

# Smart Motorways Programme

## M62 Junctions 20-25 Smart Motorway

### Response to Statutory Instrument Consultation

#### The introduction of variable mandatory speed limits

September 2020

# Contents

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|  |           |
|--|-----------|
| <b>Executive Summary</b>   | <b>2</b>  |
| <b>1 Introduction</b>  | <b>3</b>  |
| 1.1 Document structure   | 3         |
| 1.2 Purpose of this report   | 3         |
| 1.3 Background to the consultation   | 3         |
| 1.4 Legislative changes  | 3         |
| <b>2 Conducting the consultation</b>   | <b>4</b>  |
| 2.1 What the consultation was about  | 4         |
| 2.2 How the consultation was carried out   | 4         |
| 2.3 Government consultation principles   | 4         |
| <b>3 Responses to the consultation and Highways England's response</b>             | <b>5</b>  |
| 3.1 Summary of responses   | 5         |
| 3.2 Question 1: Improvements to travelling conditions                              | 6         |
| 3.3 Question 2: Concerns about the introduction of variable mandatory speed limits | 7         |
| 3.4 Question 3: Any other comments   | 9         |
| 3.5 Email responses  | 10        |
| 3.6 Highways England Response  | 11        |
| <b>4 Summary and recommendations</b>   | <b>18</b> |
| 4.1 Summary  | 18        |
| 4.2 Recommendations  | 18        |
| <b>5 Appendices</b>  | <b>19</b> |
| Appendix A: Consultation response form   | 20        |
| Appendix B: List of consultees   | 24        |

# Executive Summary

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The M62 is the only east-west motorway spanning the north of England. Running between Merseyside and Yorkshire through Cheshire and Lancashire, it serves as both a regional route for longer distance trips and as an important inter-urban route between Manchester and Leeds.

The Government's [Northern Powerhouse strategy](#) identified a need for improved east-west major road links to ensure better and more reliable journey times between the major cities in the north.

This scheme runs between junction 20 (Rochdale) and 25 (Brighouse) of the M62 and is being upgraded to an all lane running smart motorway. This will involve converting the hard shoulder into a running lane, except on links that already have 4 lanes. We will retain the hard shoulder within these sections, and only introduce variable mandatory speed limits, making it a 'controlled motorway'.

The scheme is approximately 19 miles through a rural Pennine landscape and contains the highest point on a motorway in England. This high altitude increases the risk of disruption caused by severe weather. The gradients on approach to the summits are around 4% (1:25), which creates the risk of congestion caused by slow moving or broken-down vehicles.

Traffic flows on this part of the network exceed capacity during peak periods leading to congestion. Upgrading the M62 to a smart motorway between junctions 20 and 25 will provide 33% additional capacity on the most congested sections of this route.

A key part of smart motorways is the use of variable mandatory speed limits (VMSL). Regulations will 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 M62 junctions 20 to 25 smart motorway scheme ('the scheme').

We held a consultation on the implementation of VMSL as part of the scheme between 12 and the 26 September 2019.

A total of 60 responses were received during this consultation exercise. Of the responses received, 57 responses were via the Citizen Space website and three responses were received by email to the Project Sponsor.

This report provides a full account of our approach to the consultation and the responses received. It will demonstrate how we have taken 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 the VMSL on the M62 junctions 20 to 25 smart motorway scheme.

# 1 Introduction

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## 1.1 Document structure

**Section 1** provides background information about the M62 junctions 20 to 25 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 Highways England's 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 M62 junctions 20 to 25 smart motorway scheme. The consultation, which was held between 12 September and 26 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 M62 between junctions 20 and 25 is a strategic route that carries high volumes of heavy goods and other vehicles between Manchester and Leeds, providing key links between Greater Manchester and West Yorkshire.

Congestion and unreliable journey times are currently experienced at busy periods and traffic is predicted to grow. The M62 project will relieve congestion and smooth the flow of traffic, improving journey times and reliability along this stretch of the motorway.

## 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 M62 junctions 20 to 25 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 manner in which, and the conditions subject to which, motorways may be used by traffic authorised to use such motorways.

Within the M62 junctions 20 to 25 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

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### 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 M62 between junctions 20 and 25.

### 2.2 How the consultation was carried out

The Statutory Instrument Consultation Document for the scheme was sent to the 42 consultees listed in Appendix A of the consultation document.

The consultation was also open to public participation through the Highways England consultation hub at: <https://highwaysengland.citizenspace.com/he/m62-junctions-20-to-25-sm-consultation/>.

We encouraged representative organisations, businesses and the general public to register their views. The two week consultation period commenced on 12 September 2019 and closed on 26 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:

Emmanuel Otemu  
Project Manager  
Highways England  
5 St. Phillips Place  
Birmingham  
B3 2PW  
Email: [M62J20-25@highwaysengland.co.uk](mailto:M62J20-25@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](mailto:andy.johnson@highwaysengland.co.uk)

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

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### 3.1 Summary of responses

During the consultation, we received 60 responses in total. Of these, 57 responses were received via Highways England’s consultation hub, Citizen Space, and three responses were received by email to the Project Sponsor. All responses were from members of the public or businesses, with one response on behalf of a subject matter expert. No responses were received from Consultees listed in Appendix A. The table below shows the breakdown of responses.

*Table 1 Breakdown of respondents by group*

| <b>Consultee group</b> | <b>Volume</b> |
|------------------------|---------------|
| Members of the public  | 52            |
| Business               | 3             |
| Subject matter expert  | 1             |
| Did not answer         | 4             |
| <b>TOTAL</b>           | <b>60</b>     |

The questionnaire asked respondents to answer three questions. Each question had a closed (yes/no) section and then provided a space for respondents to provide comments. The free-text responses have been reviewed and similar issues grouped together. The questions and analysis of the responses are provided in the following sections.

## 3.2 Question 1: Improvements to travelling conditions

### Q1. Do you consider that the proposal to introduce variable mandatory speed limits on the M62 between junctions 20 to 25 will lead to an improvement in travelling conditions on this section of motorway?

From the 57 responses to Question 1, nearly two-thirds (68%) did not feel the proposals to introduce variable mandatory speed limits on the M62 between junctions 20 to 25 would lead to an improvement in travelling conditions on this section of motorway. Respondents were asked if they had any comments to add to their answer, in total 74% of respondents provided additional comments.

Responses that were received to this question have been grouped into themes, as shown in Table 2. Some respondents' comments covered more than one theme and have been counted separately.

Of the responses received, 35% felt variable mandatory speed limits do not provide an effective means of managing congestion and may only serve to frustrate road users. Nearly a quarter of the responses (24%) received raised concerns about the safety of smart motorways schemes. A further 14% queried the need for the scheme, claiming there was not a congestion problem, except when incidents occurred.

Table 2 Themes within responses to question 1

| Theme   | Number of comments | %           |
|---|--------------------|-------------|
| Variable mandatory speed limits do not provide an effective means of managing congestion and lead to frustration for road users | 18                 | 35%         |
| Danger of smart motorway schemes  | 12                 | 24%         |
| No problem/ no need for works / incidents cause problems not congestion   | 7                  | 14%         |
| Construction traffic management causing traffic delays on M62   | 6                  | 12%         |
| Proposals will improve current situation  | 4                  | 8%          |
| Technology (AI) needed to change speed limits   | 1                  | 2%          |
| Proposals will improve safety   | 1                  | 2%          |
| Accuracy of variable signs and signal settings is insufficient for VMSL to be effective.  | 1                  | 2%          |
| Drivers don't trust the validity of information on signs and constantly ignore them   | 1                  | 2%          |
| <b>TOTAL</b>  | <b>51</b>          | <b>100%</b> |

### 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 M62 between junctions 20 to 25 which give you concerns?**

From the 57 responses to Question 2, 82% stated there were aspects of the proposal to introduce variable mandatory speed limits on the M62 between junctions 20 to 25 which gave the respondent concern. Respondents were asked to provide comments to their answer, 81% of respondents provided additional comments.

Respondents provided a range of comments. In total, 21% of the respondents provided comments raising concerns about the safety of smart motorways schemes and 18% stated concerns specifically about the loss of the hard shoulder and distance between the emergency areas. 14% stated variable mandatory speed limits do not provide an effective means of managing congestion.

*Table 3 Themes within responses to question 2*

| <b>Theme</b>   | <b>Number of comments</b> | <b>%</b> |
|--|---------------------------|----------|
| Danger of smart motorway schemes   | 16                        | 21%      |
| Loss of hard shoulder /distance between emergency areas                                  | 14                        | 18%      |
| Variable mandatory speed limits do not provide an effective means of managing congestion | 11                        | 14%      |
| Waste of money / cost  | 6                         | 8%       |
| Construction traffic management causing traffic delays on M62                            | 4                         | 5%       |
| Construction timescale   | 4                         | 5%       |
| Congestion is caused by freight going uphill at slow speeds                              | 3                         | 4%       |
| Drivers don't trust the validity of information on signs and constantly ignore them      | 3                         | 4%       |
| Impacts of diversion routes on local communities during the construction period.         | 2                         | 3%       |
| Negative driver behaviour using road   | 2                         | 3%       |
| More breakdowns due to steep incline of section of road                                  | 2                         | 3%       |
| Reduced access for emergency services when there are incidents                           | 2                         | 3%       |
| Speed should be 60mph not 50mph during construction                                      | 1                         | 1%       |
| Increase the length of the junction slip-lane at Junction 22 eastbound                   | 1                         | 1%       |
| Makes driving more difficult with variable mandatory speed limits                        | 1                         | 1%       |
| Emergency vehicles response times increased during works                                 | 1                         | 1%       |
| Not environmentally friendly   | 1                         | 1%       |

|   |           |             |
|---|-----------|-------------|
| Need dedicated lane for junction 24 westbound               | 1         | 1%          |
| Introduce a second entry slip lane at junction 24 westbound | 1         | 1%          |
| Risk of fines   | 1         | 1%          |
| <b>TOTAL</b>  | <b>77</b> | <b>100%</b> |

### 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 M62 between junctions 20 to 25?**

For Question 3, 51% of those that responded to the closed question, stated they had additional comments on the proposals. In total, 30 respondents provided further comments. The comments have been themed and are summarised in the table below.

In response to Question 3, 19% of respondents raised concerns about the danger of smart motorways schemes and 14% raised issues about the loss of hard shoulder. A further 14% raise concerns about the construction impacts of the scheme.

*Table 4 Themes within responses to question 3*

| <b>Theme</b>   | <b>Number of comments</b> | <b>%</b>    |
|--|---------------------------|-------------|
| Danger of smart motorway schemes   | 7                         | 19%         |
| Construction traffic management causing traffic delays on M62  | 5                         | 14%         |
| Loss of hard shoulder / distance to emergency areas  | 5                         | 14%         |
| Waste of money / cost  | 3                         | 8%          |
| Variable mandatory speed limits do not provide an effective means of managing congestion                                       | 3                         | 8%          |
| Impacts of diversion routes on local communities during the construction period.   | 2                         | 5%          |
| Resurface motorways upon completion / reduce noise impact  | 2                         | 5%          |
| Drivers don't trust the validity of information on signs and constantly ignore them  | 2                         | 5%          |
| Will improve current situation   | 1                         | 3%          |
| Construction timescale   | 1                         | 3%          |
| Ensure there is continuity of lighting along this entire length of motorway  | 1                         | 3%          |
| Variable advisory speeds without fines would be better   | 1                         | 3%          |
| Congestion would be alleviated considerably by adding a westbound exit slip road and eastbound entry slip road at junction 23. | 1                         | 3%          |
| Speed should be 60mph not 50mph during construction  | 1                         | 3%          |
| Widen motorway would be more effective   | 1                         | 3%          |
| Spend the money on local roads around the area, to entice more people to use them as an alternative                            | 1                         | 3%          |
| <b>TOTAL</b>   | <b>37</b>                 | <b>100%</b> |

### **3.5 Email responses**

During the consultation period three emails were received. All were raising objections to the proposals.

One respondent raised concerns about the effectiveness of the project to ease congestion during incidents and the impact on local roads which act as a diversion during any motorway closures. Another respondent emphasised how the works will impact journeys of those travelling on the motorway during construction and felt the scheme wasn't required.

One respondent suggested the money would be better spent on an extra junction for the A641 Bradford Road where it crosses the M62, which would improve traffic flow from the junctions 24 and 25 allowing traffic to filter on and off the M62 with greater ease.

### 3.6 Highways England Response

The below table provides our responses to the issues raised during the consultation period.

*Table 5 Highways England's response to issues raised*

| <b>Issue</b>                            | <b>Highways England response</b>  |
|---|---|
| <p>Danger of smart motorway schemes</p> | <p>Smart motorways are proven to be at least as safe as traditional motorways.</p> <p>We implement smart motorway all lane running schemes based on robust analysis by experienced professionals using tested methodologies, which demonstrates that safety is predicted to be (as a minimum) no worse than before.</p> <p>We have gathered evidence from four operational all lane running schemes (M25 junctions 23 to 27, M25 junctions 5 to 7, M6 junctions 10a to 13 and M1 junctions 39 to 42) and aggregated the safety statistics in order to understand early safety performance at a strategic level. The safety data available to date indicates that smart motorways are meeting their safety objective and maintaining the very high standards of safety compared to traditional motorways.</p> <p>Following public concerns about smart motorway safety, the Secretary of State for Transport asked the Department for Transport to review the evidence and, if needed, bring forward recommendations. In March 2020 the government's released its smart motorway safety evidence stocktake and action plan.</p> <p>We will be taking forward the measures the Secretary of State for Transport has set out, and we'll be improving further our information to drivers to help them be safer on all of our roads, including our smart motorway network.</p> <p>We plan to install Stopped Vehicle Detection (SVD) as part of the M62 junctions 20 to 25. SVD uses radar technology to detect stopped vehicles and automatically notifies the Regional Operations Centre so that they can deploy traffic officers to clear the stopped vehicle. When alerted by the SVD system, the Operators can immediately use CCTV to make an initial assessment of the situation and decide on a course of action based on protocols.</p> |

| Issue  | Highways England response  |
|--|--|
|  | There will also be highly visible emergency areas spaced approximately every 1 mile along the motorway in case of an emergency.  |
| Variable mandatory speed limits does not provide an effective means of managing congestion | The introduction of variable mandatory speed limits (VMSL) will assist road users when the road starts to become congested. The technology measures the number and speed of cars on the section of road.   |
| Accuracy of variable signs and signal settings is insufficient for VMSL to be effective.   | The system responds to traffic conditions ahead, which may not always be visible to motorists. VMSL will often be triggered when congestion is starting to build up ahead, or when the volume of traffic has reached a point where this is about to happen. If the congestion is successfully cleared, drivers may not see what caused the speed restriction, although where possible we use the electronic signing to explain this. The system is designed to ensure that any restrictions are lifted as soon as they are no longer needed, but not too early in order to prevent the congestion building up again.   |
| Loss of hard shoulder /distance between emergency areas                                    | <p>It is important to note that the hard shoulder does not provide a safe place to stop. Operating without a hard shoulder is also not unique. There are sections of conventional motorway without a hard shoulder, as well as over 1,500 miles of dual 2 and 3 lane All Purpose Trunk Roads – major ‘A’ roads – which operate at the national speed limit of 70mph. These sections of roads do not have the benefits of the controlled environment of a smart motorway or the operational response of our Traffic Officer Service.</p> <p>Places of relative safety will be more frequent on this smart motorway than the spacing of lay-bys on sections of A-road with no hard shoulder. The all lane running design also introduces advanced signage showing the distance to the next emergency area and minimises the amount of nearside barrier (where it is safe to do so), allowing the verge to be used as a ‘soft shoulder’ if necessary.</p> <p>We will be installing 35 highly visible emergency refuge areas with approximately 1 mile between them.</p> |
| Construction traffic management causing traffic delays on M62                              | Roadworks will be in place while we construct the smart motorway and we will do all we can to keep traffic moving and keep disruption to a minimum while we are working.   |

| Issue                 | Highways England response   |
|-----------------------|---|
|                       | <p>Our traffic management plans for the construction of this project are still under development at this stage. Throughout the works, we will need to use reduced speed limits for the safety of our workers and road users. We will keep three narrow running lanes to keep traffic moving in each direction during the day, and we hope to run at 60mph when it is safe to do so.</p> <p>Full overnight closures will be required to carry out activities that cannot be completed safely under lane closures. Where possible and safe to do so, we plan to limit the amount of full closures required and carry out as much work as possible during the day or under lane closures at night.</p> <p>When closures are required, closure information will be advertised on the Highways England project webpage and Traffic England; clearly signed diversion routes will also be in place. We advise drivers to plan ahead and consider the anticipated delays when preparing for journeys.</p> <p>Traffic Safety Control officers will be in operation 24/7 during the works to deal with any incidents as quickly as possible. A free recovery service will take you and your vehicle to a place of relative safety in the event of a breakdown within our works.</p> <p>We are working closely with local authorities, local communities and businesses to identify any specific issues and implement measures to address them wherever possible.</p> |
| Waste of money / cost | <p>The scheme cost estimate is being continually refined. The current estimate is a range between £283.2 million to £392.3 million.</p> <p>A smart motorway scheme delivers improvements more quickly than motorway widening (as it is largely constructed entirely within the existing highway boundary and involves less change to the existing road) and is the better value for money option.</p> <p>This project is essential to create a continuous smart route from Leeds to Manchester. Approximately 120,000 vehicles travel this route every day. The road currently suffers from heavy congestion during peak hours causing significant delay to drivers. The introduction of a smart</p>  |

| Issue  | Highways England response  |
|--|--|
|  | <p>motorway will improve journey time reliability and reduce congestion. Smart motorways will provide 33% additional capacity on the most congested sections of this route.</p>  |
| <p>No problem/ no need for changes / incidents cause problems</p>                          | <p>The M62 is the only east-west motorway spanning the north of England. Running between Merseyside and Yorkshire through Cheshire and Lancashire, it serves as both a regional route for longer distance trips and as an important inter-urban route between the Manchester and Leeds city regions.</p> <p>The improvements will ease congestion and create a continuous smart route from Leeds to Manchester. Approximately 120,000 vehicles travel this route every day. The road currently suffers from heavy congestion during peak hours causing significant delay to drivers.</p> <p>The introduction of a smart motorway will improve journey time reliability and reduce congestion. Smart motorways will provide 33% additional capacity on the most congested sections of this route.</p> |
| <p>Drivers don't trust the validity of information on signs and constantly ignore them</p> | <p>With the introduction of smart motorways there has been significant communications to educate drivers how to use them correctly.</p>  |
| <p>Negative driver behaviour using road</p>  | <p>As part of the Government's stocktake released in March 2020, an additional £5 million is being committed on national, targeted communications campaigns to further increase drivers' awareness and understanding of smart motorways and how to use them confidently.</p>   |
| <p>Makes driving more difficult with VMSL</p>  |  |
| <p>Construction timescale</p>  | <p>The main construction work is due to start in early 2023. The full programme of the construction work will be determined through detailed design.</p> <p>Construction of a smart motorway involves a significant amount of work to modify the existing road layout and other features such as bridges. Some of these activities are technically complicated and time consuming. The time required also increases as we must keep the road operational whilst the works take place.</p>  |
| <p>Impacts of diversion routes on local communities during the construction period.</p>    | <p>Construction will inevitably have some impact on the local community, businesses and road users, for example construction noise and vibration or increased traffic on diversion routes.</p> <p>We plan to work closely with local authorities and local communities to identify any specific issues and implement measures to address them wherever possible.</p>   |

| Issue   | Highways England response  |
|---|--|
|   | <p>As part of the design development work, WSP has undertaken a Diversion Route Assessment. This work included engagement with Highways England Operations Directorates (North East and North West), the local authorities and core responder groups. We will continue engagement with stakeholders as plans develop.</p> <p>Diversion routes will be agreed with local authorities and the Police in advance. They will be suitable for all vehicle types. We advise drivers to follow our prescribed diversion routes rather than following their own satnavs.</p>   |
| <p>More breakdowns due to steep incline section of road</p>           | <p>This section of motorway is approximately 19 miles through a rural Pennine landscape and contains the highest point on a motorway in England. This high altitude increases the risk of disruption caused by severe weather. The gradients on approach to the summits are around 4% (1:25), which creates the risk of congestion caused by slow moving or broken-down vehicles.</p> <p>Travelling eastbound between junctions 21 and 22, and westbound between junctions 25 and 24, there are some areas where there is sufficient space within the existing road footprint to allow us to retain the hard shoulder. This has been designed in as an additional place of relative safety for road users in the event of an accident or incident. This decision recognises the challenging gradients and higher than average breakdown rates for goods vehicles at these locations.</p> |
| <p>Reduced access for emergency services when there are incidents</p> | <p>Access for emergency services will be aligned with existing arrangements on other parts of the network where lane 1 (or the old the hard shoulder) operates as a running lane. Technology will be utilised to provide an access route for emergency services. The important thing is that we can provide this route in any lane.</p>  |
| <p>Congestion is caused by freight going uphill at slow speeds</p>    | <p>We recognise the gradients over this stretch of road and have taken these into account during the design. Despite the gradients the scheme will still bring benefits in reducing congestion and improving traffic flow.</p>   |
| <p>Resurface motorways upon completion / reduce noise impact</p>      | <p>Where we are working on lane 1 and 4, we will be reinstating the area with low noise surfacing.</p> <p>Our noise assessments concluded the scheme will not cause any significant effect on noise therefore new noise barriers are not required.</p>   |
| <p>Speed limit should be 60mph not 50mph during construction</p>      | <p>Throughout the works, there will be a reduced speed limits and we aim to use 60mph where it is safe to do so.</p>   |

| Issue  | Highways England response   |
|--|---|
|  | We will maintain three narrow running lanes to keep traffic moving in each direction during the day.  |
| Congestion would be alleviated considerably by adding a westbound exit slip road and eastbound entry slip road at junction 23. | This project aims to improve congestion and journey reliability along the route. Junction improvements do not form part of the scope of this scheme.  |
| Spend the money on local roads around the area, to entice more people to use them as an alternative.                           | The M62 in West Yorkshire has an existing capacity problem which will be worsened by the proposed future growth around many of the junctions. This smart motorway scheme will help to alleviate this congestion and provide additional capacity for future growth within local communities.   |
| An extra junction for the A641 Bradford road where it crosses the M62 would aid congestion better                              | The smart motorway scheme is the most cost-effective method of delivering additional capacity to the network. It delivers improvements more quickly than motorway widening (as it is largely constructed entirely within the existing highway boundary and involves less change to the existing road) and is the better value for money option. |
| Introduce a second entry slip lane at junction 24 westbound  |   |
| Need dedicated lane for junction 24 westbound  |   |
| Increase the length of the junction entry slip road at junction 22 eastbound   |   |
| Emergency vehicles response times increased during works   |   |
| Ensure there is complete continuity of lighting along this entire length of motorway.  | Whilst the scheme is currently lit throughout, we'll be reviewing the requirement for this during the detailed design process. We'll be reviewing this against defined economic, safety, operational and environmental considerations to determine the best plan for lighting.  |
| Not environmentally friendly   | Smart motorways create increased road capacity faster and at less cost than traditional road widening schemes. They remain within current motorway boundaries, minimising the environmental 'footprint' of the scheme in terms of permanent physical works and in use of materials for construction.  |

| Issue   | Highways England response   |
|---|---|
| <p>Against use of fines</p> <p>Variable advisory speeds with no fines would be better</p> | <p>The priority for Highways England is to provide safe roads. Alongside educating drivers, it is also necessary to identify those using the roads incorrectly and unsafely.</p> <p>Smart motorways are just like any other road in that ignoring the rules of the road has the potential to create fines for drivers.</p> <p>Information on how to drive on smart motorways can be found <a href="#">here</a></p>  |
| <p>Technology (AI) needed to change speed limits</p>                                      | <p>Smart motorways use the latest technology to improve journeys by sensing traffic flow and setting speed limits accordingly to keep traffic moving smoothly, instead of continually stopping and starting. They also involve converting the hard shoulder to a traffic lane permanently to create much needed extra capacity. Information about road conditions and speed limits is provided to drivers on electronic road signs.</p> <p>We plan to install Stopped Vehicle Detection (SVD) as part of the M62 junctions 20 to 25. SVD uses radar technology to detect stopped vehicles and automatically notifies the Regional Operations Centre so that they can deploy traffic officers to clear the stopped vehicle. When alerted by the SVD system, the Operators can immediately use CCTV to make an initial assessment of the situation and decide on a course of action based on protocols.</p> |
| <p>Widen motorway would be more effective</p>   | <p>A smart motorway delivers improvements more quickly than motorway widening (as it is largely constructed entirely within the existing highway boundary and involves less change to the existing road) and is the better value for money option.</p> <p>As they remain within the current motorway boundaries, smart motorways have a reduce environmental impact in terms of permanent physical works and in use of materials for construction.</p>  |

## 4 Summary and recommendations

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### 4.1 Summary

A consultation on the implementation of variable mandatory speed limits (VMSL) as part of the M62 junction 20 to 25 smart motorways scheme was held between 12 and the 26 September 2019.

The consultation was publicised on Highways England's consultation hub, Citizen Space, and on the Highways England website project page <https://highwaysengland.co.uk/projects/m62-junction-20-to-junction-25-smart-motorway/>

A total of 60 responses were received during this consultation exercise. Of these, 57 responses were received via Highways England website and 3 responses were received by email to the Project Sponsor.

Whilst there were a number of concerns raised, the comments put forward have been suitably considered and answered in this 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 on the M62 between junctions 20 and 25 of the smart motorway scheme.

# 5 Appendices

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|                   |                                   |
|-------------------|-----------------------------------|
| <b>Appendix A</b> | <b>Consultation Response Form</b> |
| <b>Appendix B</b> | <b>List of consultees</b>         |

# Appendix A: Consultation response form

## M62 junctions 20 to 25 smart motorway scheme

You can provide your views by completing our online survey. A link to the survey can be found on the scheme webpage at:

<https://highwaysengland.co.uk/projects/m62-junction-20-to-junction-25-smart-motorway/>

If you would prefer to submit your response in writing, please complete the below response form and return to us by post or by email to the addresses below. Please ensure your response reaches us by the consultation end date.

### Emmanuel Otemu

Project Manager  
Highways England  
2 Colmore Square  
Birmingham  
B4 6BN

Or by email: [M62J20-25@highwaysengland.co.uk](mailto:M62J20-25@highwaysengland.co.uk)

### Part 1: Information about you

Completion of this section is optional but helps with our analysis of results. A note at the end of this form explains that we may be obliged to release this information if asked to do so.

|   |  |
|---|--|
| <b>Name</b>   |  |
| <b>Address</b>                                      |  |
| <b>Postcode</b>                                     |  |
| <b>Email</b>  |  |
| <b>Company Name or Organisation (if applicable)</b> |  |

|  |   |
|--|---|
| <b>Please tick one box from the list below that best describes you/your company or organisation.</b> |   |
| <input type="checkbox"/>   | Small to Medium Enterprise (up to 50 employees) |
| <input type="checkbox"/>   | Large Company                                   |
| <input type="checkbox"/>   | Representative Organisation                     |

|   |                          |
|---|--------------------------|
|   | Trade Union              |
|   | Interest Group           |
|   | Local Government         |
|   | Central Government       |
|   | Police                   |
|   | Member of the public     |
|   | Other (please describe): |
| <b>If you are responding on behalf of an organisation or interest group, how many members do you have and how did you obtain the views of your members:</b> |                          |
|   |                          |

**Part 2: Your Comments**

|   |            |  |
|---|------------|--|
| <b>Q1. Do you consider that the proposal to introduce variable mandatory speed limits on the M62 between junctions 20 to 25 will lead to an improvement in travelling conditions on this section of motorway (please tick yes or no in the boxes provided)?</b> | <b>Yes</b> |  |
|   | <b>No</b>  |  |
| <b>Please provide any comments below.</b>   |            |  |
|   |            |  |

|  |
|--|
|  |
|--|

|  |            |  |
|--|------------|--|
| <b>Q2. Are there any aspects of the proposal to introduce variable mandatory speed limits on the M62 between junctions 20 to 25 which give you concerns?</b> | <b>Yes</b> |  |
|  | <b>No</b>  |  |

|   |
|---|
| <b>Please provide any comments below.</b> |
|   |

|  |            |  |
|--|------------|--|
| <b>Q3. Are there any additional comments you would like to make about the proposal to introduce variable mandatory speed limits on the M62 between junctions 20 to 25?</b> | <b>Yes</b> |  |
|  | <b>No</b>  |  |

|   |
|---|
| <b>Please provide any comments below.</b> |
|   |

## **Note on disclosure of information**

Under the General Data Protection Regulation Highways England is required to explain to consultees, stakeholders and customers how their personal data will be used and stored.

Highways England is permitted to collect personal data in carrying out our public functions, including the development of proposed road schemes. The duty to consult on introducing a Statutory Instrument to implement variable mandatory speed limits is provided by the Road Traffic Regulation Act 1984.

Personal data collected for the M62 junctions 20 to 25 scheme will be processed and retained by Highways England and its appointed contractors until the scheme is complete.

Under the GDPR you have the following rights:

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
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: for example, if we are requested to release information about consultation responses under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004. Highways England will contact you prior to any further processing taking place to explain about that processing and to provide any relevant further information about the rights 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 Commissioner's 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).

## Appendix B: List of consultees

| <b>Government / Local Government bodies</b>  |   |
|--|---|
| Liz McInnes MP<br>House of Commons<br>London<br>SW1A 0AA   | Barry Sheerman MP<br>House of Commons<br>London<br>SW1A 0AA   |
| Tony Lloyd MP<br>House of Commons<br>London<br>SW1A 0AA  | Jim McMahon MP<br>House of Commons<br>London<br>SW1A 0AA  |
| Craig Whittaker MP<br>House of Commons<br>London<br>SW1A 0AA   | Thelma Walker MP<br>House of Commons<br>London<br>SW1A 0AA  |
| Debbie Abrahams MP<br>House of Commons<br>London<br>SW1A 0AA   | Chief Executive<br>Transport for Greater Manchester<br>2 Piccadilly Place<br>Manchester<br>M1 3BG           |
| Chief Executive<br>Oldham Council<br>Civic Centre<br>West Street<br>Oldham<br>OL1 1UT  | Chief Executive<br>Rochdale Borough Council<br>Number One Riverside<br>Smith Street<br>Rochdale<br>OL16 1XU |
| Chief Executive<br>Kirklees Metropolitan Borough Council<br>PO Box B24<br>Civic Centre<br>Market Street<br>Huddersfield<br>West Yorkshire<br>HD1 1WG | Chief Executive<br>Calderdale Council<br>Town Hall<br>PO Box 51<br>Halifax<br>West Yorkshire<br>HX1 1TP     |
| Managing Director<br>West Yorkshire Combined Authority<br>Wellington House<br>40-50 Wellington Street<br>Leeds<br>LS1 2DE                            | Deputy Mayor for Policing and Crime<br>GMCA<br>Churchgate House<br>56 Oxford Street<br>Manchester<br>M1 6EU |
| Police & Crime Commissioner<br>West Yorkshire Police<br>62 George Street<br>Wakefield<br>WF1 1DL   | Chief Executive<br>Transport for the North<br>4 Piccadilly<br>Manchester<br>M1 3BN                          |

| <b>Emergency services</b>   |  |
|---|--|
| The Chief Executive<br>North West Ambulance Service NHS Trust<br>Ladybridge Hall Headquarters<br>Chorley New Road<br>Bolton<br>BL1 5DD  | The Chief Executive<br>Yorkshire Ambulance Service NHS Trust<br>Trust Headquarters<br>Brindley Way<br>Wakefield 41 Business Park<br>Wakefield<br>WF2 0XQ |
| Chief Constable<br>Greater Manchester Police<br>Openshaw Complex<br>Lawton Street<br>Openshaw<br>Manchester<br>M11 2NS                  | Chief Constable<br>West Yorkshire Police<br>Huddersfield Road<br>Thongsbridge<br>Holmfirth<br>HD9 3JL  |
| Chief Fire Officer<br>Greater Manchester Fire and Rescue Service<br>Headquarters<br>146 Bolton Road<br>Swinton<br>Manchester<br>M27 8US | Chief Fire Officer<br>West Yorkshire Fire and Rescue<br>Oakroyd Hall<br>Bradford Road<br>Birkenshaw<br>West Yorkshire<br>BD11 2DY                        |
| The Chief Executive<br>North West Air Ambulance Charity<br>North Mersey Business Centre<br>Woodward Road<br>Knowsley<br>L33 7UY         | The Chief Executive<br>Great North Air Ambulance Service<br>Northumberland Wing<br>The Imperial Centre<br>Grange Road<br>Darlington<br>DL1 5NQ           |
| National Police Air Service<br>West Yorkshire Police<br>PO Box 9<br>Laburnum Road<br>Wakefield<br>WF1 3QP                               |  |

| <b>Environmental advisory bodies</b>   |  |
|--|--|
| Natural England<br>4th Floor, Foss House<br>Kings Pool<br>1-2 Peasholme Green<br>York<br>YO1 7PX | Historic England<br>4th Floor Cannon Bridge House<br>25 Dowgate Hill<br>London<br>EC4R 2YA |
| Environment Agency<br>Horizon House<br>Deanery Road<br>Bristol<br>BS1 5AH                        | Campaign to Protect Rural England<br>5-11 Lavington Street<br>London<br>SE1 0NZ            |

**Road and transport organisations**

|  |  |
|--|--|
| DVSA<br>Berkeley House<br>Croydon Street<br>Bristol<br>BS5 0DA   | Chairman<br>RAC Foundation<br>89-91 Pall Mall<br>London<br>SW1Y 5HS  |
| The AA<br>Fanum House<br>Basing View<br>Basingstoke<br>Hampshire<br>RG21 4EA                                   | The RAC<br>RAC House<br>Brockhurst Crescent<br>Walsall<br>WS5 4AW  |
| The Institute of Vehicle Recovery<br>Unit 11, Brook Business Centre<br>Cowley Mill Road<br>Uxbridge<br>UB8 2FX | Green Flag<br>The Wharf<br>Neville Street<br>Leeds<br>LS1 4AZ  |
| Road Haulage Association<br>Roadway House<br>Bretton Way<br>Bretton<br>Peterborough<br>PE3 8DD                 | Freight Transport Association<br>Hermes House<br>St John's Road<br>Tunbridge Wells<br>Kent<br>TN4 9UZ                  |
| The Alliance of British Drivers<br>PO Box 1043<br>Stockton-on-Tees<br>TS19 1XG                                 | British Motorcyclists Federation<br>3 Oswin Road<br>Brailsford Industrial Estate<br>Braunstone<br>Leicester<br>LE3 1HR |

**Business organisations**

|  |   |
|--|---|
| Managing Director<br>The Mid Yorkshire Chamber of Commerce<br>1st Floor<br>Unit 3<br>Pennine Business Park<br>Longbow Close<br>Bradley Road<br>Huddersfield<br>HD2 1GQ | Chief Executive<br>Greater Manchester Chamber of Commerce<br>Elliott House<br>151 Deansgate<br>Manchester<br>M3 3WD |
|--|---|

**Other interested parties**

|  |  |
|--|--|
| Yorkshire Water<br>Livingstone House<br>Chadwick Street<br>Leeds<br>LS10 1LJ |  |
|--|--|