

# M32 Bristol

Consultation response: introduction of a permanent 40mph speed limit and the extension of the southbound bus lane

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## **Executive Summary**

This document details Highways England response to comments raised during the consultation period on the proposal to introduce and enforce, by regulations under section 17(2) and (3) of the Road Traffic Regulation Act 1984), a bus lane extension and 40mph speed limit on the M32 in the vicinity of junction 3 (from a point 101 metres south of junction 3 to a point 22 metres north of the Severn Beach Railway Line overbridge).

The consultation period began on 14 December 2016 and ended on 17 January 2017.

The consultation document was proactively sent to 57 statutory consultees at the start of the process, and was open to public participation through inclusion on Highways England's Citizen Space website.

This paper provides a summary of the responses received (5 in total), and details how they have been considered.

Following the consultation Highways England recommends that the Secretary of State proceed with making the regulations necessary to allow the implementation of the bus lane extension and 40mph speed limit on the M32.

## **1. Introduction**

### **1.1 Purpose**

The purpose of this document is to provide a summary of the responses received during the consultation period.

The consultation was about the proposal to introduce and enforce, by regulations under section 17(2) and (3) of the Road Traffic Regulation Act 1984), a bus lane extension and 40mph speed limit on the M32 in the vicinity of junction 3 (from a point 101 metres south of junction 3 to a point 22 metres north of the Severn Beach Railway Line overbridge).

The consultation took place between 14 December 2016 and 17 January 2017 and provided an opportunity for stakeholders, such as road user groups and other interested parties, to comment on the proposed legislation.

Highways England have considered the comments raised by consultees and this document summarises our response to them.

### **1.2 Background**

The extension to the existing bus lane on the M32, which is part of the wider MetroBus project (the West of England's Local Enterprise Partnership rapid transit scheme), received planning permission in 2014 (<https://www.bristol.gov.uk/streets-travel/metrobus-bus-rapid-transit-brt>). As such our consultation was limited in its scope to asking for views on the proposed traffic restriction on the extended bus lane on the M32, and the introduction of a 40mph speed limit in the vicinity of junction 3.

Such regulations were deemed necessary because in order to extend the bus lane, fitting it into the available land, it was necessary to reduce the variable width hard shoulder, narrow the central reservation, and use narrower running lanes in both directions). This meant that once the bus lane has been extended, traffic flowing in and out of the city would be using narrower lanes, and would also be running closer to the structures around the motorway.

## **2. Consultation process**

### **2.1 What the consultation was about / legislative changes**

This consultation provided an opportunity for interested parties to comment on the proposal to introduce and enforce, by regulations under section 17(2) and (3) of the Road Traffic Regulation Act 1984 (“the 1984 Act”), a bus lane extension and 40mph speed limit on the M32 in the vicinity of junction 3.

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

Within the M32 motorway bus lane and 40mph speed limit 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.

### **2.2 How the consultation was conducted**

The consultation paper was issued to 57 statutory consultees on 14th December 2017. It was also made available on the Highways England Citizen Space website allowing the public to comment on the proposed legislative changes.

All parties affected by the proposed legislative changes were encouraged to get in touch with Highways England to provide their views. The consultation closed on 17th January 2017. The consultation document can be viewed at [highwaysengland.citizenspace.com/he/m32-bristol/](https://highwaysengland.citizenspace.com/he/m32-bristol/).

### **2.3 Government consultation principles**

The consultation was carried out in accordance with the Government’s consultation principles (a copy can be found in the appendix).

### 3. Consultation responses

#### 3.1 Number of responses

During the consultation period, 5 responses were received. Two were from representative organisations and 3 were from non-affiliated individuals.

#### 3.2 Comments about the proposal

Of the 5 responses received, 3 related to the specifics of the scheme. These specific comments, together with Highways England's response to them, are shown in table 1 below.

**Table 1: Comments and responses**

| Organisation                                   | Issue raised   | Highways England response   |
|--|--|---|
| Business West                                  | Full support for the proposal  | Noted   |
| Chartered Institute of Logistics and Transport | Running lanes will be narrowed. Will they still be fit for the purpose of HGV traffic?             | The proposal will narrow lane 1 to 3.5 metres and lane 2 to 3.4 metres. The bus lane extension will be 3.3 metres wide. These lane widths have been considered and approved via the design departure process and the bus lane extension will be subject to a 40 mph limit.  |
| Chartered Institute of Logistics and Transport | Hard shoulder will be reduced. Will this be safe and what will happen in the event of a breakdown? | <p>The current hard shoulder on the M32 is already variable in its width.</p> <p>The specific reduction in its width for this scheme is offset by a reduction in the speed of motorists, which will be enforced by average speed cameras (inbound) and improved CCTV coverage.</p> <p>The principle of re-configuring the cross section of the M32 was considered by the Highways England Safe Roads Design team along with the designers risk assessments. It is Highways England's view that once in place the road will be very similar in configuration to other restricted highway networks across the country, which are considered safe and adequate.</p> <p>While a breakdown would cause congestion it is considered likely to be a rare occurrence, and is offset by the measures being introduced by the scheme, ie a reduced speed limit and access to Bristol's CCTV coverage. In essence this link will take on the characteristics of other, similar, localities on both the local and the strategic road network. Temple Way in Bristol was given as an example in the consultation document.</p> |
| Chartered Institute of Logistics and Transport | Concern that some HGV drivers may divert to avoid the 40mph limit and bus lane.                    | While this is possible, alternative routes will feature possibly worse levels of congestion and offer a less direct route in / out of Bristol. Over time it is considered that MetroBus will reduce traffic on the M32. On that basis extensive re-routing by drivers is considered to be unlikely.   |

| Organisation   | Issue raised  | Highways England response   |
|--|---|---|
| <p>Alex Hosking</p> <p>Non-affiliated individual</p> | <p>As far as I'm aware the speed limit is there as a legal tool there to punish the behaviour of those who drive in a manner that disregards their own and other people's safety. It's not traffic calming to generally bring down traffic speeds nor is it effective as it. If this road was opened with a 60mph speed limit it should be designed to take it. If the speed limit is set artificially low it tends to not be respected and generally treated with contempt by the majority of motorists and no longer singles out those who wish to treat the road as a race track adequately.</p> <p>What is the current 85th percentile speed along that stretch of road outside of when there is exceptional traffic or poor road conditions?</p> | <p>The M32 was designed in the 60's, built in the 70's as a local, rather than strategic road. It does not conform to current motorway design standards. In addition to that the extension of the bus lane means that the existing hard shoulder, running lanes and central reservation have had been narrowed in accordance with the planning permission, to create the space for it. In considering the original proposal for an extended bus lane, planning permission was granted subject to a 'departure from design standards' exercise being successfully completed. This was necessary because it was clear that the physical constraints of the M32, for example retaining walls at junction 3, would require some revision of the cross section of the road. This process was completed but one of the output requirements was that in order to manage the efficient operation of the new bus lane extension, the slightly narrower running lanes and the variable width hard shoulders, a 40mph limit would need to be enforced via average speed cameras on the inbound carriageway.</p> <p>The only alternative to reducing the speed limit would have been to widen the M32 in this location. This was not economically or environmentally viable. If the speed could not be reduced, then the wider scheme to extend the bus lane – and all the associated benefits of the MetroBus scheme – could not have been progressed at all.</p> <p>It is Highways England's view that motorists will adhere to the reduced and enforced speed limit. The bottom of the M32 (where it becomes the A4032, Newfoundland Way) is already subject to a 30mph speed limit and traffic is often brought to a complete stop at this point due to the presence of traffic signals. This 40mph limit provides a stepped transition to this. The speed restriction will be enforced using average speed cameras, a system that achieves high levels of compliance and improved flow of traffic.</p> <p>The current 85th percentile speeds can be found in table 2 on the next page.</p> |

The current 85th percentile speeds can be found in table 2 below.

**Table 2: 85th percentile speeds\***

| Location                            | 85% speed<br>mph<br>All journeys<br>(00:00 to<br>23:59) | 85% speed<br>mph<br>AM<br>off-peak<br>journeys<br>(00:00 to<br>07:00) | 85% speed<br>mph<br>AM<br>peak period<br>journeys<br>(07:00 to<br>09:00) | 85% speed<br>mph<br>interpeak<br>period jour-<br>ney<br>(09:00 to<br>16:00) | 85% speed<br>mph<br>PM<br>peak period<br>journeys<br>(16:00 to<br>18:00) | 85% speed<br>mph<br>PM<br>off-peak<br>journeys<br>(18:00 to<br>23:59) |
|-------------------------------------|---|---|--|---|--|---|
| M32 J2-J3<br>Southbound             | 62.1  | 67.9  | 45.8   | 62.1  | 61.0   | 64.3  |
| M32 South<br>of J3-J2<br>Northbound | 57.1  | 63.2  | 48.0   | 57.1  | 51.4   | 59.0  |

\* Data recorded in a survey of speeds around M32 junction 2, undertaken between 16 January 2015 and 22 January 2015. The survey was carried out by Sky High Technology.



## **4. Summary and recommendations**

### **4.1 Summary**

As the summary in section 3 shows, a relatively low number of responses to this consultation were actually received. While a small number of concerns were raised, it is considered that these issues have been suitably addressed (as detailed in table 1 above).

### **4.2 Recommendations**

Following this consultation Highways England recommends that the Secretary of State proceeds with making the regulations necessary to allow the implementation of the bus lane extension and 40mph speed limit on the M32.

## **Appendix**

List of Consultees

Government Consultation Principles

## List of statutory consultees

| <b>Government bodies</b>  |  |
|---|--|
| Chief Executive<br>DVSA<br>Berkeley House<br>Croydon Street<br>Bristol<br>BS5 0DA   | MOD<br>DE&S Secretariat<br>Ministry of Defence Maple 0a, #2043 MOD<br>Abbey Wood<br>Bristol<br>BS34 8JH  |
| Chief Executive<br>Local Government Association<br>Local Government House<br>Smith Square<br>London<br>SW1P 3HZ                       | Chairman<br>The Crown Estate<br>6 Bell's Brae<br>Edinburgh<br>EH4 3BJ  |
| <b>Core responders / legal</b>  |  |
| National Police Chiefs Council<br>1st Floor<br>10 Victoria St<br>London<br>SW1H 0NN   | The Association of Ambulance Chief Executives<br>32 Southwark Bridge Road<br>London<br>SE1 9EU   |
| Chief Constable<br>British Transport Police<br>Force HQ<br>25 Camden Road<br>London<br>NW1 9LN  | Executive Director<br>Magistrates' Association<br>Fitzroy Square<br>London<br>W1P 6DD  |
| The President<br>Chief Fire Officers Association<br>9-11 Pebble Close<br>Amington<br>Tamworth<br>Staffordshire<br>B77 4RD             | The Chairman<br>Police Federation<br>Federation House<br>Highbury Drive<br>Leatherhead<br>Surrey<br>KT22 7UY                                   |
| Chief Constable<br>Ministry of Defence Police<br>5th Floor, Zone A Main Building Whitehall<br>London<br>SW1A 2HB                      | Chief Constable<br>Ministry of Defence Police<br>5th Floor, Zone A Main Building Whitehall<br>London<br>SW1A 2HB                               |
| The President<br>Police Superintendents Association of England<br>and Wales<br>67a Reading Road<br>Pangbourne<br>Berkshire<br>RG8 7JD | Regimental Secretary RHQ RMP Defence Police<br>College Policing and Guarding Postal Point 38<br>Southwick Park<br>Fareham<br>Hants<br>PO17 6EJ |

|  |   |
|--|---|
| Chief Fire Officer<br>Avon Fire and Rescue Service<br>Headquarters<br>Temple Back<br>Bristol<br>BS1 6EU                                  | South Western Ambulance Service NHS<br>Foundation Trust<br>Abbey Court<br>Eagle Way<br>Exeter<br>EX2 7HY                            |
| Avon and Somerset Police<br>Avon and Somerset Police HQ<br>PO Box 37<br>Valley Road<br>Portishead<br>Bristol<br>BS20 8QJ                 |   |
| <b>Environmental organisations</b>   |   |
| Chief Executive<br>Environment Agency<br>South East Regional Office<br>Kings Meadow House<br>Kings Meadow Road<br>Reading<br>RG1 8DQ     | The Chair<br>Friends of the Earth<br>26-3 Underwood Street<br>London<br>N1 7JQ  |
| Chief Executive<br>Natural England<br>1 East Parade<br>Sheffield<br>S1 2ET   |   |
| <b>Road user / safety organisations</b>  |   |
| The Chairman<br>AIRSO<br>68 The Boulevard<br>Worthing<br>BN13 1LA  | The Chairman<br>Alliance of British Drivers<br>P O Box 248<br>MANCHESTER<br>M41 4BW   |
| The Chairman<br>Parliamentary Advisory Council for Transport<br>Safety (PACTS)<br>Clutha House<br>10 Storey's Gate<br>London<br>SW1P 3AY | The Chairman<br>British Motorcycle Federation<br>3 Oswin Road<br>Brailsford Industrial Estate<br>Braunstone<br>Leicester<br>LE3 1HR |
| The Chair<br>Disabled Persons Transport Advisory Committee<br>2/17 Great Minster House<br>33 Horseferry Road<br>London<br>SW1P 4DR       | Chief Executive<br>Health and Safety Executive<br>Rose Court<br>2 Southwark Bridge<br>London<br>SE1 9HS                             |

|   |  |
|---|--|
| <p>Chief Executive<br/>Freight Transport Association<br/>Hermes House<br/>St John's Road<br/>Tunbridge Wells<br/>Kent<br/>TN4 9UZ</p> | <p>The Chairman<br/>Institute of Road Safety Officers<br/>IRSO Head Office<br/>12 Haddon Close<br/>Wellingborough<br/>Northamptonshire<br/>NN8 5ZB</p> |
| <p>The Chairman<br/>Institute of Advanced Motorists<br/>IAM House<br/>510 Chiswick High Road<br/>London<br/>W4 5RG</p>                | <p>The Chair<br/>Motorcycle Industry Trainers Association<br/>1 Rye Hill Office Park<br/>Birmingham Road<br/>Allesley<br/>Coventry<br/>CV5 9AB</p>     |
| <p>The Chairman<br/>Motorcycle Action Group<br/>Central Office<br/>P.O. Box 750<br/>Warwick<br/>CV34 9FU</p>                          | <p>Chief Executive<br/>National Express Group PLC<br/>National Express House<br/>Mill Lane<br/>Digbeth<br/>Birmingham<br/>B5 6DD</p>                   |
| <p>The Chairman<br/>PACTS<br/>Office F18<br/>The Media Centre<br/>7 Northumberland Street<br/>Huddersfield<br/>HD1 1RL</p>            | <p>The Chairman<br/>RAC Foundation<br/>89-91 Pall Mall<br/>London<br/>SW1Y 5HS</p>   |
| <p>The Chief Executive<br/>Road Haulage Association<br/>Roadway House<br/>Bretton Way<br/>Bretton<br/>Peterborough<br/>PE3 8DD</p>    | <p>The Chairman<br/>Royal Society for the Prevention of Accidents<br/>RoSPA House<br/>3 Calthorpe Road<br/>Edgbaston<br/>Birmingham<br/>B15 1RP</p>    |
| <p>The Chief Executive<br/>Campaign For Better Transport<br/>16 Waterside<br/>44-48 Wharf Road<br/>London N1 7UX</p>                  | <p>The Chief Executive<br/>Disabled Motoring UK<br/>National Headquarters<br/>Ashwellthorpe<br/>Norwich<br/>NR16 1EX</p>                               |

| <b>Vehicle recovery operators</b>  |   |
|--|---|
| <p>Operations Manager<br/>RAC Motoring Services<br/>RAC House<br/>Brockhurst Crescent<br/>Walsall<br/>WS5 4QZ</p>                              | <p>Road Operations Director<br/>The Automobile Association Ltd<br/>Fanum House<br/>Basing view<br/>Basingstoke<br/>Hampshire<br/>RG21 4EA</p>                 |
| <p>Chief Executive<br/>Association of Vehicle Recovery Operators<br/>AVRO House<br/>1 Bath Street<br/>Rugby<br/>CV21 3JF</p>                   | <p>Managing Director<br/>Britannia Rescue<br/>Freepost RSJA-XLCX-BLCE<br/>Folly Hall Mills<br/>St Thomas Road<br/>Huddersfield<br/>HD1 3LT</p>                |
| <p>Network Operations Manger<br/>Green Flag<br/>Green Flag House<br/>Cote Lane<br/>Pudsey<br/>Leeds<br/>LS3 5GF</p>                            | <p>Chief Executive<br/>Institute of Vehicle Recovery Operators<br/>Top Floor<br/>Bignell House<br/>Horton Road<br/>West Drayton<br/>Middlesex<br/>UB7 8EJ</p> |
| <p>The Director<br/>National Tyre Distributors Association<br/>8 Temple Square<br/>Aylesbury<br/>Buckinghamshire<br/>HP20 2QH</p>              | <p>The President<br/>Road Rescue Recovery Association<br/>Hubberts Bridge Rd<br/>Kirton Holme<br/>Boston<br/>Lincolnshire<br/>PE20 1TW</p>                    |
| <b>Business organisations</b>  |   |
| <p>The Chairman<br/>Business West<br/>Leigh Court<br/>Abbots Leigh<br/>Bristol<br/>BS8 3RA</p>   | <p>The Chairman<br/>Association of British Insurers<br/>51 Gresham Street<br/>London<br/>EC2V 7HQ</p>   |
| <p>Chief Executive<br/>British Insurance Brokers' Association<br/>8th Floor<br/>John Stow House<br/>18 Bevis Marks<br/>London<br/>EC3A 7JB</p> | <p>The President<br/>Institute of Civil Engineers<br/>One Great George Street<br/>Westminster<br/>London<br/>SW1P 3AA</p>                                     |

|   |   |
|---|---|
| <p>Chief Executive<br/>The Chartered Institution of Highways and Transportation<br/>119 Britannia Walk<br/>London<br/>N1 7JE</p>                | <p>Chief Executive<br/>The Chartered Institute of Logistics and Transport<br/>Earlstrees Court<br/>Earlstrees Road<br/>Corby<br/>Northants<br/>NN17 4AX</p> |
| <p>Chief Executive<br/>Motor Insurers' Bureau<br/>Linford Wood House<br/>6-12 Capital Drive<br/>Linford Wood<br/>Milton Keynes<br/>MK14 6XT</p> | <p>South West Director<br/>CBI South West<br/>Innovation Centre<br/>University of Exeter<br/>Rennes Drive<br/>EX4 4RN</p>                                   |
| <p><b>Local government</b></p>  |   |
| <p>Bristol City Council<br/>City Hall<br/>PO Box 3176<br/>Bristol<br/>BS3 9FS</p>   | <p>South Gloucestershire Council<br/>PO Box 300<br/>Civic Centre<br/>High Street<br/>Kingswood<br/>Bristol<br/>BS15 0DS</p>                                 |

## Government consultation principles

We are conducting this consultation in accordance with the government's consultation principles:

Consultation principles 2016

- A.** Consultations should be clear and concise Use plain English and avoid acronyms. Be clear what questions you are asking and limit the number of questions to those that are necessary. Make them easy to understand and easy to answer. Avoid lengthy documents when possible and consider merging those on related topics.
- B.** Consultations should have a purpose Do not consult for the sake of it. Ask departmental lawyers whether you have a legal duty to consult. Take consultation responses into account when taking policy forward. Consult about policies or implementation plans when the development of the policies or plans is at a formative stage. Do not ask questions about issues on which you already have a final view.
- C.** Consultations should be informative. Give enough information to ensure that those consulted understand the issues and can give informed responses. Include validated assessments of the costs and benefits of the options being considered when possible; this might be required where proposals have an impact on business or the voluntary sector.
- D.** Consultations are only part of a process of engagement. Consider whether informal iterative consultation is appropriate, using new digital tools and open, collaborative approaches. Consultation is not just about formal documents and responses. It is an on-going process.
- E.** Consultations should last for a proportionate amount of time. Judge the length of the consultation on the basis of legal advice and taking into account the nature and impact of the proposal. Consulting for too long will unnecessarily delay policy development. Consulting too quickly will not give enough time for consideration and will reduce the quality of responses.
- F.** Consultations should be targeted. Consider the full range of people, business and voluntary bodies affected by the policy, and whether representative groups exist. Consider targeting specific groups if appropriate. Ensure they are aware of the consultation and can access it. Consider how to tailor consultation to the needs and preferences of particular groups, such as older people, younger people or people with disabilities that may not respond to traditional consultation methods.
- G.** Consultations should take account of the groups being consulted. Consult stakeholders in a way that suits them. Charities may need more time to respond than businesses, for example. When the consultation spans all or part of a holiday period, consider how this may affect consultation and take appropriate mitigating action.
- H.** Consultations should be agreed before publication Seek collective agreement before publishing a written consultation, particularly when consulting on new policy proposals. Consultations should be published on gov.uk.
- I.** Consultation should facilitate scrutiny. Publish any response on the same page on gov.uk as the original consultation, and ensure it is clear when the government has responded to the consultation. Explain the responses that have been received from consultees and how these have informed the policy. State how many responses have been received.
- J.** Government responses to consultations should be published in a timely fashion. Publish responses within 12 weeks of the consultation or provide an explanation why this is not possible. Where consultation concerns a statutory instrument publish responses before or at the same time as the instrument is laid, except in exceptional circumstances. Allow appropriate time between closing the consultation and implementing policy or legislation.
- K.** Consultation exercises should not generally be launched during local or national election periods. If exceptional circumstances make a consultation absolutely essential (for example, for safeguarding public health), departments should seek advice from the Propriety and Ethics team in the Cabinet Office.



If you have reason to believe this consultation document does not comply with these consultation principles, please write to our consultation co-ordinator at the address on this page, setting out the areas where you believe this paper does not meet the criteria.

**Andy Johnson**

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Further information about the consultation principles can be located on the Gov.uk website:

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

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