



The Road Haulage Association

Emma Ward
Director General – Roads, Places and Environment
Department for Transport
Great Minster House
Horseferry Road
London
SW1P 4DR

20th May 2020

Dear Emma,

Local Transport Restart

The Road Haulage Association has urgent comments to make about the changes proposed in your letter of 12 May. We acknowledge the opportunity to respond so that those impacted can highlight areas of concern, and authorities can react responsibly. However, we have very serious concerns about the proposals.

In summary, the need to move goods by road has been either sidelined (at best) or ignored by the Local Transport Restart process. The ability to move goods safely and efficiently is critical for everyone and all businesses. We are concerned that public policy makers are adopting a “silo” mentality, with the effect that passenger and freight transport needs are being treated separately. This is faulty thinking. Given the limited available road space, both passenger and freight transport needs must be considered together.

We are particularly concerned that the proposal to reduce road space will lead to delayed deliveries and increased congestion. This will adversely affect all businesses that are looking to restart. We do not believe that the economic consequences and reality of the re-allocation of road space have been fully thought through. It also appears that one sector (cycling) is being disproportionately favoured over other sectors. Yet, when just 2.5% of trips nationally are made by bicycle, dedicating road space exclusively to one very small group is an astoundingly wasteful use of a scarce resource.

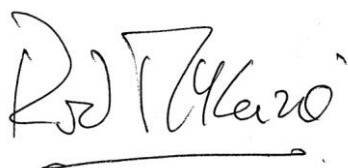
Throughout the pandemic, road freight has been essential to supply all food, medicine, and other products demanded by industry and consumers. The lack of traffic congestion and the other regulatory adaptations put in place by Government and local authorities has played a significant role in enabling this to happen effectively in very difficult circumstances. Almost everyone involved across the Government family has contributed well until now. It would be a travesty to undermine that good work at a time when the Chancellor himself is now forecasting a severe economic recession.

The RHA understands the need for people to be able to move about in safe ways, and our sector has been doing this since the start of the lockdown. Adapting infrastructure to enhance walking, safe waiting for public transport and cycling where it needs to be done is not unreasonable. However, it must be

done in a proportionate and structured way. It must also only be done where it can be shown that it will have a significant positive impact over doing nothing and does not create a significant detriment to other road users.

We expand on these points in the attached annex and I very much look forward to your reply.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rod McKenzie', with a horizontal line underneath.

Rod McKenzie

Managing Director – Policy and Public Affairs

CC. Richard Burnett – Chief Executive, RHA

Annex – RHA consideration on the “Local Transport Restart” proposals

Comments on the “Local Transport Restart” letter of 12 May

The RHA regrets that the letter sent to Combined, Local Transport and Local Highway Authorities in England on the 12 May on which the DfT’s proposed regulatory changes are based is seriously flawed. Generally, that flaw can be described as the systematic overlooking of the needs of all road users in favour of just some users.

The RHA understands the need for people to be able to move about in safe ways. The sector has been doing this itself since the start of the government-imposed lockdown. Adapting infrastructure to enhance walking, safe waiting for public transport and cycling where it needs to be done is not unreasonable.

However, this must only be done where it can be shown that it will have a significant positive impact over doing nothing, and that it does not create a significant detriment to other road users. We note that a requirement to balance an assessment of the benefits of intervention and consideration of the costs to all is absent from the Local Transport Restart guidance. The document is also silent on the structured approach to be adopted by local authorities – for example, are these matters to be considered via the established planning process? How are objections to be dealt with?

We ask that the following points are observed:

- 1) Local Authorities must be able to document and evidence the Covid19 requirement to justify that the temporary changes are necessary. These must be regularly and frequently reviewed to ensure their continued necessity. Once redundant, they must be immediately removed.
- 2) April 2021 is too distant for a Sunset clause. We consider 6 months, not a year, to be adequate. This will then allow Parliament to assess fully whether these measures should be extended further on a temporary basis. Businesses adapt quickly to changing circumstances. A year is likely to prolong constrictive measures and adversely impact the local economy.
- 3) It is critical that, should temporary measures become permanent, the full planning process and consultation process is followed.
- 4) The document says “In making such changes, access for bus and essential freight movements and [...] will also need to be considered.” There are 2 problems with this statement. Firstly, it is not strong enough - the minimum standard should be that the needs of these users need to be evaluated and assessed to ensure that there is suitable access for all people and businesses. Secondly, it inappropriately seeks to create a category of “essential freight”. All freight is moved on behalf of a customer - it is all essential.
- 5) Later in the document it talks about “Data and evidence”. This entire section ignores the need to move goods. This overlooking of the need to move goods is unacceptable. Authorities must have a detailed understanding of freight travel patterns and how goods can access businesses and people.

In response, we would like an assurance written into the guidance that the benefits and costs to all network users are evaluated, assessed and shared with key stakeholders. Secondly, we believe clarity needs to be given that all freight movements should be considered essential (the alternative is to deny some people and businesses access to freight services).

Comments on the “Outline of proposed regulatory changes...”

Overview

The RHA notes that the accompanying document, “Outline of proposed regulatory changes to Traffic Order procedures to help deal with the effects of coronavirus”, contains some information about proposals to be enacted in emergency legislation later this week.

We have not seen the legislation, nor have we had sufficient time to consult with members. The period of just over 24 hours DfT have allowed for the RHA to make comments is unreasonably short. It is not acceptable to consult with stakeholders on matters that will fundamentally impact thousands, indeed tens of thousands of businesses, in such a short time frame. This is not a meaningful consultation for any trade organisation.

Department statistics show that less than 2% of trips (even excluding walking and freight) in urban conurbations are made by bicycle. That means that over 98% urban trips by people use other modes that require road space. Handing over space that can be used by 100% of users for the exclusive use of less than 2% of road users is going to cause congestion, pollution and undermine productivity.

More detailed comments are as follows:

- 1) The proposals outlined and given effect by the legislation (which we have not seen) give unrestricted power and expedites the process to remove essential road access without proper regard for most road users. We realise that dealing with the COVID-19 outbreak and recovering from it as safely as we can is vital. However, this proposal goes far beyond what is needed to deal with COVID-19.

We regard that existing traffic orders are sufficient for the temporary ability of people to move about in safe ways, and note that current procedures are actioned quickly now. We therefore consider that the time currently allowed under existing legislation for anything related to cycle lane re-allocation is sufficient, and cannot see any justification to speed up this process.

- 2) In paragraph 2, it is claimed that the process will support recovery, support social distancing and wider environmental aims. It is unacceptable to include wider environmental aims in what is claimed to be an emergency process. Dealing with wider issues outside the scope of the Covid crisis and recovery from it should not be permitted under this emergency legislation. It is the wrong way to deal with the Government’s active travel package – which should only be implemented with careful consideration for the needs of all road users.
- 3) There is no justification given for the mass re-allocation of road space to dedicated cycle lanes. Nationally just 2.5% trips (DfT Statistics) are cycled, mostly on roads shared with other traffic. Dedicating space exclusively to one very small group of road users is an astoundingly wasteful use of a scarce resource. We believe re-allocation of general road space for the exclusive use of cyclists should be excluded from the emergency procedures.

- 4) In paragraph 3, a sunset clause is included. We believe that the clause goes far beyond that needed to deal with the COVID recovery process. Given that we believe the emergency processes must exclude the exclusive re-allocation of road space to cycling, we believe that emergency space re-allocation for pedestrian social distancing needs can be accommodated by the end of November 2020. Our suggestion therefore is that the sunset clause should be set for the 30 November 2020.
- 5) Paragraph 4(a) makes it clear that the emergency procedure will result in all representation being ignored. You propose that orders will be published on digital media (the location of this publication is unspecified) for 7 days to allow objections – then the work starts. As there is no period to consider any objections, adaptations or modifications, the effect is overriding any objection. This is unacceptable.
- 6) The proposal for a second order is not sufficient as the work will already have taken place. It is interesting to note that it is claimed that “informal consultation will take place, as now, as part of the initial scheme design”. That is inconsistent with the claim that the measures are designed to deal with the COVID-19 crisis. As written, it looks as if the Government is seeking emergency powers, under the pretext of COVID-19, to drive through other policy objectives.
- 7) We are not clear how paragraph 4 (b) relates to the need for emergency works to deal with social distancing requirements. Non-COVID are not emergencies, so it seems 4 (b) is not needed at all in the context of helping to deal with COVID-19.
- 8) Paragraph 5 is reassuring, but it is incompatible with earlier statements around dealing with other policy objectives. (Please refer to the points made above).
- 9) Paragraph 6 confirms the point made above that 4 (b) measures are not to deal with COVID-19.
- 10) Loading / unloading bays and parking bays must be protected from closure, the emergency measures must not be able to be used to close loading/unloading bays.