme were considered, including a comparison of conventional widening and new smart motorway techniques. The conclusion of the assessment was that the implementation of a smart motorway scheme on the M56 would provide better value for money and deemed necessary to deal with the congestion in this area.

Variable Mandatory Speed Limits

Variable mandatory speed limits (VMSL) will be utilised when the motorway is most congested during busy times of the day. It has been demonstrated on other smart motorway schemes that a technology driven approach to tackling congestion will increase capacity and improve journey reliability. This will be achieved by controlling the flow of traffic and providing driver information on variable message signs (VMS) throughout the length of the scheme. Gantries displaying the mandatory speed limits will be sited with clear visibility, giving motorists enough time to adjust their speed in a safe and controlled manner.

CCTV cameras will be installed on the network to allow the Regional Operations Centre to monitor road conditions and set mandatory speed limits as required. Lower speed limits are enforced when the network starts to become congested or when an incident has occurred. The speed limits are used to provide drivers with sufficient time to respond to the congestion or incident ahead.

Evidence from other all lane running smart motorway schemes suggest that road safety has improved, and there has been a reduction in collisions as a result. The M25 junctions 5 to 7 smart motorway scheme has seen a 27% reduction in collisions compared to three years before the opening of the smart motorway. The two-year monitoring report for the M25 demonstrates that there has been a significant increase in traffic flows and improvement on journey reliability times.

3.3. Question 2: Concerns about the introduction of variable mandatory speed limits.

Q2. Are there any aspects of the proposal to introduce variable mandatory speed limits on the M56 between junctions 6 and 7 which give you concerns?

Consultee	Yes	No
Member of public	1	3
Interest Group	1	0
Local Parish Council	1	0
Not Answered	1	0
Total	4	3

Key themes identified:

- Time it takes to complete the scheme, often lengthy periods of time where no work is being done, schemes tend to overrun.
- Variable mandatory speed limits not fit for purpose; reduced limits kept in place for longer than is necessary.
- Smart motorway may encourage more people to use the road network.
- Increased noise levels and air pollution to surrounding communities.
- Why are only two lanes being upgraded with noise reducing asphalt.

Highways England Response to Question 2: Concerns about the introduction of variable mandatory speed limits.

Time to complete scheme

We appreciate that it can appear to a road user travelling through a smart motorway scheme during construction, that very little or nothing is happening, and we acknowledge the frustration that this may cause. It should be noted that while workers may not be immediately visible at the roadside it does not mean that they are not working in the area. The safety of road workers and road users is always our primary consideration.

Three lanes of the motorway will be kept open in each direction during peak times throughout construction. Speed and lane restrictions will be applied, average speed cameras will be in place before we start work. Certain works will require us to close lanes, slip roads and the motorway. In order to keep disruption to a minimum, we will only close the motorway at night. Closures will commence at 10pm and the road will be reopened by 5am the following morning. Any slip road or motorway closures will be agreed in advance with local police and other stakeholders and will be publicised well in advance.

Traffic management measures are critical to ensure the safety of both the workers and the road users. The driving environment around the roadworks is subject to change according to the nature of the works. To complete this work, we expect to use narrower lanes, contraflow and lane restrictions. There will also be works vehicles which require access and egress from the works.

Variable Mandatory Speed Limits

The introduction of variable mandatory speed limits (VMSL) on the M56 junction 6 to 7 will assist road users when the strategic road network (SRN) starts to become congested. The technology that is used measures the number and speed of cars on the SRN. Computers constantly monitor the SRN and make automatic adjustments via the use of VMSL to keep traffic flowing. VMSL is used ahead of areas of congestion to slow the approaching traffic. The intelligent technology used on smart motorways assists to regulate the flow of traffic while improving throughput by using VMSL and additional signals and signing for the road user.

It has been demonstrated that using VMSL when a motorway is most congested has benefits to journey times rather than causing traffic to slow down. Analysis of the M25 junctions 5 to 7 and junctions 23 to 27 during the first twelve months of the all-lane running (ALR) smart motorway, showed that traffic flows increased. Journey time reliability has improved, and road users have more certainty about their arrival time to their destination.

Smart Motorway may encourage more people to use road network

The introduction of ALR and smart technology on the M56 between junctions 6 to 7 will give added capacity and will improve the traffic flows during peak periods. This may tempt other road users to use this part of the SRN due to the reliability of increased journey times and traffic flows once the smart technology is fully operational. However, without the introduction of ALR and VMSL on this section, and as previously reported in this analysis, daily traffic flows on the SRN have increased steadily. It is forecast that traffic (in terms of total miles driven) will be between 27% and 57% higher in 2040 than in comparison with 2013. The provision of an additional lane and the introduction of VMSL will help to alleviate the congestion and is key for the economy of the region.

Although noise isn't directly related to the consultation, we did respond to the concerns raised. As part of the non-statutory assessment a detailed noise assessment was undertaken and is reported in Appendix E of the EAR which can be found on the M56 junction 6 to 8 scheme web page:

<https://highwaysengland.co.uk/projects/m56-junctions-6-to-8-smart-motorway>

Noise

The noise assessment considered several receptors and the potential change associated with the scheme. This assessment demonstrated a negligible change in noise compared to the current situation, with some minor improvements in noise at several locations.

As a result of the assessment, no new noise barriers are proposed for the scheme as there will be no significant effects during either the construction or operational phases.

Lane 1 and 4 Resurfacing

The smart motorway design has incorporated low noise surfacing which will be applied to lanes 1 and 4 on both carriageways.

3.4. Question 3: Any other comments

Q3. Are there any additional comments you would like to make about the proposal to introduce variable mandatory speed limits on the M56 between junctions 6 and 7?

Consultee	Yes	No
Member of Public	3	1
Interest group	1	0
Local Parish Council	1	0
Not answered	1	0
Total	6	1

Key themes identified:

- Amount of smart motorway schemes under construction.
- Safety.
- Enforcement of variable mandatory speed limits.
- Get the scheme built.

Highways England Response to Question 3: Are there any additional comments you would like to make about the proposal to introduce variable mandatory speed limits on the M56 between junctions 6 and 7?

Number of Smart Motorway scheme in construction

The region is currently seeing one of the largest investments in the road network for a generation, designed to improve journeys for millions of people who travel across the area. The smart motorway programme plays a major part of this investment, particularly in and around the Greater Manchester area. These will keep drivers safe, reduce congestion and improve journey reliability. The recently completed M6 J16-19 smart motorway saves commuters 40 minutes a week and helps them travel up to 15mph faster as a result of the upgrade.

Smart motorway schemes will provide much needed extra capacity on the region's motorways, improving journey times for all road users, reducing congestion and connecting families, friends and businesses more quickly. We are doing everything we can to minimise disruption, including keeping all lanes open during the day and only closing parts of the motorway overnight when traffic levels are much lower. We also co-ordinate overnight closures between different schemes where we can so that drivers aren't affected by multiple closures on the same journey. We also plan schemes to avoid them overlapping as much as possible.

Safety

We've developed and refined the smart motorway design, learning from our experience of designing, building, maintaining and operating similar schemes. Our knowledge and experience will allow us to tackle, more rapidly, the most congested sections of England's motorways and support economic growth whilst not compromising the excellent safety record that our motorways have.

The all-lane running design builds on the experience of operating the M42 and M6, providing the additional capacity required without compromising overall safety on our motorways which are among the safest roads in the world. The approach maximises the use of the existing road in the most efficient way based on the knowledge, experience and evidence we have gained over several years.

Enforcement of Variable Mandatory Speed Limits

Radar technology and cameras will be used to detect the speed, volume and flow of traffic. Variable speed enforcement cameras are installed as part of every smart motorway scheme and are operated by the Police. Enforcement is one of several measures which are used to encourage compliance with variable speed limits and ensure the scheme is working as intended. Smart motorways have brought significant benefits to motorists at a reduced cost, and the cameras are an essential part of this. Camera warning signs are widely used to ensure drivers are fully aware that enforcement takes place on these sections.

Our arrangements with the police only cover use of the cameras to enforce variable speed limits displayed on the overhead signals. When the signals are blank, the cameras can enforce the national speed limit, but whether or not this is done is a matter for each of the individual police forces. We would not be involved in that decision.

Get the scheme built

We will be progressing the M56 junctions 6 to 8 smart motorway scheme in Spring 2020. The scheme was delayed following concerns from key stakeholders about the amount of roadworks currently happening. We listened to these concerns and took the decision to delay starting work in order to avoid conflict with other smart motorway schemes, and to minimise disruption to road users in the north west.

3.5. Written responses received from consultees by Highways England

Of the five written responses, one was from a local business, and four were from members of the public. One of the responses received within this group was not related to the M56 junction 6 to 8 smart motorway scheme.

Key themes identified:

- Increased noise levels, residents would like mitigation to be implemented.
- Impact on local wildlife.

Highways England Response

Highways England have responded in writing to each individual written enquiry received.

Increased noise levels

The scheme will introduce several improvements to the road user experience and the local community environment, including, resurfacing lanes 1 and 4 with low noise surfacing.

A noise assessment was carried out, which concluded the following:

- Once operational, twenty-four sensitive receptors (these include houses, hotels, educational establishments, medical facilities or places of worship) are predicted to experience a decrease in noise in the opening year, one is predicted to experience a minor increase in noise in the opening year;
- In the long term all sensitive receptors are expected to experience negligible or no change in noise during daytime and night-time.
- No homes are expected to qualify for noise insulation under the requirements of the Noise Insulation Regulations.

No noise barriers are proposed for the M56 junction 6 to 8 smart motorway scheme.

Advance works were completed at the end of March 2020 to prepare the scheme for the construction stage. These works included removing vegetation to allow room to construct the new infrastructure.

Impact on local wildlife

Appropriate controls have been put in place for sustainable management of vegetation clearance. This includes chipping of the existing vegetation, which will be re-used on site where possible to encourage natural wildlife habitation with the remainder removed from site for other uses. There will be no waste arising from the vegetation clearance. Removing the vegetation will also allow ground investigation and other surveys to be undertaken. Replacement planting has been designed to ensure no overall loss of trees.

Part of the design for this smart motorway includes a screening and scoping exercise to determine whether the scheme would result in any significant environmental effects. The assessment identified and assessed potential environmental impacts. It recommends mitigation measures to minimise impacts. This has informed the planning, design and construction processes and satisfies both Highways England's policy and legal obligations.

The assessment considered nature conservation, including the impact on great crested newts and badgers. The findings show that with mitigation there are no significant adverse effects. Ecology surveys are ongoing, and mitigation has been implemented to protect local populations of designated species. The design will ensure habitats are retained or replaced to mitigate any short-term impact on wildlife during construction.

4. Summary and recommendations

4.1. Summary

The response analysis demonstrates that there has been very little response to the initial statutory instrument consultation from the consultees. This could be because:

- Smart motorway schemes are well understood by users and it is felt that no further comment is necessary.
- The published responses to other consultation documents for smart motorway schemes or information on the Highways England website have adequately addressed concerns.

Whilst few concerns have been raised, the comments put forward have been suitably considered and answered in the analysis report. Many of the comments raised were not directly linked to the topic of the consultation for the introduction of VMSL on the scheme.

4.2. Recommendations

Following this consultation, Highways England recommends proceeding with making the necessary legislative changes by way of regulations to allow the implementation of VMSL from junctions 6 to 7 of the M56 junction 6 to 8 smart motorway scheme.