EXPLANATORY MEMORANDUM TO

THE M25 MOTORWAY (JUNCTION 5) (50 MILES PER HOUR SPEED LIMIT) REGULATIONS 2020

2020 No. 1135

1. Introduction

1.1 This explanatory memorandum has been prepared by the Department for Transport and is laid before Parliament by Command of Her Majesty.

2. Purpose of the instrument

2.1 These Regulations impose for safety reasons a permanent speed limit of 50 mph on the clockwise carriageway of the M25 motorway at junction 5 which merges with the south-westbound carriageway of the M26 motorway.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

Matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business (English Votes for English Laws)

3.2 As the instrument is subject to negative resolution procedure there are no matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business at this stage.

4. Extent and Territorial Application

4.1 The territorial extent of this instrument is England and Wales.

4.2 The territorial application of this instrument is England. Only the section of motorway specified in the Regulations will be affected and this is situated in England.

5. European Convention on Human Rights

5.1 As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

6. Legislative Context

6.1 These Regulations are being made in respect of the use of a length of special road (i.e. motorway) rather than in relation to the use of special roads generally. These Regulations allow the operation and enforcement of a permanent 50mph speed limit in relation to the road specified in the Regulations.

6.2 Section 134(2) of the Road Traffic Regulation Act 1984 requires the Secretary of State to consult with representative organisations as he sees fit prior to making regulations under that Act.

7. Policy background

What is being done and why?

7.1 The M25 motorway is a strategic route for local, regional and international traffic and forms part of the Strategic Road Network in England. The M25 motorway, or London Orbital, is a 117-mile (188 km) orbital **motorway** around **Greater London**.

7.2 The M25 was completed in 1986. It is one of the world's longest orbital roads and one of the busiest and most congested parts of the British motorway network. Recently on a single day near **London Heathrow Airport** 196,000 vehicles were recorded as using the motorway. The M25 is a crucial link between the four main London airports: **Heathrow**, **Gatwick**, **Stansted** and **Luton**. Given that no motorways go through the centre of London, the M25 is a main route connecting north with south, and east with the west of England.

7.3 Currently variable mandatory speed limits do not apply to the length of the clockwise carriageway of the M25 motorway at junction 5 which merges with the south-westbound carriageway of the M26 motorway. The application of the 70mph speed limit to this section of road would be likely to cause danger to road users and this is supported by a recent analysis of the relevant accident statistics. Therefore, a 50mph speed limit needs to be imposed for safety reasons. A temporary 50mph speed limit is in place and these Regulations will make that speed limit permanent.

8. European Union (Withdrawal) Act/Withdrawal of the United Kingdom from the European Union

8.1 This instrument does not relate to withdrawal from the European Union / trigger the statement requirements under the European Union (Withdrawal) Act.

9. Consolidation

9.1 This instrument is not amending another instrument.

10. Consultation outcome

10.1 A consultation on the proposed implementation of a permanent 50 mph speed limit on the length of the clockwise carriageway of the M25 motorway at junction 5 which merges with the south-westbound carriageway of the M26 motorway took place between 7th September and 5th October 2020. The consultation was open to public participation through the Highways England Citizen Space website and the consultation document can be accessed using the following link-

https://highwaysengland.citizenspace.com/he/m25-clockwise-carriageway-at-junction-5

10.2 Highways England encouraged the specific consultees and the public to register their views on the 50mph speed limit reduction proposed. A total of nil responses were received. No objections were made regarding the proposed permanent 50 mph speed to be introduced on the M25 Junction 5.

10.3 The post-consultation conclusion was that the proposed 50mph speed limit should be implemented.

11. Guidance

11.1 The consultation document published on the gov.uk website by Highways England on 7th September 2020 contained information on the proposed 50-mph permanent speed limit.

12. Impact

12.1 There is no, or no significant, impact on business, charities or voluntary bodies.

12.2 There is no, or no significant, impact on the public sector.

12.3 An impact assessment has not been prepared for this instrument because there is an insignificant impact on business. The De Minimis Assessment carried out by Highways England concluded that the annual monetised cost to business of compliance with the speed limit would be below £5m.

13. Regulating small business

13.1 The legislation does not directly impose a regulatory burden on business activity.

14. Monitoring & review

14.1 The legislation will be monitored by assessing the effectiveness of the speed limit in relation primarily to safety and accidents but also regarding traffic flows and environmental factors. This is notwithstanding that a temporary 50mph speed limit is already in place on the road.

14.2 A statutory review provision is not included in the Regulations because they do not impose a regulatory burden impacting directly on business costs and there are no factors that would make it particularly desirable to include a review provision.

15. Contact

15.1 Allan Prasad at Highways England, email: allan.prasad@highwaysengland.co.uk can be contacted with any queries regarding the instrument.

15.2 Rosemary Hopkins, Deputy Director for the Strategic Roads Directorate, at the Department for Transport can confirm that this Explanatory Memorandum meets the required standard.

15.3 Baroness Vere of Norbiton at the Department for Transport can confirm that this Explanatory Memorandum meets the required standard.