

MONITORING HIGHWAYS ENGLAND

Response by the Campaign to Protect Rural England (CPRE) to the Office for Road and Rail (ORR) Consultation

June 2015

Introduction

1. The Campaign to Protect Rural England (CPRE) welcomes the opportunity to respond to this consultation on aviation capacity. CPRE fights for a better future for the English countryside. We work locally and nationally to protect, shape and enhance a beautiful, thriving countryside for everyone to value and enjoy.
2. As a charity with about 60,000 members, a branch in every county, over 200 district groups and more than 2,000 parish council members, we have had an interest in the management of the what is now Strategic Road Network (SRN) for many years. During the previous Government, both the Secretary of State for Transport and the Roads Minister used lectures given to CPRE to announce key transport proposals.
3. CPRE took a leading role during the passage of what is now the Infrastructure Act 2015 ('the 2015 Act'), securing a range of significant amendments in relation to transport and the environment. We are delighted to have this opportunity to input into the ORR's development of its monitoring role.

Consultation questions

Q1. Are you clear what our role will involve? Are there aspects of our role which you would like more clarity about?

4. We would appreciate greater clarity about how the ORR intends to interpret Section 12 of the 2015 Act, which sets out the legal limits of its role, in practice. This is particularly relevant in terms of the scope of efficiency, in other words is it simply about efficiency of outputs or also of outcomes. While other regulators, indeed the ORR in relation to the railways, regulates a network which is used by different operators or utilities, the situation on roads is somewhat different.
5. There is major scope for more efficient use to be made of the roads network, whether by Influencing Travel Behaviour (also known as 'smarter choices') programmes or improvements in logistics. By contrast, the reality that there are key parts of the roads network where it will not be possible simply to add capacity due to environmental constraints, in the same way that additional electricity transmission lines or water pipelines could be threaded through. Examples are parts of the M60 and M25 and there is the further factor that, even if significant additional road capacity could be provided, it would still be swamped by the demand that would be generated as a result.

6. Additional information should also be provided about the environmental role that has been given to the ORR, late during the passage of the Infrastructure Bill, which means it must go beyond simply considering the 'view out of the car window' but also consider the impacts of the SRN on communities and the natural environment nearby. This policy area is particularly salient given the recent Supreme Court judgment on air pollution and renewed international momentum on climate change. The long-term impacts on the natural and historic environment - landscape, tranquillity and biodiversity - for example, of decisions taken on scheme design means that this is of great importance.

Q2. Do you agree with our strategic objective for our highways monitoring role?

7. We agree with the objective but would welcome additional guidance to explain how you interpret key terms in the objective, for example that 'efficiency' relates to outcomes not just outputs.

Q3. Are there specific ways you would like us to engage with you beyond the industry forums already referred to in this document?

8. There has been no engagement with CPRE nor, to the best of our knowledge, other environmental bodies that do not have transport in their title. The current engagement processes does not seem to have picked up the widening of the ORR's role to cover environmental issues. There is a particular risk if the ORR follows Transport Focus too rigidly as the latter does not have wider responsibilities to the environment and non-users of the SRN.

9. The environmental funds within the Road Investment Strategy (RIS) are not insubstantial and some are in areas where the thinking of Highways England is least developed, for example in relation to landscape, and offers some of the greatest scope for new thinking. There is also a lack of developed metrics in this area.

Q4. Have we identified the key areas that require monitoring? Are there particular areas of Highways England's performance and efficiency which you consider require specific focus or an alternative monitoring approach?

10. As noted in our answer to the previous question, greater monitoring is needed of environmental matters. We would also welcome greater monitoring of how Highways England works with transport operators and local authorities to seek the most efficient and sustainable means to meet transport needs. The statement within the consultation that 'our rail and highways roles are not structured to make trade-offs between investments in different modes' seems unduly negative. It is notable that at the first meeting of Highways England Design Panel, the company was challenged (and not by the environmental sector) to think outside the box and link up with other modes of transport.

11. We welcome the commitment in paragraph 5.31 of the consultation of the ORR's intention not to hold Highways England to detailed plans, so as to enable innovation. A particular issue is likely to be the balance between capital and resource investment, as the RIS is currently capital heavy. Recent DfT research, [Finding the Optimum](#) (2015), highlights how a better balance can lead to better outcomes.

12. In addition we are concerned that analysis of 'value for money' does not simply focus on Benefit Cost Ratios. As WebTAG highlights, non-monetisable factors must be considered too.

13. Finally clarity is needed about how the ORR will approach those elements of the delivery plan where suite of PIs is yet to be developed.

Q5. We have set out our initial plans for reporting on Highways England's performance and efficiency. Is there further information or analysis that you think we should produce?

14. As noted in our earlier answers, we are concerned that the areas where the PIs are yet to be developed, might be monitored less.

Q6. Is there specific information relating to Highways England which is not currently in the public domain which you think should be prioritised for publication?

15. We welcome the progression of the data improvement plan. There is a critical weakness in relation to the adequacy of data to enable robust longer-term planning. While the Highways Agency performed well in terms of making operational data available, it has failed to publish as open data the information in its route strategies, despite CPRE requesting this for over a year. This is vital for better engagement with the voluntary sector as well as local planning authorities.

CPRE

June 2015