

Explanatory Memorandum to the M48 Motorway (Eastbound and Westbound Exit Slip Roads at Junction 2 (Newhouse Roundabout), Chepstow) (40 mph Speed limit) Regulations 2021

This Explanatory Memorandum has been prepared by the Department for Economic Infrastructure and is laid before Senedd Cymru in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

Minister's Declaration

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of **the M48 Motorway (Eastbound and Westbound Exit Slip Roads at Junction 2 (Newhouse Roundabout), Chepstow) (40 mph Speed limit) Regulations 2021**. I am satisfied that the benefits outweigh any costs.

Lee Waters MS

Deputy Minister for Climate Change, acting under the authority of the Minister for Climate Change, one of the Welsh Ministers

1. Description

These Regulations introduce, on safety grounds, a reduction of the maximum speed limit, on lengths of the eastbound and westbound exit slip roads of the M48 Motorway at Junction 2 (Newhouse Roundabout) in the County of Monmouthshire specified as follows:

(i) the westbound exit slip road from a point 200 metres east of its junction with Junction 2 (Newhouse Roundabout) to its junction with the main circulatory carriageway; and

(ii) the eastbound exit slip road from a point 250 metres west of its junction with Junction 2 (Newhouse Roundabout) to its junction with the main circulatory carriageway.

2. Matters of special interest to the Legislation, Justice and Constitution Committee

None.

3. Legislative Background

The powers enabling this instrument to be made are under Sections 17(2),(3) and (3ZAA) of the Road Traffic Regulation Act 1984 (RTRA). These give the Welsh Ministers the power to make Regulations with respect to particular special roads such as motorways and for regulating the speed of vehicles on such roads, so far as they are exercisable in relation to Wales.

This instrument is to be made following the negative procedure.

4. Purpose and intended effect of the legislation

These Regulations allow for the operation and enforcement of a 40 mph mandatory speed limit in relation to the lengths of the M48 specified in regulation 2 of the Regulations. The lengths comprise the approaches of both westbound and eastbound exit slip roads to the Newhouse Roundabout circulatory carriageway. The use of the mandatory 40 mph speed limit is an essential part of the proposal to improve road safety for users of the M48.

5. Implementation

If this legislation were to be annulled, safety on this stretch of the M48 Motorway would be compromised. This Instrument has a coming into force date of 12 January 2022.

6. Consultation

In accordance with Section 134(10) of the Road Traffic Regulation Act 1984 the views of representative organisations and groups were sought between 6 August 2021 – 27 August 2021 and 24 September 2021 - 15 October 2021 (2x 3 week period).

The list of consultees and summary of any responses is attached in the Annex to this Explanatory Memorandum.

7. Regulatory Impact Assessment of The M48 Motorway (Eastbound and Westbound Exit Slip Roads at Junction 2 (Newhouse Roundabout), Chepstow) (40 mph Speed Limit) Regulations 2021

This Regulatory Impact Assessment has been prepared by the Department for Economic Infrastructure and is laid before Senedd Cymru in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.

1. Options

Option 1: Do Nothing.

If the legislation were not made, the existing National Speed Limit (70 mph for most vehicles) would remain on both exit slip roads. Works to improve road safety on the Newhouse Roundabout and the adjoining A466 Wye Valley Link Road are programmed to commence in the current financial year and include a reduction in the speed limit to 40mph on the Roundabout and 50mph on the A466.

A number of safety issues including nose-to-tail shunt collisions on both exit slip roads and collisions involving late and sudden lane changes on the westbound exit slip road have been identified. The proposed reduction in the speed limit is a measure that could help alleviate these collisions and this takes into account that following removal of the tolls on the nearby M48 Severn Bridge, evidence suggests that traffic flows using the slip roads have increased in the 12 months following toll removal. Consequently, retention of the National Speed Limit could, in the worst case, lead to further collisions occurring.

Option 2: Reduction in the National Speed Limit on the exit slip roads to 40mph.

Making the legislation on lengths of both exit slip roads will help provide safety benefits and complement the 40mph speed limit that is due to be implemented on the Roundabout. Given that the lengths of slip road in question are relatively short the impact on journey times will be negligible. Gwent Police have been consulted but have not provided opposition or commented negatively in respect of this legislation.

2. Costs and benefits

a) Costs

Option 1: Do Nothing.

There are no costs associated with retention of the existing National Speed Limit on both Exit Slip Roads.

Option 2: Reduction in the National Speed Limit on the exit slip roads to 40mph.

The costs of the reduction in speed limit are approximately £40k and include provision of the permanent speed limit traffic signing and road markings. These costs are considered affordable within BEL 1885 2019/20, as they are included within the fully funded road safety works referred to in Section 1.

b) Benefits

We have identified the benefits for both options as follows:

Option 1: Do Nothing.

There are no benefits associated with this option

Option 2: Reduction in the National Speed Limit on the exit slip roads to 40mph

Making this legislation would allow a reduction in the maximum speed limit and result in lower speeds on the approaches to the Newhouse Roundabout. In addition to the limit being consistent with that on the Roundabout, a reduction in the speed limit may reduce the likelihood and severity of shunts and sudden lane changes.

3. Consultation

In accordance with Section 134(10) of the Road Traffic Regulation Act 1984, the view of representative organisations and groups were sought between 6 August 2021 – 27 August 2021 and 24 September 2021 - 15 October 2021. A list of the consultees and a summary of the responses is attached in the Annex.

4. Competition Assessment

It is considered that this proposed legislation will not have any detrimental effect on competition as it is solely intended to ensure the safe passage of vehicles by reducing speeds on the approaches to the Newhouse Roundabout.

5. Post implementation review

All changes to the trunk road and motorway network that may impact on road user behaviour or result in a change to the outcome of a collision are subject to independent Road Safety Audit (RSA).

A Stage 1/2 RSA was undertaken following completion of detailed design of the traffic signing and road marking layouts and further RSAs will be carried out once works have been completed (Stage 3) and 12-months and 36-months following completion of the works (Stages 4 and 4a).

Officials are required to consider the problems identified at each stage of the RSA process and take appropriate action in mitigation.

ANNEX

SCHEDULE OF CONSULTATION

6 August 2021 – 27 August 2021

Organisation	Response
Monmouthshire County Council	No comment
Chepstow Town Council	No comment
Gwent Police	No comment
South Wales Fire & Rescue Service HQ	No comment
Welsh Ambulance Services NHS Trust	No comment
Road Haulage Association Ltd.	No comment
Freight Transport Association	No comment
NAVTEQ	No comment
Trafficmaster Travel	No comment
South Wales Trunk Road Agent Manager	No comment
'Go Safe'	No comment
Ministry of Justice	No comment
The RAC	No comment
The AA	No comment

24 September 2021 – 15 October 2021

Organisation	Response
Monmouthshire County Council	No comment
Chepstow Town Council	No comment
Gwent Police	No comment
South Wales Fire & Rescue Service HQ	No comment
Welsh Ambulance Services NHS Trust	No comment
Road Haulage Association Ltd.	No comment
Freight Transport Association	No comment
NAVTEQ	No comment
Trafficmaster Travel	No comment
South Wales Trunk Road Agent Manager	No comment
'Go Safe'	No comment
Ministry of Justice	No comment
The RAC	No comment
The AA	No comment