EXPLANATORY MEMORANDUM TO

THE M32 MOTORWAY (JUNCTIONS 1 TO 3) (40 AND 60 MILES PER HOUR SPEED LIMITS) REGULATIONS 2025

2025 No. 1102

1. Introduction

1.1 This Explanatory Memorandum has been prepared by the Department for Transport and is laid before Parliament by Command of His Majesty.

2. Declaration

2.1 Simon Lightwood MP, Parliamentary Under Secretary of State, Minister for Roads and Buses, at the Department for Transport confirms that this Explanatory Memorandum meets the required standard.

2.2 Joe James, Deputy Director for the Strategic Roads Directorate, at the Department for Transport confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Will Miller at National Highways Limited can be contacted by email at the following address with any queries regarding the instrument: Will.Miller@nationalhighways.co.uk. Alternatively, he can be contacted by telephone: 07834 808298.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 This instrument will impose on certain stretches of the M32 motorway between junctions 1 and 3, a permanent 40 miles per hour speed limit on the motorway and slip roads in the northbound and southbound directions, and on a different stretch, a 60 miles per hour speed limit on the motorway in the southbound direction.

Where does the legislation extend to, and apply?

4.2 The extent of this instrument (that is, the jurisdiction which the instrument forms part of the law of) is England and Wales.

4.3 The territorial application of this instrument (that is, where the instrument produces a practical effect) is England; specifically, the section of the M32 motorway between junctions 1 and 3.

5. Policy Context

What is being done and why?

5.1 The M32 is a 7.1 kilometres (4.4 miles) motorway in the South Gloucestershire and Bristol local authority areas, which links the M4 motorway at junction 19 (Hambrook Interchange) with Bristol city centre. It is part of the Strategic Road Network ("SRN") owned and maintained by National Highways Limited and carries 65,000 vehicles per day. The M32 runs through a predominately rural landscape until just north of the

Eastville Viaduct, an elevated 1.1 kilometres (0.7 miles) section of the motorway around junction 2, where it then cuts through a densely populated urban area.

5.2 A temporary 40 miles per hour speed limit is currently in place on the M32 motorway in both directions around junction 2, between a point 83 metres north of the northern mechanical join of the Eastville Viaduct, to a point 22 metres north of the centre of the Severn Beach railway line overbridge. Before the temporary speed limit was put in place, this stretch of road operated at its construction speed limit of 60 miles per hour.

5.3 In addition, a temporary 60 miles per hour 'step down' speed limit is currently in place on the southbound carriageway of the M32 between a point 30 metres south of the centre of Heath House Lane overbridge, to a point 83 metres north of the northern mechanical join of the Eastville Viaduct where the temporary 40 miles per hour speed limit begins. The 60 miles per hour 'step down' speed limit facilitates the gradual reduction from the national motorway speed limit to the 40 miles per hour speed limit, by reducing the speed limit in phases.

5.4 These temporary speed limits were implemented using Temporary Traffic Regulation Orders, following an operational review which determined that the speed restrictions were necessary for the reasons set out in paragraphs 5.5 and 5.6 below. National Highways Limited is now proposing to make these temporary speed limits permanent, in the form of regulations made by way of a statutory instrument.

5.5 The permanent 40 miles per hour speed limit is required due to the geometry and layout of this stretch of motorway. The M32 motorway was built in the 1970s and adhered to design standards of the time. If it was built today, the Design Manual for Roads and Bridges ("DMRB")[1] would recommend a speed limit of 40 miles per hour. This is due to the short distance between junctions 2 and 3 which results in a high level of traffic weaving between lanes, as vehicles seek to join and leave the motorway at these two junctions. In addition, the elevated section of the motorway around junction 2 also has limited forward visibility, narrow lanes and narrow hard shoulders, which do not meet the design standards of today's motorways. The proposed permanent 40 miles per hour speed limit is required on safety grounds and to help ensure a smooth-running network.

5.6 In advance of the 40 miles per hour speed limit a permanent 'step down' 60 miles per hour speed limit on the M32 motorway in the southbound direction is required on safety grounds, to facilitate the gradual reduction from the national motorway speed limit approaching the proposed permanent 40 miles per hour speed limit. A safety risk assessment has been produced in accordance with the DMRB's (GG 104) Requirements for Safety Risk Assessment[2] which has indicated that there is a safety benefit for road users in making permanent the existing temporary 60 miles per hour speed limit as it facilitates the reduction from the national motorway speed limit to the 40 miles per hour speed limit.

[1] The Design Manual for Roads and Bridges is a comprehensive set of standards and guidelines used in the United Kingdom for the design, assessment, and operation of motorways and all-purpose trunk roads. It provides detailed technical requirements to ensure consistency, safety and efficiency in highway projects. For further information, please visit https://www.standardsforhighways.co.uk/dmrb.

[2] GG 104 - Requirements for Safety Risk Assessment: https://www.standardsforhighways.co.uk/search/6393d1c9-31da-4675-b1b8-c43703409f1e.

What was the previous policy, how is this different?

5.7 Temporary 40 miles per hour and 60 miles per hour speed limits are currently in place on the M32 as described in paragraph 5.2 and 5.3. This statutory instrument will place these temporary speed limits on a permanent footing.

6. Legislative and Legal Context

How has the law changed?

6.1 This statutory instrument will make permanent the temporary speed limits. It has been made under sections 17(2), (3) and (3ZB) of the Road Traffic Regulation Act 1984[3], which empowers the Secretary of State for Transport to make regulations regarding the use of special roads generally and, in this case, with respect to particular lengths of carriageway on the M32 motorway.

6.2 The speed limit on the M32 motorway will be permanently reduced from its designed speed limit of 60 miles per hour to 40 miles per hour in both directions around junction 2, between a point 83 metres north of the northern mechanical join of the Eastville Viaduct to a point 22 metres north of the centre of the Severn Beach railway line overbridge. This will make permanent the existing temporary 40 miles per hour speed limit on this stretch.

6.3 The existing temporary 60 miles per hour speed limit leading up to the existing temporary 40 miles per hour speed limit on the M32 motorway's southbound carriageway, from a point 30 metres south of the centre of Heath House Lane overbridge to a point 83 metres north of the northern mechanical join of Eastville Viaduct, will be made permanent. This will permanently reduce the speed limit on this stretch from the national motorway speed limit to 60 miles per hour.

Why was this approach taken to change the law?

6.4 A statutory instrument made under sections 17(2), (3) and (3ZB) of the Road Traffic Regulation Act 1984 is the only legislative option available to make the necessary changes permanent as it empowers the Secretary of State for Transport to make regulations regarding the use of special roads and, in this case, with respect to particular lengths of carriageway on the M32 motorway. No other legislative options are available to make the temporary speed limits permanent on this stretch of the M32 motorway.

7. Consultation

Summary of consultation outcome and methodology

7.1 The consultation for the proposed implementation of the permanent 40 miles per hour speed limit took place between 2nd December 2024 and 26th January 2025 ("First Consultation"). A further consultation for the proposed implementation of both the 40 and 60 miles per hour speed limits took place between 19th May 2025 and 6th July 2025 ("Second Consultation"). The Second Consultation was required because a subsequent safety risk assessment produced by National Highways Limited in accordance with the DMRB's (GG 104) Requirements for Safety Risk Assessment had indicated that there would be a safety benefit for road users in also making permanent the existing temporary 60 miles per hour speed limit.

[3] 1984 c. 27.

First Consultation

7.2 A consultation document which provided detailed information about the proposed instrument was issued to 87 stakeholders. The consultation document was also published on National Highways Limited's Citizen Space consultation website.[4]

7.3 The consultation was open to public participation through the Citizen Space website. Other consultees included local MPs, local Government bodies, members of the emergency services, environmental advisory groups, road transport groups and local business organisations. The consultation provided an opportunity for consultees to comment on the proposed instrument. Respondents submitted their comments via the consultation questionnaire response form or by email.

7.4 13 responses were received to the consultation. 8 of these were from members of the public and businesses whilst 5 were from other stakeholders.

7.5 The consultation response questionnaire asked respondents if they were in favour of National Highways Limited's proposal to make permanent the existing temporary 40 miles per hour speed limit. 4 respondents said that they were in favour of the proposal and 7 said that they were against the proposal. The remaining respondents did not answer this question.

7.6 Respondents were invited to comment on the proposals. 8 respondents provided comments.

7.7 2 respondents were in favour of the reduced speed limit and commented that it had the potential to reduce the number and severity of road traffic collisions. Another respondent in favour commented that speed limits should be appropriate for the road conditions and that they would be keen to see the same principle applied to other roads with similar design challenges.

7.8 2 respondents commented that the 60 miles per hour speed limit should be reinstated, with a further adding that a 40 miles per hour speed limit would mean that the road is no longer a motorway. Another respondent felt that the reduced speed was only required due to poor maintenance. National Highways Limited's response in the consultation report stated that the requirement for the reduced speed limit is based on the geometry and design of the road rather than poor maintenance. The M32 is classified as a motorway and the introduction of a permanent 40 miles per hour speed limit does not alter this status.

7.9 2 respondents commented that lowering the speed limit would negatively impact traffic flows resulting in delays, congestion and more pollution. Another commented that it would impact businesses within the area. National Highways Limited's response in the consultation report stated that the temporary 40 miles per hour speed limit has been in place for some time and its continuation is not expected to see an increase in congestion. In addition, driving at a consistent speed of 40 miles per hour would maintain existing traffic flows, meaning that there would not be a negative impact to local businesses.

7.10 2 respondents commented that no collision data had been provided to justify maintaining the temporary 40 miles per hour speed limit and recalled statistics that roads with higher speed limits have lower accident rates. National Highways

[4] National Highways Limited's First Consultation Citizen Space Website: https://nationalhighways.citizenspace.com/he/m32-eastville-viaduct-40mph-statutory-instrument/.

Limited's response in the consultation report stated that the permanent reduced speed requirement is based on the geometry and design of the stretch of road.

7.11 1 respondent commented that opinions submitted in consultations will have no impact and that decisions on speed limits will be made regardless of public opinion. However, National Highways Limited takes all consultations seriously and ensures compliance with the Government's Consultation Principles[5]. Every response is fully considered, addressed in the consultation report and factored into the decision-making process.

7.12 1 respondent commented that the proposed 40 miles per hour speed limit will require constant enforcement, and the reduction was being implemented to deter people from driving on the SRN. Another respondent commented that the speed limit was about raising money through fines. National Highways Limited's response in the consultation report stated that the proposal to make permanent the existing temporary 40 miles per hour speed limit is not being introduced to deter people from using the SRN. Nor is National Highways Limited an enforcement agency, enforcement of speed limits is carried out by the police.

7.13 A detailed analysis of the consultation outcome and the consultation report, including National Highways Limited's comprehensive responses to the issues raised above, is available on its Citizen Space website[6]. Respondents who provided their contact details were also sent a copy of the consultation report.

7.14 The concerns raised in relation to the introduction of the permanent 40 miles per hour speed limit were adequately addressed during the consultation process. The consultation report concluded that the proposed speed limit change should be implemented.

Second Consultation

7.15 Whilst the First Consultation was in progress, a safety risk assessment was produced in accordance with the DMRB's (GG 104) Requirements for Safety Risk Assessment. This indicated that there would be a safety benefit for road users in also making permanent the existing temporary 60 miles per hour speed limit described in paragraph 5.3.

7.16 A decision was made to undertake a Second Consultation in respect of both the 40 and 60 miles per hour proposed speed limits. A further consultation document was issued which provided detailed information about both proposals. This was published on National Highways Limited's Citizen Space consultation website[7].

7.17 The consultation was open to public participation through the Citizen Space website and the consultation document was issued to those stakeholders who were consulted during the First Consultation.

7.18 9 responses were received to the Second Consultation. 5 of these were from members of the public and businesses whilst 4 were from other stakeholders.

[5] Government's Consultation Principles: https://www.gov.uk/government/publications/consultation-principles-guidance.
[6] National Highways Limited's First Consultation Citizen Space Website: https://nationalhighways.citizenspace.com/he/m32-eastville-viaduct-40mph-statutory-instrument/.
[7] National Highways Limited's Second Consultation Citizen Space Website: https://nationalhighways.citizenspace.com/he/m32-statutory-instrument-consultation/.

7.19 The consultation questionnaire asked respondents if they were in favour of National Highways Limited's proposals. 4 respondents said that they were in favour of the proposals and 4 said that they were against the proposals. The remaining respondent provided a neutral response. Respondents were invited to comment on the proposals. 7 respondents provided comments.

7.20 Bristol City Council commented that they supported the proposal on safety grounds and requested that average speed cameras were installed at the location and elsewhere on the SRN, to ensure compliance with speed limits. National Highways Limited's response in the consultation report stated that the provision of average speed cameras falls outside the scope of the consultation, and responsibility for enforcing speed limits lies with the police. In their response to the consultation, Avon and Somerset Police confirmed that they would support all appropriate speed limits.

7.21 2 respondents from Avon Fire & Rescue were in favour of the proposal and commented that no issues have been encountered when responding to emergencies and no significant negative impact on response times or access has been reported whilst the temporary speed limits have been in place.

7.22 1 respondent commented that the previous speed limits should be reinstated as the current temporary speed restrictions were unnecessary and had negatively impacted emergency response times and operational efficiency. National Highways Limited's response in the consultation report stated that the existing temporary speed limits have been in place for some time and, as reported by Avon Fire & Rescue, no impact on response times has been experienced.

7.23 1 respondent suggested using advisory speed limits instead, adding that the proposed speed limit changes were not justified by clear reasoning. Another respondent felt that the existing temporary 40 miles per hour speed limit was too low, adding that this caused safety and traffic flow issues. The same respondent suggested avoiding sudden changes from the national motorway speed limit to 40 miles per hour. National Highways Limited's response in the consultation report stated that the proposal to make permanent the existing temporary 40 and 60 miles per hour speed limits is based on the geometry and design of the road section and on safety grounds. Further, the permanent 60 miles per hour speed limit is required to facilitate the step-down from the national motorway speed limit to the 40 miles per hour speed limit. As set out in paragraph 5.6, a safety risk assessment has indicated that there is a safety benefit for all road users in making this speed limit permanent.

7.24 A detailed analysis of the consultation outcome and the consultation report, including National Highways Limited's responses to the issues raised above, is available on National Highways Limited's Citizen Space website[8]. Respondents who provided their contact details were also sent a copy of the consultation report.

7.25 The concerns raised in relation to the proposed introduction of the permanent 40 and 60 miles per hour speed restrictions were adequately addressed during the consultation process. The consultation report concluded that the proposed speed limit changes should be implemented.

[8] National Highways Limited's Second Consultation Citizen Space Website: https://nationalhighways.citizenspace.com/he/m32-statutory-instrument-consultation/.

8. Applicable Guidance

8.1 At the start of the First Consultation for the proposed permanent 40 miles per hour speed limit on 2nd December 2024, and at the start of the Second Consultation for the proposed permanent 40 and 60 miles per hour speed limits on 19th May 2025, a consultation document was issued to stakeholders including local MPs, local Government bodies, members of the emergency services, environmental advisory groups, local business organisations and road transport groups. As explained above, the consultation documents were also published on National Highways Limited's Citizen Space website. The consultation documents provided detailed information on the proposed permanent speed restrictions. National Highways Limited's responses to both consultations were also published on the Citizen Space website.

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument because there is no significant impact on the cost to business. The de minimis assessment undertaken by National Highways Limited concluded that the equivalent annual net direct cost to business of compliance with the reduced speed limit would be negligible. No monetised figure has been produced but based on model outputs the operational impact to all users is marginal.

Impact on businesses, charities and voluntary bodies

9.2 There is no, or no significant, impact on business, charities or voluntary bodies because compliance with the reduced speed limits will have no significant impact on these entities.

9.3 The legislation does not impact small or micro businesses.

9.4 There is no, or no significant, impact on the public sector because compliance with the reduced speed limits will have no significant impact on the sector.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The approach to monitoring this legislation is that the operation of the new speed limits will be monitored and assessed to establish their effectiveness in relation to safety. This will be done by the National Highways Limited road safety team who will monitor collision data.

10.2 The instrument does not include a statutory review clause because it does not impose a regulatory burden impacting on business costs and there are no factors that would make it particularly desirable to include a review provision.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 None.

12. European Convention on Human Rights

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

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").