

## **Explanatory Memorandum to the M4 Motorway (Rogiet Toll Plaza, Monmouthshire) (50 mph Speed Limit) Regulations 2010**

This Explanatory Memorandum has been prepared by the Department for Transport and Strategic Regeneration and is laid before the National Assembly for Wales in accordance with Standing Order 24.1.

### **Minister's Declaration**

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of The M4 Motorway (Rogiet Toll Plaza, Monmouthshire) (50 mph Speed Limit) Regulations 2010.

*Ieuan Wyn Jones*  
**Minister for the Economy and Transport**

**27 May 2010**

## **1. Description**

The Regulations will reduce the maximum speed limit on safety grounds on that area of the westbound carriageway of the M4 Motorway which extends from a point 800 metres east of the centre line of Station Road overbridge to a point 752 metres west of the centre line of Station Road overbridge from 70 mph to 50 mph. This area comprises the approaches to and the actual Toll Plaza concessionary area.

## **2. Matters of special interest to the Constitutional Affairs Committee**

None

## **3. Legislative Background**

The power enabling this instrument to be made is Section 17(2) of the Road Traffic Regulation Act 1984 (RTRA). This gives the Welsh Ministers the power to make Regulations with respect to the use of special roads (motorways). This power has been transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006.

This instrument follows the negative procedure.

## **4. Purpose and intended effect of the legislation**

The speed limit on the westbound approaches to and on the actual Toll Plaza concession area has been set at 50 mph since 2003 by a combination of temporary traffic orders and permanent regulations produced by the Welsh Assembly Government and temporary traffic orders produced by the English Highways Agency. While the Secretary of State for Transport is the appropriate authority to make temporary traffic orders in respect of the Toll Plaza concession area the power to make permanent regulations lies with the Welsh Ministers. The proposed regulations will replace the existing M4 Motorway (Rogiet Toll Plaza) (50 mph Speed Limit) Regulations 2005 and the M4 Motorway (Rogiet Toll Plaza) (Temporary 50 mph Speed Restriction) 2009 to consolidate the speed restriction into one measure.

## **5. Implementation**

This Instrument has a coming into force date of 24 June 2010.

## **6. Consultation**

- Consultation on the SI was issued on 22 January 2010.
- The list of consultees is attached.
- The consultation was considered necessary to obtain the views of the emergency services, the relevant motoring organisations, the haulage organisations and the local authority on the proposed speed reduction.

- The consultation period was 3 weeks but this was extended at the request of the Gwent Police, who wished to consult with the Highways Agency on a legal matter. They eventually replied on the 11 March 2010.
- Three replies were received, there were no objections.

#### **7. Regulatory Impact Assessment (RIA)**

A Regulatory Impact Assessment is not considered necessary in this instance, as the legislation is made in the exercise of statutory powers and will simply make permanent the current reduction in the speed limit for highway safety purposes, which should not have any impact on local businesses, charities or voluntary bodies.

The legislation has no impact on statutory partners or statutory duties as set out in sections 73 – 79 of the Government of Wales Act 2006.