

**Explanatory Memorandum to The M4 Motorway (Junction 40 (Tai Bach) to Junction 42 (Earlswood), Neath Port Talbot) (50mph Speed Limit) Regulations 2019**

This Explanatory Memorandum has been prepared by the Department for Economic Infrastructure and is laid before the National Assembly for Wales 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 M4 Motorway (Junction 40 (Tai Bach) to Junction 42 (Earlswood), Neath Port Talbot) (50mph Speed Limit) Regulations 2019**. I am satisfied that the benefits outweigh any costs.

Ken Skates

**Minister for Economy and Transport**

3 July 2019

## **1. Description**

These Regulations maintain, for road safety reasons, and introduce, for air quality improvement purposes, a reduction of the maximum speed limit, on lengths of the M4 Motorway between Junction 40 (Tai Bach) and Junction 42 (Earlswood) in the County Borough of Neath Port Talbot specified as follows:

- (i) the main carriageway from a point 3.5km south east of the central pier of the westbound exit slip road overbridge at Junction 41 (Pentyla) to a point 4.66km north west of the central pier of the westbound exit slip overbridge at Junction 41 (Pentyla);
- (ii) the westbound and eastbound exit slip roads at Junction 40 (Tai Bach) from the junction with the main carriageway to the junction with the main circulatory carriageway of the A4107 Tai Bach roundabout;
- (iii) the westbound and eastbound entry slip roads at Junction 40 (Tai Bach) from the junction with the main circulatory carriageway of the A4107 Tai Bach roundabout to the junction with the main carriageway;
- (iv) the westbound entry slip road at Junction 41 (Pentyla) from its junction with the main carriageway of the A48 to its junction with the main westbound carriageway;
- (v) the westbound exit slip road at Junction 41 (Pentyla) from its junction with the main westbound carriageway for a distance of 783 metres in a north westerly direction;
- (vi) the eastbound entry slip road at Junction 41 (Pentyla) from its junction with the main eastbound carriageway for a distance of 359 metres in a north westerly direction;
- (vii) the westbound exit slip road at Junction 42 (Earlswood) from its junction with the main westbound carriageway for a distance of 266 metres in a south westerly direction; and
- (viii) the eastbound entry slip road at Junction 42 (Earlswood) from its junction with the main eastbound carriageway for a distance of 235 metres in a north westerly then south easterly direction.

## **2. Matters of special interest to the Subordinate Legislation 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 50 mph mandatory speed limit in relation to the lengths of the M4 specified in Regulation 2 of the Regulations.

The Welsh Ministers are committed to implementing the measures identified in the Welsh Government supplemental plan to the UK plan for tackling roadside nitrogen dioxide concentrations which include a 50mph speed limit at this location.

The decision to reduce the speed limit is based on the detailed investigations and modelling using the approach set out in the Welsh Transport Appraisal Guidance (WelTAG). These investigations have indicated that the implementation of a 50mph speed limit has the potential to bring immediate improvements to air quality and accelerate compliance with the Ambient Air Quality Directive (2008/50/EC) and the Air Quality Standards (Wales) Regulations 2010.

The use of the mandatory 50 mph speed limit will also maintain the safe passage of vehicles.

#### **5. Implementation**

If this legislation were to be annulled, road safety would be compromised and nitrogen dioxide levels at this location would remain above the limited value. This Instrument has a coming into force date of 24 July 2019.

#### **6. Consultation**

In accordance with section 134 of the Road Traffic Regulation Act 1984 the views of representative organisations and groups were sought between 22 February 2019 and 18 March 2019 (3 week period).

The list of consultees and summary of any responses is attached at Annex A.

#### **7. REGULATORY IMPACT ASSESSMENT**

A regulatory impact assessment has not been produced as these Regulations are being introduced for road safety and air quality improvement reasons and have no impact on the costs of business.

## ANNEX A

### SCHEDULE OF CONSULTATION

<b>Organisation</b>	<b>Response</b>
Neath Port Talbot County Borough Council	No comment
South Wales 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	Noted
HERE	No comment