

Consultation Document on
Policy for Service Areas and Other Roadside Facilities
on Motorways and All-Purpose Trunk Roads in England



TABLE OF CONTENTS

	<u>Page</u>
Executive Summary	2
How to Respond	4
Introduction	6
Background	8
Existing Policy Advice which is expected to remain in force	9
Issues	10
Annex A Consultation Criteria	27
Annex B Response Form	28
Annex C List of Consultees	30
Annex D Organisations consulted during the initial consideration of the policy review	32
Annex E Circular 1/94	33
Annex F MSA Policy Statement of July 1998	37

Executive Summary

1. Motorway Service Areas and other roadside facilities, such as All-Purpose Trunk Road Service Areas, lorry parks, all-purpose trunk road and motorway picnic areas and all-purpose trunk road laybys, perform an important road safety function by providing opportunities for the travelling public to stop and take a break in the course of their journey. Government advice is that motorists should stop and take a break of at least 20 minutes every two hours. Drivers of Large Goods Vehicles are subject to a regime of statutory breaks.
2. Current Government policy relates only to MOTORWAY SERVICE AREAS (MSAs) and is held in two documents Roads Circular 1/94 and the MSA Policy Statement of July 1998. The Government intends to review the policy with a view to updating and consolidating this advice, and issuing fresh guidance on other forms of roadside facility.
3. The Government wishes to see the provision of roadside facilities maintained and to seek ways to enhance this provision, so as to improve services for motorists and lorry drivers, but not so that service stations become destinations in their own right. It is, therefore, inviting views from the industry, interested organisations and the public on a range of issues relating to the provision and nature of roadside facilities in order to inform its review. The responses to this consultation will be considered, alongside other evidence, in determining the content of the revised guidance. The revised guidance will be the subject of further consultation.
4. Until revised guidance is published, existing guidance will continue to be valid.
5. The consultation period will run for 12 weeks and end on Thursday 8th February 2007.
6. Since the purpose of this consultation is to seek views to assist in policy development, it is not possible at this stage to carry out a Regulatory Impact Assessment (RIA). Once policy proposals have been developed an RIA will be prepared to assess the impact of the proposed policy guidance and this will be published for comment.
7. Please note that during the printing of the of the consultation document the Road Safety Bill received Royal Assent and is therefore now the Road Safety Act 2006
8. Details on how to respond to the consultation may be found on page 4

Issues upon which your views are invited:

Motorway Service Areas:

- Determining need
- Spacing
- Signing of facilities
- Retail activities

Consultation Document on Policy for Service Areas and Other Roadside Facilities on Motorways and All-Purpose Trunk Roads in England

- Standards of facilities
- Park and ride facilities

Motorway Picnic Areas:

- Defining policy

All-Purpose Trunk Road Service Areas:

- Spacing criteria
- Provision of facilities
- Future uses of closed sites

Lorry Parking:

- Promoting provision

Laybys:

- Establishing greater uniformity and control over their use
- Standards of safety

How to respond

Please send your comments on the issues discussed and questions posed to:

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E-mail: roadsidefacilitiesreview@highways.gsi.gov.uk

The consultation period will run for 12 weeks and therefore the final date for responses is Thursday 8th February 2007. Please ensure that you respond to us by the due date.

When responding please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of a larger organisation please make it clear who the organisation represents, and where applicable, how the views of members were assembled. If you are not directly concerned with the proposals within your organisation we would be grateful if you could forward it on to a suitable person within your organisation.

A list of those organisations which will be invited to respond is attached at [Annex C](#). If you have any suggestions of others who may wish to be involved with this consultation please contact Kathryn Burgess at the address or email above.

If you would like further copies of the consultation document they can be accessed at www.highways.gov.uk or alternatively please contact Kathryn Burgess at the address or email address above.

Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

If you want the information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Agency.

The Agency will process your personal data in accordance with the DPA and in the majority of circumstances; this will mean that your personal data will not be disclosed to third parties. Confidential responses will be included in any statistical summary of number of comments and views expressed.

WHAT HAPPENS NEXT

A report on the consultation including the next steps will be published on our website at www.highways.gov.uk. The report will also be sent to those who respond to the consultation. Paper copies will be available on request. It is expected that this will be published within three months of the closing date of this consultation.

Following consideration of the responses to this consultation, together with other evidence, firm policy proposals will be produced which will be the subject of further consultation. The responses to this will be reviewed and revised policy guidance will be issued in the form of a new circular.

CONSULTATION CRITERIA

The consultation is being conducted in line with the Code of Practice on Consultation. The Criteria are listed at [Annex A](#) which also includes details as to who to contact should you not be happy about the way in which the consultation is being run. The full version of the code can be accessed at

www.cabinetoffice.gov.uk/regulation/consultation/documents/pdf/code.pdf

CONSULTATION QUESTIONS

A response form setting out the questions is included at [Annex B](#).

REGULATORY IMPACT ASSESSMENT

Since the purpose of this consultation is to seek views to assist in policy development, it is not possible at this stage to carry out a Regulatory Impact Assessment (RIA). Once policy proposals have been developed an RIA will be prepared to assess the impact of the proposed policy guidance and this will be published for comment.

Introduction

Motorway Service Areas (MSAs) and other roadside facilities, such as All-Purpose Trunk Road Service Areas, lorry parks, all-purpose trunk road and motorway picnic areas and all-purpose trunk road laybys, perform an important road safety function by providing opportunities for the travelling public to stop and take a break in the course of their journey. Government advice is that motorists should stop and take a break of at least 20 minutes every two hours. Drivers of Large Goods Vehicles are subject to a regime of statutory breaks.

The Department for Transport's role is to provide guidance on the development and operation of MSAs and other roadside facilities through the issue of policy advice.

The Government wishes to see this provision of roadside facilities maintained and to seek ways to enhance this provision, so as to provide an improved service for motorists and lorry drivers.

Current Government policy relates only to MSAs and is set out in two documents, Roads Circular 1/94 and the MSA Policy Statement of July 1998. Copies of these documents are at [Annexes E](#) and [F](#). It is proposed to consolidate this advice and to issue fresh guidance on other forms of roadside facility.

The purpose of the consultation is to seek a wide range of views from industry, interested organisations and the public, to inform the development of consolidated and up-dated guidance on the provision of roadside facilities. The responses to this consultation will be considered alongside other evidence in determining the content of the revised guidance.

The Government's objective is for the provision of roadside facilities that provide the opportunity for road users to make safe and efficient journeys. It aims to do this through:

- encouraging greater choice in the provision of service facilities across the network, increasing the range of facilities available on motorways beyond the current Motorway Service Area model to possibly include service provision on a smaller scale and picnic sites;
- extending the range of facilities provided for lorry drivers, particularly in areas where inadequate provision is known to exist;
- through this, encouraging drivers to take a break more frequently and so reduce the incidence of fatigue-related accidents;
- working with the private sector to increase public satisfaction with motorway service facilities, in terms of quality and value for money.

Due to their advantageous location, adjacent to the strategic road network, it has been suggested that Motorway Service Areas could lend themselves to a wide variety of activities in addition to serving the travelling public. While the Government is mindful of these arguments, it does not intend to change the long-standing requirement that Motorway Service Areas should not become destinations in their own right.

Once the responses to the consultation have been evaluated, alongside the other available evidence, updated and consolidated guidance will be produced. The revised guidance will be the subject of further consultation. Until revised guidance is published in the form of a policy circular existing policy guidance continues to be valid.

Background

Legislative Framework

Motorway Service Areas and other roadside facilities are subject to the provisions of the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004, which sets the framework under which local planning authorities are to consider applications for such developments. The Secretary of State for Transport is designated as a statutory consultee and the Highways Agency (an executive agency of the Department for Transport that operates and maintains the Strategic Road Network (SRN) on behalf of the Secretary of State) exercises this function on his behalf, giving advice on applications in respect of road safety and traffic management issues. The Government's power to grant access from the highways to all roadside facilities is given under s62 of the Highways Act 1980. The provision of traffic signs for service areas is governed by the Road Traffic Regulation Act 1984.

Development and Operation of MSAs

Prior to 1992 the Department of Transport was responsible for developing MSAs: acquiring land, funding construction and leasing the completed sites to operating companies.

Since 1992, Government policy has been that the private sector should take the initiative in identifying and acquiring MSA sites and seeking planning consent from local planning authorities. When completed these MSAs are owned by the private sector rather than the Government. The Government, through the Highways Agency, continues to have an interest in these privately owned sites, in relation to motorway safety and traffic management.

There are currently 68 MSAs in England; of these 21 are still owned by the Government and leased to operating companies while 47 are privately owned.

Operators of MSAs, whether leased from the Government or privately owned, must comply with the requirements of Government policy. These provisions are reflected in the Traffic Signs Agreements which they enter into with the Highways Agency. If they do not observe these conditions action can be taken which would ultimately lead to the closure of the sites. However, operators have responsibility for all other operational matters at MSAs including issues such as pricing and staffing levels. The development of All-Purpose Trunk Road Service Areas, lorry parking facilities and picnic areas has traditionally been led by the private sector with Government providing advice on road safety and traffic management issues.

Review Process to Date

Prior to this public consultation, the Highways Agency has invited submissions from stakeholders on the future direction of policy and possible ways to improve the provision of roadside facilities. A list of organisations that have submitted evidence is at Annex D. The input which these organisations have provided has been taken into account during the initial consideration of the policy review.

Consideration has also been given to current practice in other European countries, this includes: active identification of gaps in provision, a less prescriptive approach to the spacing of facilities, the advertising of franchise holders at service areas, controls on retail activity, charging for the provision of enhanced facilities, the use of a regime of inspections of service areas and franchising arrangements at rest areas.

Existing Policy

Policy on signing facilities is contained in Annex J of Circular Roads 4/94. Other current policy advice relates only to MSAs and is held in two documents: Circular 1/94 (see [Annex E](#)) and the MSA Policy Statement of July 1998 (see [Annex F](#)). Guidance on all-purpose trunk road services was previously contained in Circular 4/88; however, this was cancelled on the publication of Circular 4/2001. Although this new circular did not include policy advice on service areas it did give a commitment that fresh guidance on this subject would be given in a revision of Circular 1/94.

The Government intends to retain several elements of policy that it believes are essential to the safe and effective operation of the Strategic Road Network. The Government does not propose to introduce any measures in respect of retail pricing policy at Motorway Service Areas. There is no current evidence to suggest that this policy should be changed and this will therefore remain a matter for individual operators.

Subject to the outcome of the consultation, the minimum requirements which MSA operators must provide will remain in place:

- Free short term parking for all types of vehicle, free toilets (in sufficient quantity to cater reasonably for the traffic flow on the motorway), and a picnic area are available, and fuel is on sale, 24 hours a day every day of the year
- Access is allowed for up to two hours for those carrying out emergency repairs to broken down vehicles
- All facilities are available to disabled people

There is a general presumption that there will be no additional accesses to motorways and other routes of strategic national importance, except for the provision of service areas, facilities for the travelling public and maintenance compounds. Access from developments to motorways and other routes of strategic national importance will be limited to existing junctions with all-purpose roads. Modifications to existing junctions will be carried out only where traffic flows and safety will not be adversely affected. Connections to slip roads and/or connector roads will not be permitted. Nor will the development be permitted of activities within MSA sites which would lead to a site becoming a destination in its own right.

MSAs must not be used as routes from the motorway to other nearby developments. Where a rear access road is provided that is connected to the local road network, developers must ensure that use is restricted to staff, deliveries and the emergency services. Other onward access will not be allowed.

Policy considerations will also be informed by the Government's long-standing policy preventing advertising on highway land. Advertisements on land adjacent to the highway require express consent from the local planning authority, which in coming to a decision may have regard only to amenity and public safety issues.

The Government is not minded to change any aspect of the current policy relating to the sale of alcohol at MSA sites. It does not believe that alcohol should be available to road users who are using the restaurants, shops or accommodation at MSAs, since this could encourage impulse consumption of alcohol by drivers and contravene the long-standing policy against drinking and driving.

Issues for consideration

There are nine issues detailed in the following sections:

Issue 1 – Determining Need

Issue 2 – Spacing of MSAs

Issue 3 – Signing of:

- MSAs
- HGV Parking

Issue 4 – Retail Activities at MSAs

Issue 5 – Standards of Facilities

Issue 6 – Park and Ride / Park and Share Facilities

Issue 7 – Motorway Picnic Areas

Issue 8 – All-Purpose Trunk Road Service Areas

Issue 9 – Provision and Use of Laybys

Issue 1 – Determining Need

1.1 Until 1992 it was Government policy to promote the development of Motorway Service Areas (MSAs) on Department for Transport owned sites, with need determined based on a target of a thirty mile spacing interval. In August 1992 the Government announced that, in future, it would be for the private sector to bring forward proposals for new MSAs through the planning process. The Government, through the Highways Agency, continued to give advice on the issue of need, but the determination of need became a matter for planning authorities, or in the case of appeal, for the Planning Inspector or Secretary of State. This advisory role ceased following the publication of the MSA Policy Statement of July 1998 and the Highways Agency restricted its advice to issues of motorway safety and traffic management issues.

1.2 It has proved more difficult for developers to bring proposals forward as local planning authorities sometimes adopt an ‘in principle’ objection to MSAs rather than objecting on safety grounds. Some authorities include policies in their Development Plan stating that there is no need for an MSA within their administrative boundaries.

1.3 Demand for services and facilities varies depending on several factors: the type (percentage of cars, lorries, coaches etc) and volume of traffic using a stretch of motorway, operating conditions, average journey time from key locations in the logistics network (e.g. ports, distribution hubs) and the availability of alternative services and facilities nearby. The Highways Agency is able to assess the likely demand for services at a particular location and could be required to provide advice to local planning authorities on the need for additional roadside facilities. The Highways Agency, in exercising the functions of the Secretary of State for Transport as a statutory consultee, could provide advice in relation to both local development frameworks and in relation to individual planning applications.

1.4 Creating such an additional role for the Highways Agency would ensure that the strategic needs of the motorway network were taken into account and ensure a consistent approach across the network. This would ensure that the safety case for an MSA would be taken into account. The Highways Agency would also be able to oppose MSAs developments which were considered unsuitable for a particular location.

1.5 In France, for example, under “Le Schema Synoptique”, the Government actively identifies locations for service areas on the autoroute network.

1.6 If no changes were to be made to the current policy the Highways Agency would continue to fulfil its existing role but would not provide support to planning authorities in considering need.

Q: Should the Highways Agency be given a role in providing advice on the need for MSAs?

Q: Would this be likely to improve the availability of service areas for motorway users?

Q: Are there other changes that would be likely to improve the provision of facilities for motorway users?

Q: Do you have evidence to support your views?

Issue 2 – Spacing of MSAs

2.1 Current policy aims at the creation of a network of MSAs at thirty-mile intervals. This was originally based on the approximate distance covered in half an hour's driving time at normal traffic speeds for the conditions prevailing in the 1960s, when the criteria were first established. However at peak hours, on congested parts of the network, travel between MSAs can take longer than thirty minutes. As a result Ministers' correspondence from road users often includes complaints about the scarcity of services and facilities.

2.2 In 1992, a fifteen-mile spacing interval was introduced with the aim of promoting greater choice. However, local planning authorities rejected many of the resulting applications. The MSA Policy Statement of July 1998 therefore effectively re-instated the thirty-mile criterion. It did however allow the establishment of "infill" MSAs in exceptional cases, where a clear and compelling need and safety case could be demonstrated.

2.3 Development of MSAs has continued under this policy and the 'thirty-mile' network is now the current target. It has been announced recently that planning applications for two MSAs serving the western sector of the M25 have been approved. However, on some journeys, involving more than one motorway or all-purpose trunk road, some road users will still have no opportunity to stop for a distance considerably in excess of 30 miles, such as between Warwick MSA (M40) and Hilton Park MSA (M6) travelling via the M42 and on the northern A1(M) where some stretches of the former A1 all-purpose trunk road have been upgraded.

2.4 The Agency has received representations from stakeholders that the current arrangements for spacing of MSAs may not be appropriate, and that there are particular concerns about parking capacity in some sectors. There are a number of options which we could consider. Rather than basing need on a given spacing, proposals for MSAs could be considered taking account of the distance that could be expected to be covered in half an hour's driving on a given stretch of motorway. As noted above, this was the basis for the original network of services.

2.5 The criterion for spacing could, for example, be changed to either thirty minutes average daily travel time or thirty miles, whichever is the less, with the aim of producing a better distribution of MSAs along motorways. If, on heavily congested parts of the motorway network there were still to be insufficient facilities to match need, then "infill" sites could be considered. In considering spacing requirements, and particular any "infill" requirements, particular consideration should be given to drivers' hours rules and the legal requirement for HGV and PSV drivers to take breaks at certain intervals. All proposals would still need to be acceptable in terms of safety and in accordance with the appropriate technical standards.

2.6 The effectiveness of achieving MSAs at suitable intervals might be enhanced if the Highways Agency were to be given a role in advising on need (as discussed above).

2.7 If the current criteria were to be maintained, it may prove difficult to provide sufficient MSA sites with adequate capacity to meet demand on stretches of motorway with high levels of traffic. This may have an adverse impact on road safety if drivers are unable to easily take breaks, when needed.

2.8 Subject to the passage of the Road Safety Bill it would be possible for rest areas with parking, a picnic area, toilets and some, but not all, of the facilities of a full MSA to be established in gaps between full MSAs. Such sites could provide motorists with access to facilities where development of a full MSA has been regarded as uneconomical. Such sites might be developed and then let, to be operated as franchises (for example a fuel filling station or a small café/takeaway) with income from the franchise repaying the capital investment and funding the provision of further sites. It should be noted that such sites could represent a source of competition to MSAs.

2.9 MSAs at junction sites may be more prone to generate trips from the surrounding area, as non motorway users are able to make use of the facilities. Additionally adjacent land uses may impact upon the perceived nature and operation of the site. In particular retail development on adjacent land may threaten the 'destination in own right' status of a junction MSA.

2.10 MSAs at junctions also may be less convenient as they require motorists to leave the motorway in order to make use of the facilities. This may discourage people from taking essential rest breaks even where drivers do make use of such facilities there is a need to leave the motorway, negotiate the junction and later rejoin the motorway. All of these manoeuvres add to the risk of accidents occurring.

2.11 However it must be recognised that it will not always be possible to provide MSAs on line, for example due to land availability, environmental designations or topography. Therefore junction locations are likely always to have a part to play in the network of facilities.

Q: Would revising the spacing criteria to take account of traffic flows and/or travel time ensure a better distribution of service areas?

Q: Are there other ways in which the location of MSAs should be determined?

Q: Do you see a greater need to increase capacity and improve facilities at existing MSA's or a need for more MSA's? If so, is this for particular types of vehicle or for all vehicles?

Q: Subject to appropriate legislation, should rest areas, providing a limited range of facilities, be developed between MSAs?

Q: Should there be a preference for on-line sites rather than junction locations?

Q: Do you have evidence to support your views?

Issue 3 – Signing

Facilities at MSAs

3.1 This considers whether motorists could be provided with more information about the brands of retail, fuel and refreshment facilities at particular MSAs through changes to signing.

3.2 Currently the Traffic Signs Regulations and General Directions 2002 (SI 2002/313) (which specify the design and conditions for use of traffic signs including motorway signs) only permit the MSA operator's name and logo to appear on a header board above the half-mile advance sign and the final sign at the slip road.

3.3 The half-mile advance sign below the operator's name includes generic symbols representing the available facilities (eg a petrol pump for fuel, a cup, spoon and fork for refreshments etc). The symbols used are based on those in the United Nations Economic Commission for Europe, Vienna Convention on Road Traffic Signs and Signals of 1968.

3.4 MSA operators have argued, based on their experience and research which they have conducted, that this use of generic signing is outdated since road users are well aware of the range of facilities which can be found at MSAs. Moreover, that the existing signing does not provide motorists with detailed information on the companies which are trading at the site, thus denying road users as consumers the ability to make an informed choice on whether to visit a particular MSA. In turn this prevents realistic competition between MSAs and the impetus for improved standards of provision.

3.5 On the other hand the purpose of an MSA is to provide the opportunity for road users to take regular breaks during their journeys. Recent research for the Department for Transport has found that using the toilet is the dominant reason for stopping at an MSA¹. Motorists therefore should stop and use the facilities regardless of who is providing them whenever the need arises. It is therefore important that motorists know that facilities will be available, through the current symbols, rather than who provides them. The symbols may also be more easily understood by foreign road users not familiar with the logos of the brands on offer.

3.6 A possible means of providing further information to road users, is that the company logos of those traders who operate at a particular MSA could be shown on a separate advertisement, located after the half mile sign but sufficiently far in advance of the exit, to give more information to help drivers to decide whether to stop at that particular MSA and make the appropriate manoeuvres safely.

3.7 It could be said that it is not appropriate for traffic signs, regulated by road traffic legislation, to incorporate commercial brand logos of traders at an MSA, even if this is considered useful information for road users. Any separate signs, to stimulate competition and promote particular brands, would not be traffic signs and so would be controlled as advertisements under Town and Country Planning

legislation requiring approval from the local planning authority. This could prejudice the Government's existing policy against advertising on highway land. In addition, local planning authorities would be able to refuse planning consent for such signs.

3.8 At many MSAs large advertisements for the retail brands at the site are displayed within the MSA. These may be environmentally intrusive. However, of greater concern, they may not be visible to drivers until just before the start of the MSA sliproad. Drivers have been seen to make late manoeuvres from lanes 3 and 2 to the MSA exit slip road. The presence of advertisements may be contributing to the occurrence of this phenomenon which potentially has serious consequences for road safety. The likelihood of such potentially dangerous manoeuvres could be reduced if the retail brand information were to be placed on a sign on the verge.

3.9 Of course, any sign that may be provided to display the sub-operator logos could have the potential to cause driver distraction. Therefore, if approval were given for brand logos to be shown, in order to minimise the risk, the design, including the size and number of the logos, would have to be approved by the Highways Agency.

3.10 If policy was amended to allow the provision of new, separate, non-traffic signs showing retail brands, after the half mile sign it could be made conditional, in the interests of road safety, on the removal of existing signs within an MSA which might cause late manoeuvres by road users. The existing headerboards could also be removed and the operators' names and logos included in the separate, non-traffic signs instead.

HGV parking facilities off the motorway network

3.11 The Agency has received expressions of concern from stakeholders regarding problems arising from lorries parking in inappropriate locations, such as residential areas, due to a lack (or perceived lack) of suitable locations and facilities. In order to provide information on this the Agency has published a Truckstop Guide.

3.12 Where lorry parks are sited near to a motorway junction the Government is prepared to consider applications for signing from the motorway. Each application is currently considered on a case-by-case basis. There may be benefits, especially for operators considering investing in new facilities, in being clearer about what the minimum criteria for such signing would be. For example, in order for signing to be permitted the site owner could need to demonstrate that: drivers should only be required to make a relatively short detour from the motorway network; the site should feature a high level of site security and provide a high level of facilities to drivers such as: toilets and showers, restaurant and fuel; and that the location would be open for a minimum number of hours per day (or perhaps continuously). If a sign is permitted the owner or operator of the lorry park will pay all associated costs.

Q: Should sub-operator brand logos be displayed on new, separate, non-traffic signs in advance of MSAs?

- Q: Would the display of brand logos on new, separate non-traffic signs improve competition?**
- Q: Do you think that the display of multiple brand logos at the side of the motorway would be a distraction to motorists?**
- Q: Do you consider the display of advertisements within MSAs to be a problem?**
- Q: What other means of providing information to road users could be used?**
- Q: Should a symbol be included on MSA signs to indicate the availability of a picnic area?**
- Q: Should the Agency establish clearer criteria for use in reaching decisions on signing to lorry parks located off the motorway network?**
- Q. If so, what should the criteria be?**
- Q: How else could the role of the private sector in the provision of improved facilities - particularly parking for lorries - be maximised?**
- Q: Do you have evidence to support your views?**

¹ Department for Transport Road Safety Research Report no. 57 "*Effectiveness of Motorway Service Areas in Reducing Fatigue-related and other Accidents*" Sleep Research Centre, Loughborough University (April 2006) p10.

Issue 4 – Retail Activities at MSAs

4.1 Long-standing Government policy has been that MSAs should provide only facilities needed to serve those using the motorway in the course of a journey in order that MSAs do not become destinations in their own right. This is based on concerns that unnecessary trips on the motorway might be generated and that there could be an adverse impact on local retail trade; which would represent a breach of the provisions of Planning Policy Statement 6. This has meant that overnight lodges and a modest degree of retail development have been regarded as falling within the scope of what could legitimately be provided at MSAs but that full scale hotels and extensive shopping and conference facilities have not.

4.2 Under current policy MSAs cannot provide anything beyond:

“a lodge which may provide overnight accommodation and a modest meeting room for up to fifteen people, but not a bar, restaurants, function rooms or more extensive conference facilities.

a shop or shops catering for those using the motorway and with a total floor area not exceeding 5000 sq ft;

a modest games/leisure area not exceeding 1000 sq ft.

It is not intended that these restrictions should prevent the establishment within MSAs of a range of alternative catering outlets which would increase the choice available to those using MSAs in the course of their journeys.”

4.3 The maximum permitted retail space of 5000 sq ft has previously been considered an appropriate figure so that services can be provided for the benefit of the travelling public without the MSA becoming a destination in its own right. The MSA Operators have said that this limit has now become too restrictive and prevents the operators of MSAs from providing high quality facilities to road users. Their view is that increasing the permitted retail area, for example to 10,000 sq ft, would enable MSAs to offer improved services to visitors as the higher incomes would subsidise improvements to facilities such as toilets.

4.4 Conversely, because there is no current policy to control the specific use of the trading area the diverse range of facilities and products which are already available at MSAs go beyond the immediate needs of the travelling public. Any increase in the permitted amount of retail space would therefore further exacerbate this situation. It should be noted that recent research has found that *"For most drivers, including those declaring 'tiredness' as a reason for stopping, a small cafe and/or shop supplying drinks and snacks, along with toilets, would probably be sufficient for their needs."*²

4.5 A possible solution would be the replacement of the current restriction on trading floorspace by a criterion based on the types of activities permitted to satisfy the immediate needs of road users. This is an approach which has been adopted in France. Examples might be refreshments, motoring aids, driver information or tourist facilities. There might also be scope for the provision of additional, enhanced facilities which would be subject to a charge, such as for

example superior quality toilets as found in German service areas, in addition to those which must be available free of charge.

- Q: Should the maximum level of permitted retail space at MSAs be set by the Government? If so what would be a suitable figure? Or,**
- Q: Would it be more appropriate for Government to restrict activities to those which are judged to serve the immediate needs of the travelling public, either combined with a higher floor area restriction, or with no restriction on floor area?**
- Q: Should activities be restricted? If so what activities or services do you think would be appropriate at MSAs?**
- Q: Do you have evidence to support your views?**

² Department for Transport Road Safety Research Report no. 57 “*Effectiveness of Motorway Service Areas in Reducing Fatigue-related and other Accidents*” Sleep Research Centre, Loughborough University (April 2006) p10

Issue 5 – Standards of Facilities

5.1 This concerns ways of improving the standard of facilities at MSAs. In a number of European countries a programme of regular inspections of service areas has been found to be a useful tool in maintaining standards of facilities and services. These are supported by the service area operators as a useful means of ensuring that the high standards of quality and service which they wish to provide are maintained.

5.2 The results of using such inspections are seen as having brought about improvements in standards. However, such inspection programmes have not been used as the basis for a 'star' rating system of service areas and no performance tables are published.

5.3 However the Government does not consider that providing a system of inspection is an appropriate role for the public sector.

Q: Would the introduction of a system of inspections assist in maintaining consistent standards?

Q: If so, should such a system be: a) self-regulating, or b) carried out by an independent organisation, and who might that be?

Q: Should inspection cover all aspects of services offered equally or would there be benefit in focussing on certain aspects, for example facilities available to car or HGV and PSV drivers?

Q: Are there other effective ways of facilitating improvements in services?

Q: If the criteria for MSA spacing were to be revised as discussed under Issue 2 (p13) it could lead to the development of further MSAs, in competition with existing sites. Would increased competition lead to improvements in standards?

Q: Do you have evidence to support your views?

Issue 6 – Park and Ride / Park and Share Facilities

6.1 This concerns the use of MSAs as park and ride facilities. Due to their location on or at the junctions with motorways, MSAs could be seen as ideal locations for Park and Ride facilities serving either nearby towns and cities or long distance commuting. Motorists parking their cars at an MSA and transferring to buses or coaches for travel into urban centres or on the motorway could reduce car journeys and help to ease congestion. Such a switch to public transport can also be seen as increasing the sustainability of travel.

6.2 MSAs could also be used as sites for park and share where drivers arrange to meet and then travel onwards to their destination in one car. This would work to reduce traffic levels and might be of benefit in connection with the provision of High Occupancy Vehicle (HOV) lanes on the SRN. However these are not currently permitted activities at MSAs. At present, MSAs generally only offer free parking for the first two hours of any stay which may deter people from park and share. The point at which parking charges apply and the level of such charges are currently matters for individual operators.

6.3 If park and ride/share activities are carried out at MSAs they should be designed so as not to compromise the ability of the MSA to fulfil their primary function. If such a facility were established at an MSA it might be considered that this would have the potential to make that MSA a destination in its own right, contrary to long-standing policy.

6.4 Furthermore, people living in a town or city who normally travel into the centre by public transport may choose instead to drive to the MSA to use a park and ride facility, thus generating additional traffic. The MSA entry and exit slip roads are designed for the expected volume of traffic; if the site has a significant increase in the number of visitors, without widening and upgrading of the slip roads, then there could be adverse road safety consequences and increased congestion, especially at peak times. Any proposals would have to be considered on a case by case basis, taking all factors into account.

6.5 MSAs also have the potential to be used as pick-up and set-down points for scheduled coach services or for coach interchange purposes. This could provide greater access to public transport in some areas with a potential reduction in long-distance car journeys. Passengers would need to travel to and from the MSA and this might be through a number of methods, including lifts and taxis. Any such coach operation would have to be designed so as not to interfere with the ability of the MSA to fulfil its purpose of serving the needs of the travelling public. Consideration would also be needed of the traffic caused by travel to and from an MSA coachstop and the likely impact on the MSA and the road network.

Q: Should formal park and ride and/or park and share operations be permitted at MSAs?

Q: Should formal coach stop / interchange operations be permitted at MSAs?

Q: If so, what other measures would be necessary to ensure that they did not compromise the safety function of the MSA?

Q: Do you have evidence to support your views?

Issue 7 – Motorway Picnic Areas

7.1 This concerns the development of picnic areas beside motorways. Such sites are to be found in many European countries. Under current legislation it is not permitted to establish a picnic area on land adjacent to a motorway. A clause to amend this is included in the Road Safety Bill currently before Parliament. If this is enacted it would allow a picnic area to be built beside a motorway and this would provide an alternative to the long established MSA model.

7.2 A trial site could be developed to assess the effectiveness of the model. Such a site would be likely to include parking, tourist information, toilets and picnic tables and would be managed to ensure the comfort and safety of users. The design of entry and exit slip roads would have to meet the equivalent design standard as full MSAs. The picnic area could feature a small commercial operation serving snacks to visitors.

7.3 At some existing all-purpose trunk road picnic areas, and at a number of continental sites, problems have been reported due to anti-social activities taking place, particularly at night. This would have an effect on the management of the sites.

Q: Subject to the outcome of a trial picnic site, should picnic areas be developed between MSAs?

Q: Should lorries be allowed to park in picnic areas? If so, how should this be managed and if not, how should that be managed, for example, should there be separate lorry parking picnic areas?

Q: Where land is available should existing MSAs provide picnic areas?

Q: Should the availability of a picnic area be shown on signs for MSAs?

Q: Should picnic areas be open for use at all times or only during certain periods such as the hours of daylight?

Q: Do you have evidence to support your views?

Issue 8 – All-Purpose Trunk Road Service Areas

8.1 This concerns the provision of facilities at signed All-Purpose Trunk Road Service Areas. Previous guidance on this issue was contained in the now cancelled Circular 4/88. The development of such service areas, as in other European countries, is for the private sector to bring forward proposals through the planning process.

8.2 All-Purpose Trunk Road Service Areas should be situated at suitable distances to provide motorists with regular opportunities to stop. Taking into account the lower average speeds to be found on all-purpose trunk roads (compared with motorways) and likely traffic flows, it could be argued that an appropriate spacing interval would be every 30 minutes or 15 miles whichever is the lesser. However, on many routes other facilities such as fuel stations, inns, fast food outlets and cafes already exist and need should be considered in that context.

8.3 The current minimum requirements which must be provided for signing to be permitted for service areas on All-Purpose Trunk Roads (as set out in Annex J of Circular 4/94) are:

- Open at least between 8am and 8pm every day except Christmas Day, Boxing Day and New Years Day
- fuel on sale,
- hot drinks and food,
- adequate indoor tables and chairs to cater for expected demand (subject to a minimum provision for 8 persons),
- adequate free short term parking (minimum two hours),
- free flush toilets together with hand washing facilities of sufficient number to cope with demand,
- access to a cash operated telephone (card phones will not suffice alone).
- all facilities should be accessible to all road users including the disabled.

In addition, operators of All-Purpose Trunk Road Service Areas are encouraged to provide:

- tourists information point,
- adequate picnic area (with tables and chairs).

8.4 When an All-Purpose Trunk Road Service Area or other roadside facility ceases to operate, additional unnecessary trips may be generated on the SRN, if any alternative use is allowed other than one which serves the immediate needs of the travelling public.

Facilities for HGVs and/or PSVs

8.5 The Government wishes to encourage the provision of good quality facilities for HGVs and PSVs on the all-purpose trunk road network, where there is a need for such sites. The development of new sites is and will remain a matter for the private sector through the planning system, with the Highways Agency providing advice on safe access and egress and signing arrangements.

- Q: Should All-Purpose Trunk Road Service Areas be required to provide more or fewer facilities?**
- Q: Should All-Purpose Trunk Road Service Areas provide picnic areas?**
- Q: How could the service which they offer be improved?**
- Q: What is an appropriate interval for signed all-purpose trunk road services?**
- Q: If an All-Purpose Trunk Road Service Area or other facility ceases to operate should any further use of the site be restricted to activities which serve the immediate needs of the travelling public?**
- Q: Do you have evidence to support your views?**

Issue 9 – Provision and Use of Laybys

9.1 This concerns ways to improve the operation of laybys on all-purpose trunk roads. Laybys are provided on all-purpose trunk roads to enable motorists to stop in the course of their journey. They can be particularly useful as places for drivers to use their mobile phones.

9.2 Although laybys generally do not have any facilities, they are attractive to mobile traders serving refreshments to motorists. While such traders clearly serve a public need (otherwise they would not attract customers) laybys are often unsuitable for such operations. Small laybys can quickly become over-filled, with vehicles poorly parked, sometimes partly on the carriageway or the verge (which causes damage). This can be particularly problematic where the service provided attracts significant numbers of HGV or PSV drivers. They may also be environmental problems connected with litter and poor public hygiene.

9.3 The HA can promote clearway orders on stretches of the all-purpose trunk road network which would prevent all trading. However this power is not generally used since it would place the burden of enforcement onto the police. In the absence of a clearway order, traders can only be removed through legal action initiated by the local planning authorities which is not always successful.

9.4 As a consequence the Highways Agency has had to close and indeed physically remove certain laybys to eliminate safety and/or environmental hazards caused by trading.

9.5 Local authorities have powers to declare stretches of all-purpose trunk road 'controlled streets' and issue licences to trade in laybys. Without the sanction of such a licence layby trading is unlawful. In order to exercise control over the operation of laybys the Highways Agency could work with local authorities to identify laybys where trading may safely be carried out. Licences could then be issued to traders to operate at these sites but subsequently withdrawn if problems arose. Any unlicensed traders could then be removed and standards of provision could be improved through the inclusion of specific conditions in the licence such as the provision of litterbins. Where this has been put in place significant improvements in standards of operation have been achieved.

Q: Should the use of laybys for trading be restricted?

Q: If so, what criteria should be applied in deciding the locations where trading is permitted?

Q: How best might trading in laybys be controlled?

Q: Do you have evidence to support your views?

Annex A

CONSULTATION CRITERIA

The consultation is being conducted in line with the Code of Practice on Consultation. The criteria are listed below. The full version of the code can be accessed at

http://www.cabinetoffice.gov.uk/regulation/consultation/consultation_guidance/the_code_and_consultation/index.asp

- Consult widely throughout the process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy.
- Be clear about who may be affected, what questions are being asked, and the timescale for responses.
- Ensure that your consultation is clear, concise and widely accessible
- Give feedback regarding the responses received and how the consultation process influenced the policy.
- Monitor your department's effectiveness at consultation, including through the use of a designated consultation co-ordinator.
- Ensure your consultation follows better regulation best practice, including carrying out a Regulatory Impact Assessment if appropriate.

If you feel the consultation does not satisfy these criteria please contact:

Monica Brown
Highways Agency Consultation Co-ordinator
Zone2/19e
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6HA

E:mail: monica.brown@highways.gsi.gov.uk

Phone: 0117 372 8220

Annex B

RESPONSE FORM FOR THE CONSULTATION PAPER ON THE REVIEW OF ROADSIDE FACILITIES POLICY IN ENGLAND

If you would prefer to complete this form electronically and return it by e-mail, it can be accessed on-line at: <http://www.highways.gov.uk>

<p>Respondent Details</p> <p>Name:</p> <p>Organisation:</p> <p>Address:</p> <p>Town/City:</p> <p>County/Postcode:</p> <p>Telephone:</p> <p>Fax:</p> <p>E-mail:</p>	<p>Please return by Thursday 8th February 2007 to:</p> <p>Miss Kathryn Burgess Spatial Planning Team Highways Agency C3 5 Broadway Broad Street Birmingham B15 1BL</p> <p>Fax: 0121 678 8211</p> <p>E-mail: roadsidefacilitiesreview@highways.gsi.gov.uk</p>
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Questions

Please note that you do not have to respond to the specific questions; you can send us your comments

- a. **Your views, and any supporting evidence, are sought on the issues discussed in pages 11-25 and the questions posed at the end of each Issue:**

Issue 1 – Determining Need

Issue 2 – Spacing of MSAs

Issue 3 – Signing

Issue 4 – Retail Activities at MSAs

Issue 5 – Standards of Facilities

Issue 6 – Park and Ride / Park and Share Facilities

Issue 7 – Motorway Picnic Areas

Issue 8 – All-Purpose Trunk Road Service Areas

Issue 9 – Provision and Use of Laybys

- b. Would this provide a sound basis for the improved development and operation of Motorway Service Areas and other roadside facilities?**

- c. Do you have any further comments?**

Annex C

LIST OF ORGANISATIONS AND INDIVIDUALS TO BE INVITED TO RESPOND

Government Departments:

Cabinet Office
Department for Communities and Local Government
Department of Culture, Media and Sport
Department of Trade and Industry
HM Treasury
Department for Environment, Food and Rural Affairs
Office of Fair Trading

Scottish Assembly
Welsh Assembly
Northern Ireland Department for Regional Development
Local Government Association
Association of Chief Police Officers
Transport for London
Countryside Agency
Natural England
The Commission for Integrated Transport

Welcome Break Group Ltd
Moto Hospitality Ltd
RoadChef Ltd
Nightowl Services
Westmorland Ltd
First Motorway Services Ltd
Swayfields Ltd
McDonalds Restaurants Ltd
MSA Operators' Committee
British Hospitality Association
Truckhaven Ltd

RAC Foundation for Motoring
Automobile Association Motoring Trust
Freight Transport Association
Road Haulage Association
United Road Transport Union
Transport and General Workers Union
Institute of Advanced Motorists
National Express Ltd
British Horse Society
Cyclists Touring Club
British Motorcyclists Federation
Mobilise Organisation
Ramblers Association
The Motorists' Forum
Disabled Persons Transport Advisory Committee

Confederation of Passenger Transport UK
The Caravan Club
Visit Britain

Institute of Highway Engineers
Institution of Civil Engineers
Institution of Highways and Transportation
Royal Town Planning Institute
Chartered Institute of Logistics and Transport
Royal Society for the Prevention of Accidents

Confederation of British Industry
Consumers Association
Campaign to Protect Rural England
Federation of Small Businesses
British Chamber of Commerce
National Farmers Union
Biffa
Living Streets
TUC
Equal Opportunities Commission

Annex D

Organisations consulted during the initial consideration of the policy review

Welcome Break Group Ltd
Moto Hospitality Ltd
RoadChef Ltd
Westmorland Ltd
Swayfields Ltd
MSA Operators Committee
RAC Foundation for Motoring
Automobile Association
Freight Transport Association
Road Haulage Association
Association of Chief Police Officers
Institution of Highways and Transportation

Annex E

Roads Circular 1 / 94
(Department of Transport)

Circular 34 / 94
(Welsh Office)

Joint circular from

Department of Transport
2 Marsham Street
London SW1P 3EB

Welsh Office
Ty Glas Road
Llanishen
Cardiff CF4 5PL

Dear Sir

MOTORWAY SERVICE AREAS

1. Circular Roads 4/88 gives advice on the control of development on all-purpose trunk roads. This Circular supplements that advice so far as the development of Motorway Service Areas is concerned. Further advice on the considerations which local planning authorities should take into account when considering planning applications for service areas on motorways and all-purpose trunk roads is given in Planning Policy Guidance Note 1.3 "Transport" (PPG13).

2. Government policy until 1992 was to promote the development of MSAs providing a standard range of minimum requirements on Department of Transport-owned sites at intervals of around thirty miles while operators in Wales have provided single sided sites on private land at intervals of around fifteen miles. A network of MSAs has been provided on this basis on most motorways though, in England, there are still routes with exceptional gaps in services.

3. In August 1992 the Government announced that in future the private sector should take the initiative in identifying and acquiring MSA sites and seeking planning consent from local planning authorities for these schemes as for any other development.

4. However, the Departments will continue to have interests in MSAs in relation to motorway safety and traffic management. They will wish to see a balance struck between, on the one hand, the necessary provision of opportunities for motorway travellers to stop and obtain essential services at reasonable intervals; and on the other, the avoidance of unnecessary traffic movements on and off the motorway.

This guidance is issued so that potential developers and local planning authorities may have regard to the Departments policy accordingly.

SPACING

5. The Departments will generally not expect to provide signs or (in respect of sites not accessed from an existing motorway junction) to allow access to the motorway for any services development less than fifteen miles from the nearest existing MSA (or MSA site with planning consent and for which signing has been agreed). Exceptions to this minimum interval may be agreed, for example, where existing sites are a little less than thirty miles apart and additional services are proposed roughly half way between them. Where a new MSA is proposed less than fifteen miles from an existing MSA (or MSA site for which signing has been agreed), the Departments will consider the case for signing, but the shorter the gap the stronger the case for an exception to the normal fifteen mile interval will need to be. The Departments will not, in any event, expect to sign more than one additional site between any two existing ‘thirty mile’ MSAs.

6. This minimum spacing between sites should not be taken to mean that the Departments see a need for MSAs every fifteen miles regardless of local circumstances. Their only prescriptive view is that, for safety and traffic management reasons, drivers should not have to travel for long distances without finding services on the motorway (whether accessed directly or via a junction). Intervals between existing services have not been much more than thirty miles. That remains a desirable general aim from the transport point of view. It cannot be a hard and fast rule, particularly in areas of planning restraint. Local planning authorities should take into account the need for and road safety benefits of MSAs; and the greater the distance between existing facilities and a new proposal, the more weight should be placed on the needs of motorway users.

PARKING

7. MSAs contribute to road safety by allowing drivers regular opportunities to rest in the course of their journeys. These safety benefits will be lost unless measures are taken to ensure that all sites have sufficient parking capacity to cater for the demands placed on them by motorists needing only to stop and rest as well as those making use of other MSA facilities. In order to qualify for signing from the motorway, therefore, an MSA developer will be expected to demonstrate that he can provide parking for:-

- cars:	0.5%	of the light vehicle annual average daily traffic flow fifteen years after opening;
- HGVs:	0.35%	of the heavy vehicle annual average daily traffic flow fifteen years after opening;
- coaches:	0.1%	of the heavy vehicle annual average daily traffic flow fifteen years after opening.

8. Advice on predicted traffic flows is available from Regional Network Management Divisions of the Highways Agency or the Highways Directorate of the Welsh Office.

9. Developers need not necessarily provide the full fifteen year parking levels as soon as the site opens, but will be expected to build up to the final provision in suitable stages over the fifteen year period.

OTHER REQUIREMENTS

10. In addition to the parking quantities specified above, the Departments will require MSA operators to provide from the outset at least a standard range of minimum facilities. MSAs which do not meet the minimum requirements will not be signed nor, in the case of sites not reached by way of an existing junction, will they be allowed to take access from the motorway. The minimum requirements are that MSA operators should ensure that :-

free short term parking for all types of vehicle, free toilets (in sufficient quantity to cater reasonably for the traffic flow on the motorway) and a picnic area are available, and fuel is on sale, 24 hours a day every day of the year;

access is allowed for up to two hours for those carrying out emergency repairs to broken down vehicles;

all facilities are available to disabled people; and,

there is no sale or consumption of alcohol on the site.

11. Enforcement of these minimum standards will be achieved through a formal signs agreement between the relevant Department and the MSA operator under which signs from the motorway to the MSA will be permitted and maintained so long as the operator continues to meet the minimum requirements in full. Before entering into signs agreements the Department will need to be satisfied that planning permission has been obtained, that the proposed MSA is capable of meeting all the minimum requirements and that it is acceptable in traffic, safety and spacing terms.

ACCESS TO MOTORWAYS

12. While it will in future be for the private sector to initiate MSA proposals, the Departments will maintain their strict policy of restricting access to the motorway to junctions with other roads, MSAs and maintenance compounds. They will not therefore agree to the provision of accesses to the motorway from private developments other than MSAs which meet the standard range of minimum requirements; nor will they permit the development of activities within MSA sites which are unconnected with motorists' use of the road and which would therefore lead to the site becoming a destination in its own right. The Departments will be prepared where necessary to direct refusal of planning applications which would conflict with this principle. To ensure that this policy is maintained it is important that the Departments are kept informed of proposals affecting existing and proposed MSAs. Local planning authorities are therefore requested to consult the relevant

Regional Network Management Divisions of the Highways Agency, or the Highways Directorate of the Welsh Office, wherever development is proposed of service facilities wholly or partly within 400 metres of the boundary of a motorway. They should consult similarly wherever development is proposed for an area exceeding 2 hectares which includes the provision of fuel and refreshments and lies within 1 kilometre of a motorway junction.

13. The Departments will also be concerned to ensure that MSAs do not come to be used as routes from the motorway through to other nearby developments; that is, as all purpose motorway junctions. At sites accessed direct from the motorway, therefore, the Departments will be reluctant to agree to the provision of rear access roads connecting to the local road network. Where such accesses may be agreed, the Departments will expect to require developers to enter into arrangements to ensure their use is restricted to staff, deliveries and the emergency services. Other onward access will not be countenanced.

14. In considering issues affecting the motorway itself, traffic flow and safety considerations are of great importance and good visibility is essential. Any access provided direct to a motorway would need to conform fully to the Departments' standards. At all MSAs, it will be particularly important to avoid the risk of congestion or slowing on the main carriageway. Advice on these aspects should be sought from the relevant Regional Network Management Division of the Highways Agency, or the Highways Directorate of the Welsh Office.

15. The full cost of any access provided direct to a motorway, or direct to an all-purpose trunk road at or near a motorway junction, including those elements of the works within the motorway or all-purpose trunk road boundary, will fall to be met by the developer by means of an agreement with the Secretary of State under Section 278 of the Highways Act 1980. Advice on this is provided in Circular Roads 6/91 and Welsh Office Circular 65/91.

Department of Transport

Welsh Office

May 1994

Annex F

MSA POLICY STATEMENT

JULY 1998

INTRODUCTION

1. This statement supplements Roads Circular 1/94 and PPG13 (March 1994) pending the full revision of both those documents. Aspects of MSA policy covered there which are not touched on in this statement (principally much of the sections in the Circular on Parking, Other Requirements and Access to Motorways) therefore continue to apply.

SPACING AND NEED

2. MSA spacing policy aims to balance two conflicting considerations, both safety-related. On the one hand there are the road safety benefits of allowing drivers frequent access to services. On the other, MSAs introduce new on- and off-motorway movements which have implications of their own for safety and the free flow of traffic. Safety considerations aside, there is also a need on wider policy grounds to limit development alongside motorways and motorway junctions. This applies particularly, though not exclusively, to open countryside and areas of planning restraint such as National Parks, AONBs, the Green Belt and sites which either are themselves, or may affect, SSSIs.

3. The consistent view over many years was that an acceptable balance between these conflicting pressures could be struck by securing a network of MSAs at roughly thirty mile intervals. Motorists would then have an opportunity to stop and rest approximately every half an hour assuming normal motorway speeds. More recently however, and in an effort to increase competition and choice, policy has allowed that basic “thirty mile” network to be supplemented by infill MSAs at intervals of around fifteen miles.

4. That policy change generated a large number of MSA planning applications but has had limited success in encouraging new operators to enter the MSA sector. For the future therefore the Government wishes to concentrate on completion of the “thirty mile MSA network on those relatively few stretches of motorway where this has not already been achieved. This does not amount to a presumption in favour of MSA proposals which would contribute to the “thirty mile network; they will continue to be subject to the normal operation of the land use planning system. Planning authorities will, however, be expected to give greater weight to the needs of motorists in these cases.

5. Planning permission for infill MSAs between “thirty mile” sites should be granted only exceptionally and where a clear and compelling need and safety case for the MSA has been established. Individual cases will need to be treated on their merits and it is not possible to prescribe a comprehensive list of the factors which it might be appropriate to consider in every case. There are, nevertheless a number which are likely to be of importance in virtually all cases. Planning authorities will therefore be expected to have considered at least:-

- the distance to adjoining MSAs;
- evidence (such as queuing on the MSA approach roads or lack of parking spaces at times of peak demand) that nearby existing MSAs are unable to cope with the need for services;
- a higher than normal incidence of accidents attributable to driver fatigue;
- evidence of a genuine need for the proposed services rather than simply demand: it will not be sufficient to show merely that drivers would use an MSA if it were to be built - there should be evidence of a genuine safety-related need;
- whether the MSA is justified by the type and nature of the traffic using the road; the need for services may, for example, be less on motorways used by high percentages of short distance or commuter traffic than on those carrying large volumes of long distance movements.

6. Where infill sites are proposed, the Government's preference will be that they should be located roughly half way between existing services. It will not, however, insist on this if it can be shown that an off-centre location is superior to a more central one in either general planning terms or in its ability to meet a particular and significant need. The Government will not, in any case, agree to more than one infill site between any two "thirty mile" MSAs.

7. The M25 is unique by virtue, among other things, of the volume of traffic it carries, the frequency of its junctions and its location in the Green Belt. It may not therefore be appropriate to apply general MSA policy in unmodified form to the M25, and in particular to its western half. There have already been a number of public inquiries into MSA proposals to serve this part of the M25 and another is due shortly. The Government intends therefore to leave open whether there should be one or two MSAs on the roughly sixty mile stretch of the M25(W) between South Mimms and Clacket Lane until all the relevant Inspectors' reports have been received.

RETAIL AND OTHER DEVELOPMENT AT MSAs

8. Long-standing policy is that MSAs should provide only facilities needed to serve those using the motorway in the course of a journey and should not become destinations in their own right. This has meant that overnight lodges and a modest degree of retail development have been regarded as falling within the scope of what could legitimately be provided at MSAs but that full scale hotels and extensive shopping and conference facilities have not. The Government remains committed to the principle of preventing MSAs from becoming destinations but is concerned that, in the absence of any clear guidelines, developments within some MSAs have moved close to the acceptable limits.

9. In future, therefore, the Government will not approve, and will not allow signing from the motorway to, any MSA which, in addition to the compulsory MSA facilities, provides anything beyond:-

- a lodge which may provide overnight accommodation and a modest meeting room for up to fifteen people, but not a bar, restaurants, function rooms or more extensive conference facilities.
- a shop or shops catering for those using the motorway and with a total floor area not exceeding 5000 sq ft;
- a modest games/leisure area not exceeding 1000 sq ft.

It is not intended that these restrictions should prevent the establishment within MSAs of a range of alternative catering outlets which would increase the choice available to those using MSAs in the course of their journeys.

DESIGN STANDARDS

10. The Government believes that good design should be the aim of all those involved in the development process. Those promoting MSA schemes will therefore be expected to demonstrate that they have taken account of the need for high standards of design in formulating their proposals.
11. In design terms, MSA schemes should:-
 - respond sensitively to both the site and its setting, including the existing landscape and other physical features, and take account of the purposes of any designation which may cover the site or the surrounding area; create character and identity within the site by the careful design of spaces and buildings and the relationship between them; and minimise the visual impact of the development on its surroundings;
 - incorporate vehicle accesses and means of circulation which are safe, clear to motorists and minimise vehicle congestion: with this in mind, developers will be required to apply the relevant Highways Agency technical standards when designing MSA accesses and internal layouts; to submit the resulting proposals for processing through the Agency's formal road safety audit procedures; and to ensure that signing for drivers using the site complies with the Traffic Signs Regulations and General Directions~
 - achieve building designs which take account of the needs of users, including those of disabled people;
 - incorporate buildings which are safe, environmentally friendly and energy efficient so as to minimise environmental damage and waste; and,
 - ensure the sensitive design and siting of lighting schemes with the aim of minimising light pollution whilst ensuring that public areas are well lit.