

## **Office of Rail and Road: consultation on Monitoring Highways England's network investment ~ Response from Campaign for Better Transport**

Campaign for Better Transport is a leading charity and environmental campaign group that promotes sustainable transport policies. Our vision is a country where communities have affordable transport that improves quality of life and protects the environment.

We welcome the opportunity to respond to the Office of Rail and Road (ORR) consultation on monitoring Highways England's network investment.

### **Summary**

We welcome the important role played by ORR in monitoring the performance of Highways England (HE). The £15bn capital expenditure being spent through the first Road Investment Strategy (RIS) is a significant amount of public funds and its deployment will have a significant impact on the environment and on communities across England.

The consultation asks if ORR's proposed approach for monitoring HE's network investment meets our requirements as a stakeholder, and if there are aspects that we think require more or less emphasis.

The complex RIS programme requires sophisticated monitoring: we welcome the range of monitoring approaches proposed by ORR, looking at management capability, management outcomes, programme delivery and in depth reviews of sample projects and programmes.

We would like to see this approach applied in particular to the areas of HE work on

- designated (ring fenced) funds
- design and the Design Panel
- scheme development and evaluation
- safety and All Lane Running
- vulnerable road users, cycling & integration.

### **Designated funds**

We have a particular interest in seeing that the designated funds are spent well, and that this spending is publically reported in full.

In 2014, along with 12 other environment and transport groups, Campaign for Better Transport proposed that a proportion of RIS funding should be allocated for a 'green retrofit' of the Strategic Road Network: we achieved ring-fencing of about £500 million of the RIS to help reduce the impact of existing roads on the environment and local communities.

We welcome the enthusiasm of HE for having these funds, and the opportunity they afford for innovative work. We have engaged with Highways England in good faith to advocate for effective allocation of the funds to achieve the green retrofit goals. The quality of engagement by HE has been patchy. Since January 2016, there have been meetings where HE fund leads have updated NGO reps on the broad budget allocations and fund headlines: we recognise that this represents a significant commitment of senior HE staff time and that there is a sincere attempt to engage with the NGO sector.

In particular, the Innovation Fund lead has engaged proactively with bodies such as the Smarter Travel Forum to share ideas and shape best practice: it is perhaps in the nature of the innovation function that this is the case.

In addition, there has been good engagement through the HE Vulnerable Road Users Committee (VRUC) on developing the accessibility and cycling strategies (although we are not convinced the strategy's aims are consistently delivered in actual schemes).

However, we are concerned that the promised air quality action plan and environment strategy have not yet been published, yet funds are already being allocated within these fund areas.

There has been a failure to share quite basic information, such as regional contacts, for NGOs wishing to engage with specific projects. There has also been little or no feedback to NGOs on project suggestions.

There has been little information shared on the projects funded, beyond a few case studies, reducing the ability for scrutiny and the opportunity to share and mainstream best practice for future programmes. We would like to see the designated funds allocations made available as open data, accessible to other groups and the general public. This is particularly important given that the funds are supposed to be spent 'beyond business as usual'.

We believe ORR monitoring should include:

- Effective relationship of the fund spend to the HE strategies
- Quality of engagement on the designated funds
- Transparency and detail of reporting on the designated funds
- Extent to which the funds have been spent on genuinely additional work.

### **Highways design and the Design Panel**

Campaign for Better Transport welcomes the creation of the HE Design Panel of which we are members. The vision for the Panel – providing independent design expertise and constructive criticism of specific projects in sensitive or high profile locations – is a good one, with potential to do valuable work.

In practice, we are frustrated that while the Panel has received lengthy presentations on some schemes and has contributed comments, there is little or no feedback on the extent to which the Panel's input has been taken on board.

The Panel benefits from a range of expert members, including HE's Chief Highways Engineer who currently chairs the Panel: however, we believe the Panel would work better with an independent Chair who would be better placed to provide constructive challenge to HE's work.

HE has recently produced a forward programme of potential schemes for Design Panel review, which is a welcome step: however, without clear dates attached, this is of limited benefit as a work programme.

We believe ORR monitoring should include:

- Effectiveness of the current Chairing and membership in providing effective challenge
- Responsiveness of HE to the challenge supplied by the Panel, including clear feedback
- Clarity of the Panel's work programme in contributing in a timely fashion to HE work

### **Scheme development, appraisal and Post Opening Evaluation**

Key parts of the RIS are design and delivery of current schemes and contributing to route strategies and strategic studies to inform RIS2.

We are concerned that HE has too narrow a focus when contributing to developing and appraising specific schemes within the RIS, particularly in terms of considering non-highways based alternatives. Demand

management programmes have shown very high levels of value for money and, by also saving on new construction, can improve the overall efficiency of the RIS.

Given the many policy drivers behind a multi-modal approach (including but not limited to the Government's Cycling & Walking Investment Strategy, Rail Freight Strategy) and policies to address carbon emissions, obesity and air pollution, it is important that a full range of alternatives is properly considered, even when these may lie outside HE's core area of expertise.

HE has trouble modelling traffic growth accurately. The Post Opening Evaluation reports are an important resource but understandably HE chooses to present the most positive interpretation of scheme performance. Even so, we note that on the most recent (May 2015) meta-analysis, HE reports that only 68% of schemes accurately forecasted traffic flows (+/-15%), and that there is much variability in accuracy between schemes.

Recent research by Professor David Metz and others suggests that the conventional value of travel time in scheme appraisal needs review: the DfT is now consulting on possible changes to the WebTAG guidance on wider economic impacts of schemes. It is important that HE scheme appraisal and reporting is seen to be sensitive to emerging best practice.

HE's work has a major impact on air pollution and on carbon emissions. The UK Government has been found to be in unlawful breach of air quality standards with local authorities required to implement action plans to reduce air pollution. The major source of NOx and particulates is emissions from diesel engines, whose real world performance routinely breaks vehicle standards. Even a marginal increase in traffic levels will adversely impact roadside air quality as recognised in the recent M4 Inquiry. The UK has a binding target of an 80% CO2 emissions reduction by 2050: reducing transport emissions is key to achieving this and it is questionable whether these emissions can be reduced quickly enough through a move to low and zero emission vehicles alone. Detailed monitoring of the efficacy of HE assumptions, monitoring and mitigation measures for air pollution and carbon emissions are therefore essential: we would argue that this requires refreshed, more stringent KPIs for future HE contracts.

We believe ORR monitoring should include:

- Extent to which HE properly considers non-road alternatives, including demand management, in scheme development
- Accuracy and currency of traffic modelling, including in depth review of one or more completed schemes against the forecast impacts
- Adequacy and accuracy of air pollution monitoring and efficacy of mitigation proposed
- Adequacy and accuracy of carbon impact assessment and efficacy of mitigation proposed.

### **Safety and All Lane Running**

The House of Commons Transport Committee conducted an important inquiry into All Lane Running earlier this year, to which Campaign for Better Transport gave evidence, as did motoring organisations and the emergency services, all of whom expressed grave concerns about the policy in practice. The Committee clearly recommended a halt to the further rollout of All Lane Running, but this recommendation has since been rejected by the Government.

The original managed motorway concept was successful: in the pilot study on the M42, where Active Travel Management was used, safety improved by nearly 56%. We regret this approach has not been extended. Given the significant and continuing concerns raised about All Lane Running, we feel this is a key area for ORR monitoring.

The recent decision to approve conversion of the M4 (Junctions 3-12) to All Lane Running came with recognition by the Planning Inquiry panel of concerns about the air pollution impacts of adding a lane of traffic while removing the buffering effect of the hard shoulder, and a requirement for mitigation should air pollution worsen.

We believe ORR monitoring should include:

- Actual safety performance of Smart Motorways against projections
- Quality of mitigation schemes proposed and their deployment in practice

### **Vulnerable road users, cycling, accessibility and integration**

The HE Vulnerable Road Users Committee is well-resourced and has been encouraged to produce real input into HE strategies on Cycling and on Accessibility & Integration: this is welcome.

However, we observe that the aims of the strategies are not consistently applied in actual schemes and feel this is an important area for monitoring. There are many examples of this but recent ones include an absence of provision in the M4 J3-12 'SMART' motorway, and in options on the A27 at Chichester. The M20 Junction 10a project seeks to replace a direct crossing on a small lane with a route requiring a significant detour. The emerging Expressway design would exclude cyclists from main routes, with no certainty of a satisfactory alternative, while the feedback on implemented schemes is that the design is often poor.

We have offered to assist HE liaising with public transport operators, particularly bus operators, on integration and hope to see this developing further, in line with the expectations set in the Bus Services Bill.

We believe ORR monitoring should include:

- The degree of practical co-operation between HE and public transport operators, particularly bus operators, on integration.
- The extent to which the Cycling and Accessibility strategies are implemented in practice
- In depth monitoring of this aspect of selected schemes, looking in particular at design quality.

### **Conclusion**

In our response to the 2013 consultation on setting up Highways England and Highways Monitor, we welcomed the clearer funding programme for transport over the long term and the formation of a formal watchdog to scrutinise HE functions. Three years on, it is good to see ORR taking forward the Highways Monitor role.

We were concerned that granting more commercial freedom to the Highways Agency would be accompanied by risks to both transparency and the limited current processes of consultation with the public and community representatives in areas affected by funding decisions, and look to ORR to address this.

We have been pleased to contribute to this and other ORR consultations and look forward to continued joint working on this important agenda.

September 2016

Bridget Fox  
Campaign for Better Transport

Campaign for Better Transport's vision is a country where communities have affordable transport that improves quality of life and protects the environment. Achieving our vision requires substantial changes to UK transport policy which we aim to achieve by providing well-researched, practical solutions that gain support from both decision-makers and the public.

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