

# M4 J3 to J12 Smart Motorway Responses to Consultation

The Introduction of Variable Mandatory Speed Limits

March 2015



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## 1. *Executive summary*

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### 1.1 Purpose

- 1.1.1 This document details the Highways Agency's response to comments raised during the consultation period on the proposal to introduce variable mandatory speed limits for the M4 junctions 3 to 12 smart motorway scheme.
- 1.1.2 The consultation period began on 12 January 2015 and closed on 22 February 2015.
- 1.1.3 This provided an opportunity for interested parties and members of the public to comment on the proposal.
- 1.1.4 It should be noted that there was a separate consultation undertaken for the M4 junctions 3 to 12 smart motorway scheme, held between 10 November 2014 and 21 December 2014. That specific consultation is a statutory process as set out in the Planning Act 2008 and required as part of the Highways Agency application to the Planning Inspectorate for a Development Consent Order. A separate report has been prepared following that consultation.

### 1.2 Smart Motorway Objectives

- 1.2.1 The proposed M4 junctions 3 to 12 smart motorway scheme is designed to meet the following objective:
- To reduce congestion and to develop solutions that provide additional capacity, increase journey time reliability and ensure the safe and economic operation of the motorway.

### 1.3 Consultation Process

- 1.3.1 Access to the consultation document "M4 J3 to J12 Smart Motorway Consultation Document - The Introduction of Variable Mandatory Speed Limits" was via the Highways Agency and GOV.UK consultations websites.
- 1.3.2 109 statutory consultees were advised of the consultation by e-mail or by post. Other interested parties were also able to access the consultation documents on the website. Subscribers to the websites received notification of commencement of the consultation.
- 1.3.3 The consultation on the Highways Agency web site encouraged representative organisations, businesses and interested parties to make contact with the Highways Agency and communicate their views.

1.3.4 The results of this process can be summarised as follows:

- A total of 33 responses were received within the consultation period;
- 17 responses considered that the scheme will bring improvements and 12 responses did not believe that it would improve the situation. 4 were a nil return with no comments;
- 20 responses were from members of public,
- 3 responses from representative organisations,
- 4 from business
- 4 from Local Authorities,
- 1 from a central government department,
- 1 undisclosed, and
- 94% expressed concerns about the proposals

## 1.4 Recommendation

- 1.4.1 All concerns raised have been reviewed and where appropriate responded to or mitigated within the design of the scheme. The M4 junctions 3 to 12 smart motorway scheme is considered to be a Nationally Significant Infrastructure Project (NSIP). Many of these concerns are environmental, such as noise and air quality, and have been covered in greater detail through the public consultation into the wider aspects of the scheme ahead of the proposed application to the Planning Inspectorate for a Development Consent Order.
- 1.4.2 The majority of responses consider that the introduction of Variable Mandatory Speed Limits would bring improvements to this busy section of the M4 motorway.
- 1.4.3 This report recommends that variable mandatory speed limits be implemented on the M4 junctions 3 to 12 as part of the smart motorway scheme.

## 2. INTRODUCTION

### 2.1 Purpose of this document

2.1.1 The purpose of this document is to provide a summary of the responses received during the M4 junctions 3 to 12 smart motorway – the introduction of variable mandatory speed limits consultation and to address all the issues raised. The six week consultation took place between 12 January 2015 and 22 February 2015, providing an opportunity for stakeholders, such as road user groups, local government organisations and other interested parties to comment on the proposed draft regulations to allow the implementation of variable mandatory speed limits on the M4 between junctions 3 and 12.

### 2.2 Scheme background

2.2.1 The M4 motorway (M4) is the main strategic route between London, the West of England and Wales, connecting directly to the M25 and Heathrow Airport. The M4 carries over 130,000 vehicles per day and currently suffers from heavy congestion making journey times unreliable. Traffic flows on the M4 are forecast to increase to an average of 160,000 vehicles per day over the next 20 years, which will result in even more congestion if nothing is done.

2.2.2 The Highways Agency is proposing to improve a 32 mile length of the M4 motorway between junction 3 (Hayes) and junction 12 (Theale) by making it a smart motorway. The smart motorway proposal on the M4 will use the latest technology to improve journeys by monitoring traffic flow and setting speed limits accordingly to keep traffic moving smoothly, instead of continually stopping and starting. The proposal also involves converting the hard shoulder permanently to a traffic lane to create much needed extra capacity necessary to support economic growth. Information about road conditions and speed limits will be displayed to drivers on electronic road signs.

2.2.3 A map showing the extent of the proposed M4 junctions 3 to 12 smart motorway scheme is shown in Figure 1. The precise configuration of the extent of the roads that are included within the scheme may be subject to variation. The M4 junctions 3 to 12 smart motorway scheme will include the motorway and slip roads between junctions 3 and 12 of the M4.

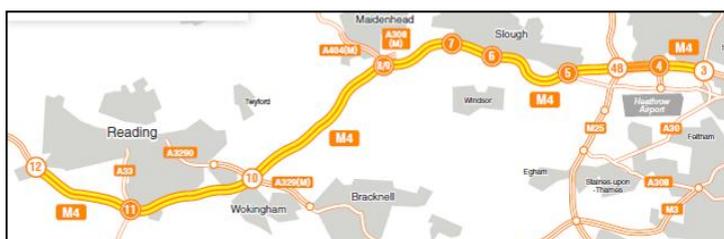


Figure 1: M4 junctions 3 to 12 smart motorway scheme variable mandatory speed limits map

2.2.4 Evaluation of the existing smart motorways schemes demonstrated that smart motorways are able to deliver clear benefits by providing:

- Improved journey time reliability through reduced congestion; and
- A scheme at lower cost and with less environmental impact than conventional widening programmes.

2.2.5 The design features of the M4 junctions 3 to 12 smart motorway scheme include:

- Variable mandatory speed limits with an associated enforcement/compliance system;
- Driver information, including lane availability, generally provided at intervals not exceeding 1500 m. Information will be provided through a mixture of signs and signals capable of displaying appropriate combinations of: mandatory speed limits; lane closure wicket signs; red X's; pictograms; and text legends.
- A queue protection system and congestion management system;
- Comprehensive low light pan-tilt-zoom (PTZ) CCTV coverage;
- Refuge areas generally provided at maximum intervals of 2500 m. A refuge area is defined as a place (or facility) where drivers can stop in an emergency and may include a motorway service area, a hard shoulder on an exit slip/link road or a bespoke facility, such as an emergency refuge area (ERA).
- Emergency roadside telephones (ERT) provided in all dedicated emergency refuge areas. Existing emergency roadside telephones elsewhere will be removed, apart from those within a junction where the existing hard shoulder is retained.

2.2.6 Obtaining an acceptable level of compliance with the variable mandatory speed limits (displayed on overhead gantries, verge mounted variable message signs and on post mounted advanced motorway indicators (where provided)) is key to the successful and safe operation of the M4 junctions 3 to 12 smart motorway scheme. No new offences or sanctions would be introduced as a result of the proposed changes to legislation.

2.2.7 Enforcement of variable mandatory speed limits is planned to be carried out using a combination of gantry-mounted and verge mounted speed enforcement equipment, and traditional enforcement by the Police.

## **2.3 Government's Code of Practice on Consultation**

2.3.1 The Civil Service Reform Plan commits the government to improving policy making and implementation with a greater focus on robust evidence, transparency and engaging with key groups earlier in the process.

2.3.2 As a result the government is improving the way it consults by adopting a more proportionate and targeted approach, so that the type and scale of engagement is proportional to the potential impacts of the proposal. The emphasis is on understanding the effects of a proposal and focusing on real engagement with key groups rather than following a set process.

2.3.3 The key Consultation Principles are:

- departments will follow a range of timescales rather than defaulting to a 12- week period, particularly where extensive engagement has occurred before;
- departments will need to give more thought to how they engage with and consult with those who are affected;
- consultation should be 'digital by default', but other forms should be used where these are needed to reach the groups affected by a policy; and
- the principles of the Compact between government and the voluntary and community sector will continue to be respected.

2.3.4 Further information can be found on the Cabinet website at:

- [www.gov.uk/government/publications/consultation-principles-guidance](http://www.gov.uk/government/publications/consultation-principles-guidance)

### 3. SUMMARY OF RESPONSES

#### 3.1 Analysis of responses

3.1.1 Opinions were sought across a broad spectrum of stakeholders including Central and Local Government, environmental bodies, road users and motoring organisations, the emergency services, vehicle recovery operators, business organisations and members of the public.

3.1.2 A breakdown of respondents is shown below in figure 2.

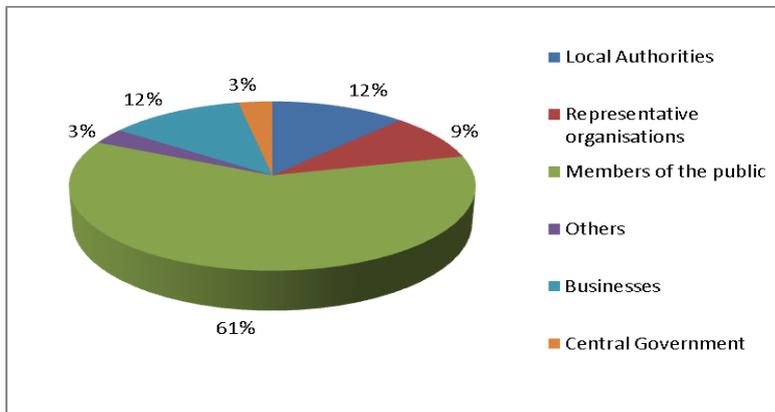


Figure 2: Breakdown of respondents.

3.1.3 In total 33 responses were received, 17 responses believed that the scheme would bring improvements and 12 of responses did not believe that this would be the case. 4 responses gave no comment. This is illustrated in figure 3 below.

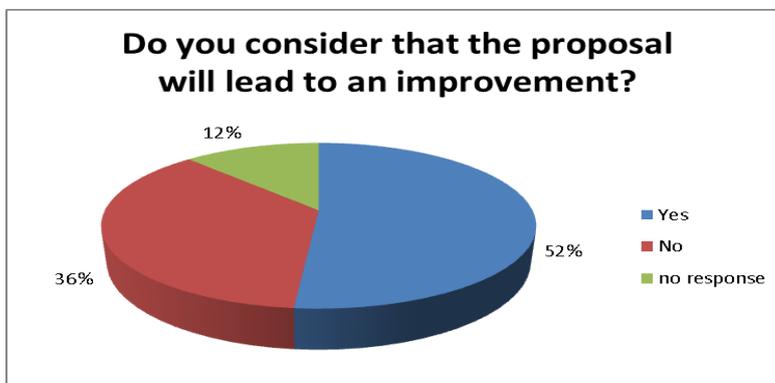


Figure 3: Breakdown of responses to the question of whether they believed the scheme would bring an improvement.

### 3.2 Support for the introduction of variable mandatory speed limits

3.2.1 17 of responses considered that the scheme would improve the travelling conditions on the M4 between junctions 3 and 12. Those who responded in favour included Local Authorities, representative motoring organisations RAC and Disabled Motoring UK, representatives of large and small to medium sized businesses in the area as well as members of the general public.

### 3.3 Concerns about the introduction of variable mandatory speed limits

3.3.1 We asked if any aspect of the introduction of smart motorways gave cause for concern.

3.3.2 94% of responses raised concerns regard the introduction of smart motorways. The table below in figure 4 shows the breakdown concerns raised.

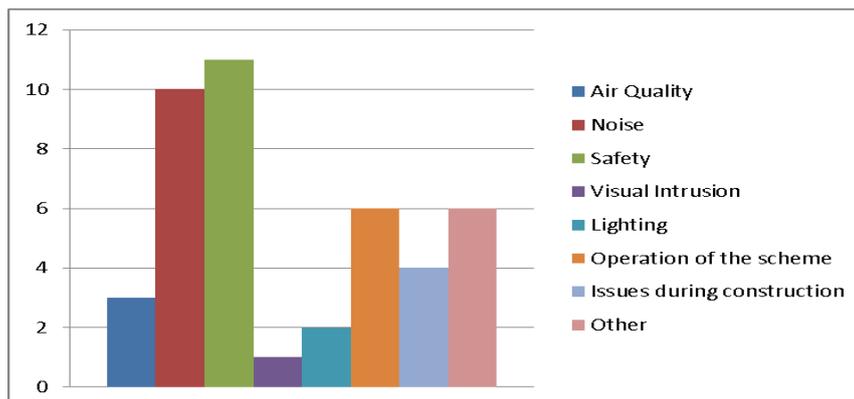


Figure 4: Breakdown of areas of concern.

#### **Concerns about safety**

3.3.3 The largest area of concern relates to safety. These predominantly refer to the removal of the hard shoulder and its replacement with a running lane.

3.3.4 Disabled Motoring UK raised concerns that disabled drivers may have to open a door fully to exit a vehicle or be unable to exit a vehicle stranded in a live lane which increased the risk to them.

3.3.5 Our advice is unchanged from current practice that drivers should leave their vehicles where it is practical and safe to do so, but if this is not possible, drivers should remain in their vehicle with their hazard warning lights on.

- 3.3.6 In the event of any vehicle coming to a stop in a live lane, our Regional Control Centre will protect the scene using signs and signals. Noting further comments about levels of compliance with these by other drivers; although on a smart motorway we do generally find higher levels of compliance, because the signs and signals are more closely spaced than on other motorways and the speed limits are mandatory. If a vehicle stops in a live lane the Regional Control Centre will despatch a vehicle to the scene as soon as they become aware of the stranded vehicle. Vehicles do stop in live lanes on both motorways and A roads every day and are dealt with safely; we would expect to respond in similar fashion on a smart motorway, and our advice to drivers (both able bodied and disabled) is unchanged.
- 3.3.7 Motoring Organisation the RAC commented that it continues to have concerns about the “all lanes running” configuration, which is most notably used on the M25. The RAC favours a configuration where the hard shoulder can be opened up during congested periods, the so-called ‘Dynamic hard shoulder’. It had conducted a survey that suggests that 82% (of its respondents) said they would feel ‘very concerned’ if they broke down in lane one – formerly the hard shoulder – of a four-lane/all-lane running section of motorway.
- 3.3.8 Evidence from the M42 Managed Motorway and previous sections of Managed Motorway which use the hard shoulder as a running lane have actually shown a reduction in incidents and an improvement in safety. The recently published three-year safety report on the M42 Managed motorway pilot scheme, shows that accidents more than halved since hard shoulder running was introduced on 10.5 miles of M42 (J3a to J7), to the east of Birmingham. There was also an overall reduction in the severity of accidents with zero fatalities and fewer seriously injured. The safety case for All Lane Running has been developed from this and demands that the scheme shows a level of safety risk that is no worse than the current position.
- 3.3.9 Vehicles regularly and safely enter and exit Emergency Refuge Areas (ERA) on existing smart motorway schemes and the operation on a smart motorways – all lane running scheme is not expected to be any different. The dimensions of the ERAs are the same as for lay-bys on A-roads (however with the entry and exit taper dimensions reversed to give a longer length for exiting), which gives drivers more room to accelerate before entering the mainline. Additional signing in the ERA encourages drivers to contact the Regional Control Centre before leaving and the Regional Control Centre will offer safety advice and ask if the driver requires assistance. By increasing the spacing of ERAs we expect to eliminate as far as possible discretionary stops and therefore the risks (eg being hit by another vehicle being stopped on the hard shoulder and rejoining the mainline) associated with them. Evidence supports the view that many road users will still be able to make it to a refuge area in an emergency, even when the distance is increased.

### **Concerns about noise**

3.3.10 The next largest area for concern was increased noise.

#### *Highways Agency Response*

3.3.11 Extensive noise modelling has been conducted to support the scheme in its application to the Planning Inspectorate for a Development Consent Order. We have consulted widely and continue to work closely with Local Authorities and communities to address areas of increased noise. As a result the scheme is proposing that the surfacing of all lanes over the whole length of the scheme is “low noise surfacing” and where appropriate additional noise barriers would be provided. More information regarding noise is available in the scheme Environmental Statement.

### **Concerns about the operation of the smart motorway**

3.3.12 6 responses note concerns about the variable message signage showing reduced speed limits when no incident was apparent and over onerous application of enforcement of speed limits.

3.3.13 Slough Borough Council raised a concern regarding the interaction of the variable mandatory speed limits on the M4 with those on the M25 and M3. They also requested information on the interaction of the electronic signage through Slough

3.3.14 Slough Borough Council raised concerns regarding the operation of ramp metering at junction 5, junction 6 and junction 7.

#### *Highways Agency Response*

3.3.15 We seek to provide information on incidents further along the network, on the basis this may enable drivers to choose an alternative route if they are made aware of circumstances sufficiently in advance. The equipment installed as part of each smart motorway scheme provides a highly controlled environment which allows better detection and management of incidents. During busy periods, radar devices or detection loops below the road surface are used to identify breakdowns in traffic flow and automatically set lower speed limits on the approach to an incident. The overhead electronic signals can also be used to display warning messages to approaching drivers and close lanes to protect vehicles. Signs display messages as part of a strategy to help promote various initiatives; however, these would always be overridden by other messages.

- 3.3.16 The speed limits on the M4 junctions 3 to 12 smart motorway scheme will be automatically set in response to the road conditions. Should congestion begin to build then the signalling system will react accordingly and automatically set reduced speed limits to manage the flow of traffic. Should there be an incident that occurs on the M4 junctions 3 to 12 smart motorway scheme then the Operator at the Regional Control Centre (RCC) may be required to set appropriate signs and signals. Depending on the location (i.e. should the incident occur near the M25 merge or diverge) then it may be necessary for appropriate signs and signals to be set on the M25. The signalling rules will automatically set signals upstream (whether that be on the M4 or M25) once the Operator has set a signal at a specific location to protect the scene at an incident.
- 3.3.17 The speed limits on the M4 junctions 3 to 12 smart motorway scheme will be automatically set in response to the road conditions. Depending on the level of congestion automatically displayed speed limits will vary at either 40mph, 50mph, 60mph or national speed limit. The design of the system is not to vary the speed unnecessarily – the system will smooth traffic speeds in order to improve and smooth the flow of traffic through the section.
- 3.3.18 Ramp Metering is proposed to be retained at junction 5 and junction 6 Westbound and junction 6 and junction 7 Eastbound. As per the requirements of relevant standards (IAN 161/13 and IAN 103/08) these sites were assessed to determine if they will continue to provide benefit following implementation of the scheme. These sites were assessed as passing the operational criteria and with Through Junction Running being introduced at these junctions, the likelihood is high that it will continue to do so. The sites will be recalibrated so that they take any changes in operation between junction 6 and A355 into account.
- 3.3.19 Enforcement would be carried out by Thames Valley Police. When offences are detected, offending drivers are identified and appropriate action taken, using powers defined in the Road Traffic Offenders Act 1988.

#### **Concerns about impacts during construction**

- 3.3.20 4 responses raised concerns about the impacts during construction.

#### *Highways Agency Response*

- 3.3.21 It is anticipated that 3 lanes will be maintained throughout the works. It is anticipated that some traffic will use local roads during the construction period. There will be some clearance of vegetation where it is necessary to allow the works to be completed and some disruption to wildlife. Where necessary the appropriate licences would be sought to move protected species. Additional

details regarding environmental impacts during the construction period are covered in detail in the Environmental Statement.

### **Lighting**

3.3.22 4 responses raised concerns about lighting.

#### *Highways Agency Response*

3.3.23 The scheme intends to retain all lit sections and does not intend to light any additional sections as part of the scheme. However it is anticipated that the scheme will replace lamps with more energy efficient, LED units.

### **Concerns about air quality**

3.3.24 3 responses raised concern about worsened air quality.

#### *Highways Agency Response*

3.3.25 Extensive air quality modelling has been conducted to support the scheme in its application to the Planning Inspectorate for a Development Consent Order. This suggests that there are no significant impacts on air quality as a result of the scheme. More information regarding air quality is available in the scheme Environmental Statement.

### **Concerns about visual intrusion**

3.3.26 1 response has raised an issue regarding the visual intrusion of gantries and signage.

#### *Highways Agency Response*

3.3.27 The positioning of signage for the scheme is governed by Interim Advice Notice (IAN) 161/13 and the Design for Manual for Roads and Bridges (DMRB). However we will continue to work with local authorities to minimise the impact of visual intrusion on communities within the tolerances specified within the design guidelines.

### **Other concerns**

3.3.28 6 responses had noted that they had concerns though not specified the areas of concerns.

### 3.4 Other comments offered by respondents

- 3.4.1 A local resident of Maidenhead advised that improvements were required to junction 8/9.
- 3.4.2 The same resident also suggested that there may be an opportunity to combine cabling along the M4 to upgrade local telephone connections and electricity supplies for the community.
- 3.4.3 Responses suggested that widening would be a better proposal than the introduction of a smart motorways and Variable mandatory speed limits. It was suggested that this could be achieved by providing a narrowing central reserve.
- 3.4.4 The RAC noted that drivers need to be made more aware of when enforcement is in operation. They consider that inconsistent application of enforcement, such as when the national speed limit applies and no “red rings” are showing undermines confidence in smart motorways.
- 3.4.5 2 respondents felt that the scheme was a waste of tax payers money.
- 3.4.6 3 respondents suggested that enforcement would be better performed using average speed cameras.

#### *Highways Agency Response*

- 3.4.7 This is the junction of the A404(M) and the A308(M). While the scheme is not proposing improvements to the junction it is anticipated that on the approach to this junction, lane one will become dedicated to traffic exiting for the junction and lane 2 to 4 will continue through the junction. Traffic joining from this junction will use a slip road that becomes the new lane one that will then continue in either direction.
- 3.4.8 Unfortunately the ERT system is not connected to the public telephone network therefore it would be unable to benefit local communities in this manner.
- 3.4.9 At various points along the scheme we will need new connections into the existing power supply infrastructure. We are charged for the electricity that is used to power the technology it will use. Modern signage and lighting is energy efficient. As it stands at present this means that power supplies that run along the scheme would be unable to be used to provide power to communities.
- 3.4.10 Widening has been considered as an options to deliver improvements to this busy section of the motorway. This option would require the purchase of a considerable amount land along this 32 mile stretch if the M4. It would also take longer to build increasing the disruption to local communities and road users. This option does not provide the taxpayer with value for money.

- 3.4.11 The scheme is proposing to replace the current central safety barrier with a concrete barrier. The space gained from the central reserve will be utilised to meet the minimum lane width requirements for the four lanes on the scheme.
- 3.4.12 As noted in para 3.3.19 enforcement of the speed limit would be carried out by Thames Valley Police.
- 3.4.13 The M4 carries over 130,000 vehicles per day and currently suffers from heavy congestion making journey times unreliable. This is particularly noticeable during the morning and evening peaks. Traffic flows on the M4 are forecast to increase to an average of 160,000 vehicles per day over the next 20 years, which will result in even more congestion if nothing is done.
- 3.4.14 At the present time, there is no average speed enforcement system approved to enforce variable mandatory speed limits.

## **4. SUMMARY AND RECOMMENDATION**

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### **4.1 Summary**

- 4.1.1 As the analysis of the responses shows that even though the consultation had relatively low number responses, those that did respond come from a representative cross section of the community.
- 4.1.2 50% of the responses received believe that the introduction of variable mandatory speed limits would improve the journey along this busy section of the M4. 38% of responses did not believe it would bring improvements.
- 4.1.3 94% of responses had concerns about the scheme. These were wide ranging in nature. It is considered that those raised that relate to the introduction of a variable mandatory speed limit have been adequately addresses.
- 4.1.4 The M4 junctions 3 to 12 smart motorway scheme has been classed as a nationally significant infrastructure project (NSIP) and as such is required to apply to the Planning Inspectorate for a development consent order (DCO). This process requires the scheme to undertake significant public consultation. This has included public information exhibitions in March 2014 and November/December 2014. The latter accompanied a separate public consultation exercise that ran from 10 November 2014 to 21 December 2014. Many of the concerns raised in this consultation echo opinions in the response to that consultation.

### **4.2 Recommendation**

- 4.2.1 After taking into account the responses to this consultation. The majority of respondents support the implementation of variable mandatory speed limits on the M4 motorway, between junctions 3 and 12. This coupled with proven benefits from similar schemes It is recommended that there introduction onto this section be accepted.

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## **ANNEX A LIST OF STATUTORY CONSULTEES**

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Alliance of British Drivers  
Arborfield and Newland Parish Council  
Associate of Directors of Environment Planning and Transport  
Association of British Certification Bodies  
Association of British Insurers  
Association of Chief Police Officers  
Association of Industrial Road Safety Officers (AIRSO)  
Association of Vehicle Recovery Operators  
Berkshire, Buckinghamshire and Oxfordshire Wildlife Trust  
Binfield Parish Council  
Bracknell Forest Council  
BRAKE  
Bray Parish Council  
Britannia Rescue  
British Geological Survey Society  
British Insurance Brokers' Association  
British Motorcycle Federation  
British Transport Police  
Buckinghamshire County Council  
Burghfield Parish Council  
Burnham Parish Council  
Campaign for Better Transport  
Campaign to Protect Rural England  
Canal & River Trust  
CECA (Southern) Ltd  
Central Council of Magistrates Courts Committee  
Chief Fire Officers Association  
Colnbrook with Poyle Parish Council  
Cox Green Parish Council  
Datchet Parish Council  
Defence Police College Policing and Guarding  
Buckinghamshire Fire & Rescue Service  
Driver and Vehicle Standards Agency  
Disabled Motoring UK  
Disabled Persons Transport Advisory Committee  
Dorney Parish Council  
Driving Standards Agency  
Earley Parish Council  
English Heritage  
Environmental Agency  
Eton Parish Council  
Freight Transport Association  
Friends of the Earth

Green Flag

Health and Safety Executive

Hillingdon London Borough Council

Holybrook Parish Council

Horton Parish Council

Hounslow London Borough Council

Institute of Advanced Motorists

Institute of Road Safety Officers

Institute of Vehicle Recovery Operators

Institution of Civil Engineers

Intelligent Transport Systems UK (ITS)

Iver Parish Council

Local Government Association

London Chamber of Commerce & Industry

London Wildlife Trusts

Magistrates' Association

Metropolitan Police Service

Ministry of Defence

Ministry of Defence Police

Mondial Assistance

Motor Insurers' Bureau

Motorcycle Action Group

Motorcycle Industry Trainers Association

National Express Group PLC

National Tyre Distributors Association

Natural England

Oil and Pipelines Agency

Parliamentary Advisory Council for Transport Safety

Parliamentary Advisory Council for Transport Safety (Media Centre)

Police Federation

Police Superintendents Association of England and Wales

RAC Foundation

RAC Motoring Services

Reading Borough Council

Road Haulage Association

Road Rescue Recovery Association

Royal Berkshire Fire & Rescue Service

Royal Society for the Protection of Accidents

Royal Society for the Protection of Birds

Shinfield Parish Council

Shottesbrooke Parish Council

Slough Borough Council

South Buckinghamshire District Council

South Central Ambulance Services

St Nicholas Hurst Parish Council

Sulham Parish Council

Taplow Parish Council

Thames Valley Chamber of Commerce Group  
Thames Valley Environmental Records Centre  
Thames Valley Police  
The Association of Ambulance Chief Executives  
The Automobile Association Ltd  
The British School of Motoring  
The Chartered Institute of Logistics and Transport  
The Chartered Institution of Highways and Transportation  
The Crown Estate  
Theale Parish Council  
Tilehurst Parish Council  
Transport for London  
Waltham St Lawrence Parish Council  
West Berkshire Borough Council  
White Waltham Parish Council  
Windsor & Maidenhead Borough Council  
Winnersh Parish Council  
Wokingham Borough Council  
Wokingham Town Council