



Transport Committee

Oral evidence: [All lane running](#), HC 623

Monday 9 May 2016

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Written evidence from witnesses:

- [Department for Transport](#)
- [Highways England](#)

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Members present: Mrs Louise Ellman (Chair); Robert Flello; Mary Glendon; Karl McCartney; Iain Stewart; Graham Stringer; Martin Vickers.

Questions 84-205

Witnesses: **Dave Gregory**, and **Richard Goddard**, European Rescue and Recovery Initiative Committee; **Andrew Jones MP**, Parliamentary Under-Secretary of State, and **Jon Griffiths**, Deputy Director, Road Investment Strategy, Department for Transport, and **Mike Wilson**, Chief Operations Officer, Highways England gave evidence.

Q84 Chair: Good afternoon and welcome to the Transport Select Committee. Could you tell us your names and organisations, starting with Mr Goddard?

Richard Goddard: My name is Richard Goddard and my organisation is the Automania Group, but I also sit on the APPG and Transport for London working party. I have represented ERRI and I represent the RHA Rescue and Recovery Group. I could go on—recovery industry is near enough.

Dave Gregory: My name is Dave Gregory. I am a publisher in the vehicle recovery industry. I own and run the Tow Show held in Telford every year. I am on the freight transport APPG and the European Rescue and Recovery Initiative.

Q85 Chair: What impact does the loss of the hard shoulder have on vehicle recovery operators? Can you tell us what you know about that from your experience to date?

Richard Goddard: Obviously, we are the only people who can move broken-down vehicles causing congestion, and we have to get to them as quickly as possible. We do not have the benefit of the red lights and blue lights that the other emergency services have. Quite often we are stuck in traffic waiting to get to the incident and clear it, which defeats the object. As to the loss of the hard shoulder—sometimes we are granted hard shoulder

running by the powers that be—the difference between our being able to use it in getting to an incident was reflected in two incidents in the last seven days. In one case it took us 18 minutes to get to an incident on the M4 and start to move it off. When we were not granted hard shoulder running, it took us two and a quarter hours to get to it, while in the meantime every bit of traffic was moving west towards Heathrow airport, which is one of the busiest in the world. This happens on every single motorway. The difference was two and a quarter hours. All the other emergency services were asking us where we were. The use of hard shoulder running, red lights and the ability to get to incidents as quickly as the other emergency services is an integral part of what we do.

Q86 Chair: Is there often a problem taking so long to get to an incident, like the one you describe?

Richard Goddard: Every day.

Q87 Chair: It is a regular thing.

Richard Goddard: Every day.

Q88 Chair: Mr Gregory, what can you tell us about this from your experience?

Dave Gregory: I know some consultation was carried out about refuge areas. The refuge areas are, if you like, a poor man's version of the M42. When the M42 was designed, SURVIVE, of which I was a member for three years, was consulted. Steve Ives of the AA, who worked with Highways England and so on, was instrumental in ensuring that the M42, which is a managed motorway, was a success and delivered safe and continuous motoring. It has done that very well and has a very good record, with hardly any accidents. Traffic keeps moving and the right speeds are regulated at peak hours. That works very well and people accept it.

When they came to trawl it out on other motorways, you got the impression there was not the money around to provide that kind of whistles-and-bells version of a motorway, so they went for refuge areas. Recovery operators were very concerned. They voiced concern at the time that if, say, a heavy goods vehicle was stuck in one of those refuge areas, there would not be room for a big enough recovery truck to take it away. That was one of the concerns expressed at the time the consultation was going on. I do not know whether those concerns were taken note of at the time.

Q89 Chair: Has there been an increase in the statutory removal of broken-down vehicles?

Richard Goddard: An increase from when to when?

Q90 Chair: Where the hard shoulder is not operating, has there been an increase in statutory removals?

Richard Goddard: I do not think there is any record of an increase in statutory removals per se. Without hard shoulder running, getting from one incident to another would be virtually impossible if all four lanes were congested. We simply could not get from A to B

quickly enough. At the risk of repeating myself, without red lights or lights saying, “We need to get past you to get to an incident,” how would we be able to get there?

Q91 Chair: What would help you to be able to get there? Is there anything that could help you?

Richard Goddard: Yes, certainly: the use of hard shoulder running as a matter of legislation. We are an emergency service. For the Government or the powers that be, we seem more like a necessary evil than a necessity. We are an emergency service for every major thing that happens on the motorway. We do not close the motorway; we are the people who open it. We are the only people who have the proper equipment, training, know-how and background to move a tanker or a coach full of people or children safely—by the way, our record for doing that is impeccable—but we are not getting the assistance from the Government, or anybody, to do that. There is the loss of a lane that would enable us to get from A to B quicker. All the HATOs have red lights and they can drive up and down on the hard shoulder. We do not have them, and there is no explanation for it. When I go back to my people, even the staff I employ, I find it difficult to explain why those people should be safer than they are. If you are travelling on an A road, quite often you will be stuck in traffic because people are cutting down trees or working on hedges. That lane is closed in order for people to operate safely, but those contingencies are not offered to us. If you are driving on a motorway and you see a red light, you slow down and move away from it. That is a matter of fact; it is proven, tried and tested, but we are not offered any of those concessions. We have to work in the rain, the snow and the fog and in the middle of the night with amber lights on live shoulders. The loss of the hard shoulder with a little red cross, which people ignore at their own peril, will now be at our peril and it will cost lives. That is how important it is and that is why it is important we are offered the same concessions to operate as an emergency service as the other three emergency services. The loss of that live lane will completely hinder our doing that, because people will not move over for amber lights and for us. We do not have the same powers as the fire, police and ambulance services. They are an integral part of that emergency, but so are we.

Q92 Iain Stewart: Where there are roadworks, sometimes for quite lengthy stretches of a motorway, very often the hard shoulder is out of action and you see signs saying that in the event of a breakdown you should stay with your vehicle and there is a free recovery service. What different rules apply in roadworks like that, which perhaps could also be applied to all lane running?

Richard Goddard: Quite often, if those types of roadworks are already taking place on the motorway, whoever is doing them will have to employ a recovery service to be at the scene all the time. They will be at one end of that stretch of motorway work or the other end. There is no hard shoulder, and basically they just have to get through the traffic the best way they can to reach the incident and then remove it.

Q93 Iain Stewart: How do they do that if there is no hard shoulder?

Richard Goddard: Very slowly.

Q94 Iain Stewart: What rights of access do they have in that scenario that are not available in general motorway running?

Richard Goddard: Sometimes you see a lane or space that has been cleared so that construction worker vehicles and other work vehicles can move up and down. Sometimes they are allowed to use that access, which is clear all the time. Generally, you have lost the lane and you use the hard shoulder so that construction vehicles on the motorways can move about freely and safely. Quite often they are allowed to use that to get to the job and get it off.

Q95 Iain Stewart: But that does not apply in every scenario; sometimes there are just three lanes. Are there any special rules, rights of access or anything like that which apply in roadwork scenarios and potentially could be applied to all lane running?

Richard Goddard: That is the point I am trying to make. It is ambiguous. There is an incident and we phone up to get permission. We ask, “Can we? Should we?” The person on the end of the phone is not always the one who says, “Yes, you can,” or, “Off you go.” What we are or are not allowed to do is sometimes very ambiguous.

In terms of hard shoulder running, we phoned up to ask for hard shoulder running to get to an incident and were refused, for no apparent reason. It took us two and a half hours to get to it. We phoned up on another incident and got it. This happens every single day. It brings us back to the red X indicating when a lane is closed. Quite often, people think that the Highways Agency has simply forgotten to turn off that sign, especially at 3 o’clock in the morning when there is hardly any traffic on the road. I would like to see firm measures put in place to say what, as a recovery industry and emergency service, in this scenario we are and are not allowed to do.

Q96 Chair: Who are you phoning—the Highways Agency?

Richard Goddard: Yes.

Q97 Chair: You are asking permission about an individual incident, and you are not clear what the answer will be.

Richard Goddard: That is why we have to phone up every time to get permission.

Q98 Robert Ffello: I know these two gentlemen very well indeed. May I unpick some of these things, because there is a whole mishmash? My first question is about the mishmash. In your experience of both commercial drivers and the general public, do you think they understand the difference in what they need to do if they break down when they are on a traditional two or three-lane motorway with a hard shoulder, on an all lane running motorway or on a motorway where sometimes they can drive on the hard shoulder? Do you think the people you encounter who have broken down know what to do in those circumstances?

Richard Goddard: Not at all, and it is simply not good enough. The fact of the matter is that whatever the Government, there are adverts to teach you how to cross the road or to think bike; there are adverts all the time about public awareness of things that can endanger life, but I have never seen anything about motorways. You see documentaries about the police on motorways. There is a programme called “Motorway Cops” that shows

what a great job they do, but some people who go on to motorways have not long passed their test and some have never driven on a motorway before. They do not understand what the crosses mean, and they do not understand hard shoulders and what they should do if they break down. Do they get out of their car in a fast lane? Do they stay where they are? Do they get out and stand behind the barriers? What does that red cross mean if it is 3 o'clock in the morning and all three lanes are empty? Educating them and creating public awareness of their own health and safety, as well as that of the rescue and recovery industry, is of paramount importance and can save lives. You can save lives by doing the right thing and working closer with services like ours to make the public and users aware of it. Foreign drivers do not understand our legislation. They break down in lorries all the time on the M4, or any of the motorways, and what goes on and what should happen is too ambiguous.

Q99 Robert Ffello: I am very familiar with the M6. On some stretches on one motorway you go from one type to another and then to a third type. A couple of times, you have mentioned the red X issue, which is one of my bugbears. I am constantly driving up and down the motorway. I see a lane with an X over it so I do the right thing and move into the live lane. You see overhead gantries warning of issues, or you see a flashing orange amber sign saying "Problem up ahead—50." Without exaggeration, probably three quarters of the time when you get to the end of it there was nothing there and you say, "What was all that about?" You can understand why people ignore them. On the back of that, are you aware of statistics about the number of recovery operators injured or killed over recent years? Do either of you have any knowledge about that?

Chair: Mr Gregory, do you have any information about that? How many recovery operators may have been hurt, or how many near misses have there been?

Dave Gregory: I am glad you ask that, because it goes back to my answer to the other question. We are not talking about live running lanes but the conventional hard shoulder. It is a dangerous place to be. I broke down two years ago on one and could not get behind the stanchion quickly enough. It is a scary place to be. The SURVIVE Group was set up in about 1998 because in that particular year, or the year before, there were about 12 fatalities. An operator does not recover from a situation like that. If a heavy goods vehicle veers into that lane while he is working on a vehicle, it is a wipe-out. It is a fatality. In that particular year there were that many fatalities, so the SURVIVE Group was set up. It has done some brilliant work. It is setting standards for PAS 43 and taking things forward, and that has helped a lot, but it came from adversity.

Highways England is now using the contractor FMG to do all statutory recoveries on the motorways. The agents, who are independent operators, are advised that, if they move within 1 metre of what we call the rumble strip, they have to report it as a near miss, but hardly any near misses are reported. I have spoken to RAC, Green Flag and AA. There is no documented evidence of near misses. They have all tried it, but independent operators are almost frightened to report it because it might be a black mark against them. In most hard shoulder recoveries it is almost impossible to execute a successful recovery without going within 1 metre of the rumble strip. That is a bit of an issue. I think Highways England is saying it has to be reported as a near miss to protect itself against litigation rather than as a protective measure.

Q100 Chair: What about the impact where there are all lane running schemes and there is no hard shoulder? What is the position there?

Dave Gregory: I do not think that comes into the same discussion as I have just brought up about traditional hard shoulder running. On all lane running, I think Richard has covered most of the issues we are worried about. It is about public awareness. There is also the issue that I pointed out; if you have a long vehicle in a refuge area, there is not room for that long vehicle and the recovery vehicle. That was pointed out in the consultation period, but nothing was done about it.

Q101 Karl McCartney: I am going to come straight back because I don't think you have actually covered the point. Do you both believe that a motorway without a hard shoulder—all lane running—is not as safe as one with a hard shoulder where broken-down vehicles can be fixed and/or recovered?

Richard Goddard: Categorically, yes.

Q102 Karl McCartney: Is that the same for you, Mr Gregory?

Dave Gregory: Yes, without question.

Q103 Robert Flello: To go back to the refuges, how long are they approximately? I do not mind if you give it in metres or feet.

Richard Goddard: I do not know the exact measurements, but when they were first introduced concerns were raised about their length. It is my understanding that they looked at them again and made them a shade longer. I am not sure whether the reason why they are not big enough is cost. It beggars belief, because coaches or 48-tonne vehicles break down all the time and take up all the space. In order to move the vehicle you have to be in front of it, and it does not seem that anyone has looked at the real concern. How are you going to get a vehicle in front of that one to lift it up? How do you then, from a standing position, get it safely out into a live lane, with the possibility that somebody has ignored the red cross, because it is 3 o'clock in the morning and they do not care, or there is fog, and pulls right in front of it? If you are on a hard shoulder, once you put it on to the back of your vehicle you have a long lane in front of you to gain momentum, indicate, check and then move safely into a live lane.

Q104 Robert Flello: To give the Committee an idea of scale, if you have a fully laden 44-tonner and then the weight of the recovery vehicle, what is the overall weight and length of the unit once it is all hooked up?

Richard Goddard: You probably have a train weight of 70 or 80-odd tonnes. It is the train weight, not the lifting weight, that would be the important factor. We are without the proper lighting; again, I go back to red lights. If the police or any of the other emergency services move into a live lane with a red light, people automatically move out of that lane and slow down. If they cannot see a red light, and that vehicle—now in a standing position—is trying to struggle out into the live lane, it is a recipe for disaster.

Q105 Robert Flello: What is the likely length of it?

Richard Goddard: It could be 60 feet.

Q106 Robert Flello: It is 60 feet long and weighs 80 tonnes and it is turning out into a live lane to try to gain momentum.

Richard Goddard: I would be interested to see how it could turn out. I would be interested to see how you get in front of it in the first place, and how the two of them get into a position where they can turn out. Those lanes have been constructed in terms of breakdown and recovery, but the consultation that has gone on with the rescue and recovery industry—that is, ourselves—apart from you good people today, has been negligible.

Q107 Chair: What kind of consultation have you had? Have you been consulted in any way?

Richard Goddard: Some aspects of the industry have been consulted.

Q108 Chair: Have the recovery operators been consulted?

Dave Gregory: I think the SURVIVE Group was consulted about it. I am not trying to be critical, but the SURVIVE Group is made up of the major clubs with a scant offering of trade associations. I think they put out a report at the end, but I have not seen it. They were consulted, but I do not think the SURVIVE Group were necessarily obliged to go down to individual company level.

Q109 Chair: Were you involved as vehicle operators in the consultation?

Dave Gregory: No. I am not a vehicle operator.

Richard Goddard: I think some were, but when people talk about consultation with rescue and recovery they tend to look at the AA or RAC and say, “We looked at the rescue and recovery industry; we spoke to the AA and RAC and got our answers,” but they do not move coaches.

Dave Gregory: I am not sure whether anybody on this Committee understands the recovery industry. It is made up of about 3,000 to 4,000 independent operators who sell their services to the RAC, AA, Green Flag, Allianz Global Assistance and probably 25 smaller work providers. Quite often the voice of the industry is heard through the AA and RAC. They are brilliant people with great communication skills, but quite often the link to these guys does not always get through; the independent recovery operators are the ones who need to have a say in this.

Q110 Karl McCartney: I want to go back to the fact that you were not involved in the consultation, which is very interesting to the Committee. From your point of view, where did all of this all lane running come from? Who was the bright spark who came up with the money-saving idea of all lane running? Does it come from another country? Can we take any examples from there?

Richard Goddard: Because my company is not operating in the area, my staff, managers and whatever had no real knowledge of it. I heard about emergency refuge areas not that long ago. I was not really au fait with it. It was only when I was asked to come here that I did the research and spoke to other people who should have been consulted and were not. I

saw a report by the RAC. From what I read, it looks like the RAC is frightened to death of it. You wonder how anyone in the rescue and recovery industry can say it is a good idea.

Chair: We have heard from the AA and the RAC, and we wanted to talk to you to see if we could gather any additional information, but you are aware of what they are saying.

Q111 Karl McCartney: Extrapolating from some of the information you have already passed on to us, let's say that there is a long, very heavy lorry that needs to be recovered. It cannot have a tyre replaced, its engine fixed or whatever and it is in a refuge. One would have thought that at least one of the three emergency services—police, fire or whatever—would have to close at least the first lane to get the lorry back out.

Richard Goddard: Yes.

Q112 Karl McCartney: Do you think that is going to be self-defeating in keeping traffic moving on the motorway?

Richard Goddard: That is the bit I cannot understand. If you have sections of the motorway running all live lanes that is great, but once an incident takes place I am not sure about the contingency to stop it and move everyone back into this lane and make that lane free for everybody to use, and then do it over again should something else break down. I would like to know the answer to that. That is what worries the recovery industry in the current scenario, because it is self-defeating. It will cause more problems than it is worth. If you want my humble opinion, those emergency areas are not a bad idea if you have more of them and you still keep the live lanes.

Q113 Robert Ffello: In terms of fend-off or defensive vehicles that perhaps can sit in the red X lane that a lot of drivers ignore, are they used routinely by any of the emergency services? For example, if there was a fire on an all lane running carriageway and fire engines were in attendance, would there be a defensive vehicle? Are they used routinely where a recovery operator is in a live lane and needs a route to bring out an 80-tonne, 70-foot long unit? Is a fend-off or defensive vehicle used routinely?

Richard Goddard: I have never seen one. In some really serious incidents they have a vehicle with an arrow that comes up behind it, if they can get one. That is quite a long way back. It warns you of an incident in front of you, and you have to move over.

Q114 Robert Ffello: Are you aware whether they are used routinely?

Dave Gregory: I think you are referring to an impact vehicle. There are not that many of them, certainly not enough to make the highways safe. Highways England has a certain number of them. They are vehicles with an arrow on them; they can take an impact of up to 70 mph, but there are not that many of them and not enough to make it effective.

Q115 Robert Ffello: They are not used routinely when VROs are operating.

Dave Gregory: Not on all lane running. I would not have thought so.

Q116 Karl McCartney: In your view, whether that be your personal view or the view of those you represent, do you think the benefits of all lane running and the cost savings that the Government make on our behalf are worth the added safety implications?

Dave Gregory: I think all lane running was a honed-down version of the M42, which was an all singing, all dancing safe motorway, but the refuge areas have been ill thought out, if truth be known. I do not think they are working; I do not think the public know what they are for.

Q117 Karl McCartney: Do you think it has been done on the cheap?

Dave Gregory: Definitely. Without question.

Q118 Karl McCartney: You are nodding, Mr Goddard. I take that as a yes as well.

Richard Goddard: I do not think it has been well thought out; it is ill conceived, given the time and money that has gone into public awareness. It is a very new thing on the motorways. Usually, when people are on the motorways their lives are in danger if they do not know how to act properly, where to go and what to do. There are drivers who are not used to using the hard shoulder, and there might be something else coming into that hard shoulder from one of the emergency refuge areas. They are not big enough. People do not know much about them. You are not supposed to go over 70 mph, but people drive at 100 mph every single day on the motorways. If the police catch them they are in trouble, but it does not stop them doing it, so why do you think a red cross at 3 o'clock in the morning is going to stop someone going into that lane?

Q119 Chair: That is a very good point. Thank you both very much for coming to answer our questions.

Richard Goddard: Before I go can I make one point, which I would like you to take on board if something good is to come out of this? We are an emergency service. Our people's safety is of paramount importance, but there is also the safety of the public. We go out and move vehicles thousands of times every single day. We are an emergency service, but we are not given the proper concessions to be an effective emergency service. Some of the implications that come from this inquiry could be vital to our being able to do that job. I would like you to take that on board. We need recognition and support. If you pass legislation that we deem not safe to operate under, I will be one of the first to tell my guys not to go on to the motorway until it is safe for them to do so. No one wants that, because you need us as much as we need you. Please take that on board.

Chair: Thank you very much.

Examination of Witnesses

Witnesses: **Andrew Jones MP**, Parliamentary Under-Secretary of State, Department for Transport, **Jon Griffiths**, Deputy Director, Road Investment Strategy, DfT, and **Mike Wilson**, Chief Operations Officer, Highways England, gave evidence.

Q120 Chair: Good afternoon, and welcome to the Transport Select Committee. Could you give us your names and positions for the record, even though, Minister, we know who you are?

Andrew Jones: For the record, my name is Andrew Jones. I am the Member of Parliament for Harrogate and Knaresborough, and Transport Minister.

Jon Griffiths: I am Jon Griffiths, a deputy director in the Department for Transport.

Mike Wilson: I am Mike Wilson from Highways England. My permanent position is that of chief highways engineer, but I am currently acting as operations director.

Q121 Chair: The Department has quite comprehensive plans for rolling out all lane running across the country, yet the safety assessment of existing schemes has not been completed because we have not had three years' running of any existing schemes. Minister, can you tell us why that is being done?

Andrew Jones: The point about our smart motorway roll-out is that we have among the safest roads in the world, and motorways are among the safest roads in the UK. The point about smart motorways is that they are adding capacity while seeking to maintain that level of safety. We have had a version of active motorway road management in our system for about 20 years. The current iteration is building on many years of progress and insight, and all the indications are that it has been a very positive development in terms of both safety and journey reliability. We are looking at something that is succeeding, and it is actively monitored to make sure we can learn from it as we go ahead.

Q122 Chair: But there hasn't been any assessment based on three years' continuous running of all lane motorways; it is less than that, so why are you going ahead with such a comprehensive scheme without that safety assessment having been completed?

Andrew Jones: Because we are looking at the result of 20 years-worth of development.

Q123 Chair: There has not been 20 years of all lane running.

Andrew Jones: No, but we are nevertheless in a position where we can make some very informed decisions, and we have made some very elaborate testing processes. This has been developed over many years, so there is no reason to pause our investment while we work on ensuring that the scheme is working. The concept is working well.

Q124 Chair: If after three years the safety objectives are not being met, what are you going to do? Will you stop the schemes?

Andrew Jones: Safety is always monitored across all of the network, and that includes all lane running.

Q125 Chair: I am talking about this specific type of network, not overall. If after three years of continuous running of all lane motorways, the safety objectives have not been met, what is going to happen? Will you change the schemes then? Do you have ideas for mitigation? What will happen?

Andrew Jones: We will obviously be monitoring the safety performance during this period, so I do not think it is a question of having a back-up plan or pausing; it is having a plan to learn from what is happening and to deliver continuous improvement, drawing—

Q126 Chair: Does that mean you do not have a back-up plan?

Andrew Jones: No, that is not what I am saying. I am saying we have a process of continuous maintenance and improvement so that we can learn and improve. I suggest that the main way to do that would be to draw on improved technology. There is nothing to suggest we should pause what we are doing. Twenty years of development have got us to this point, and we have a system that is delivering quite comprehensively. It is delivering not just by maintaining our safety record; it is delivering by improving our safety record while adding capacity, and it is a significant addition to our capacity.

Q127 Karl McCartney: Minister, you have referred a number of times to its being smart. However, in the previous session it was agreed by the witnesses that it was probably something done on the cheap, and the safety implications far outweighed cheapness and improving the flow of traffic. Is that something you can see or have been told by those who operate on the motorways? Have you yourself ever broken down on a hard shoulder or used one of these refuges so far?

Andrew Jones: There are a number of questions.

Karl McCartney: Don't worry; I have a few more.

Andrew Jones: Have I personally broken down on a motorway? Not recently. Many years ago I did. Have I used any of the emergency refuge areas? No, I have not. The hard shoulder is not a place you ever want to be on a motorway; it is the most dangerous part, so you want to avoid going on to the hard shoulder if you possibly can. Are these things being developed on the cheap? No, they are not. This is part of a comprehensive injection of capacity into our national strategic road network; it is a key ingredient in our first road investment strategy, and that is a £15 billion budget over this spending period.

Q128 Karl McCartney: But not everywhere is going to be an M42, which is your all-singing, all-dancing motorway.

Andrew Jones: Certainly, things have been trialled on the M42 and that scheme has proved to be quite successful, but we are learning from it and building on it. Each version of how we inject capacity and manage our motorways is building on the schemes of the past. What we have had on the M25 and are currently constructing on the M1, M3, M6 and M5 is not the same as the M42. The M42 has a different structure. Basically, we are improving on what is on the M42.

Q129 Karl McCartney: You say that you have not yourself broken down recently on a hard shoulder, but you agree that the hard shoulder is one of the most unsafe areas of a motorway. In that respect, do you see that removing the hard shoulder is a safety issue? Surely, if somebody breaks down they need to go somewhere. At the moment, your plan is to remove the hard shoulder and provide occasional refuges. For cars, that is fine; they can fit

into a refuge, but maybe some long lorries cannot. Certainly, long lorries cannot be recovered from a refuge very easily, as we have heard.

Andrew Jones: I am not sure that is accurate or fair. First, the refuges are 100 metres in length. I am going to ask Mike to come in to explain how the refuges were designed, who was involved in the design process and how long it has taken to get them to where they are. They are on average 2 kilometres apart. If you are driving at 60 mph, it means you are basically 75 seconds away from a refuge. Is taking away the hard shoulder fundamentally unsafe, which I think was the basic premise of your question? I think the evidence is no.

Q130 Karl McCartney: Have you spoken to any of the breakdown services, the RAC or AA patrolmen or women who at 2 o'clock in the morning are standing on a hard shoulder trying to change somebody's tyre? I think they would rather do it on a hard shoulder than in a refuge next to a normal running lane.

Andrew Jones: I have spoken to some of the motoring organisations. Have I spoken with some of their teams out on the road? Not directly. Have I spoken with Highways England traffic officers? Yes, I have. The evidence is that safety is not being compromised, and that it is better to remove a vehicle to a refuge area, which is about 4.6 metres in width. I realise that they are separated by only a white line, but they are clearly away from the live lanes. That has proved so far to be safe.

Q131 Karl McCartney: So far you are the only witnesses in front of us who seem positive towards all lane running and refuges. I'd just like to let you know that.

Andrew Jones: But the evidence is that we are seeing improved reliability on journeys and an improved safety record.

Q132 Karl McCartney: The figures I see do not show an improved safety record at all.

Andrew Jones: The figures I am seeing certainly do. The pattern we are seeing is the same as we saw when the M42 was introduced. Before we move on, can I ask Mike to explain how as a country we developed this design?

Q133 Chair: We would like to know not necessarily how you have come to this point but how you respond to the points we have heard in our evidence sessions from the AA, the RAC and the police, all of whom talk about their safety concerns in relation to the schemes you are proposing at the moment. What is the answer to that? If you want Mr Wilson to answer it, that is fine. What we would like to know is not how you have come to this but how you respond to the concerns we have heard in our evidence sessions.

Mike Wilson: As the Minister said, we have been operating smart motorways for 20 years. The evidence we have gathered over that 20 years of operation, together with a rigorous assessment of the safety associated with all lane running, gave us confidence to move forward with the original schemes on the M42. We recognise, however, the concerns expressed by the witnesses you have heard and by members of the Committee about safety associated with live lane breakdowns. We will continue to work with those organisations to minimise the risk of live lane breakdowns, because that is the issue we are talking about. The system of all lane running and the different operating arrangements with traffic

officers, police and recovery organisations, together with the technology and the provision of additional infrastructure through emergency refuge areas, allow us to manage the additional risks that we recognise associated with all lane running in live lane breakdowns.

Q134 Chair: How much is the additional risk? You said you recognised additional risks with all lane running. How do you assess that? Is it a small risk or a medium risk?

Mike Wilson: The process we went through was to look at all the risks associated with using an all lane running scheme: changes in driver fatigue, stopping sites and all sorts of things.

Q135 Chair: Tell me what your assessment is of the increased safety risk in relation to all lane running?

Mike Wilson: Overall, it is a decrease in safety risk of 15%. That is what our assessment tells us.

Q136 Chair: You have just said you recognise the increased risks of all lane running.

Mike Wilson: Of certain hazards associated with all lane running.

Q137 Chair: What is your assessment of those certain hazards?

Mike Wilson: Of the 136 hazards we looked at, the risk associated with stopping in a live lane in low-flow conditions has increased by 200%, but that risk makes up only 5% of the total risks associated with the operation.

Jon Griffiths: The overall risk is down.

Mike Wilson: The overall hazard to road users of operating on smart motorways is down, and that is what the evidence shows.

Q138 Karl McCartney: You are conflating smart motorways and all lane running. They are two different things. You have not been operating all lane running for the past 20 years. You might have had smart motorways for the past 20 years, but how long have you been operating all lane running motorways?

Mike Wilson: All lane running motorways as a concept have been operational since April 2014, but all the constituent parts of all lane running, including the use of technology, emergency refuge areas and operating procedures, have been operational for 20 years. This is an organic approach as we have developed smart motorways. Indeed, there are parts of the network where we have discontinuous hard shoulders that provide evidence around live lane breakdowns. There are areas of the network where we have what is called controlled all lane running. We have evidence that enables us to provide the safety assessment, and that demonstrates an overall reduction in risk; indeed, that is what the evidence from the first year of operation on the M25 demonstrates.

Q139 Martin Vickers: As Mr McCartney pointed out a few moments ago, just about every other witness we have had before the Committee has described all lane running as not

well thought out, ill conceived, intrinsically dangerous and so on. Is it the case that the Department, quite understandably, is running into financial constraints and the demand for motorway capacity is increasing? Are you just using this as a cheap way to increase capacity?

Andrew Jones: No. This would not have proceeded as an idea had the safety assessment undertaken shown that we were going to be increasing risk. The idea is to add capacity while maintaining the safety record. This is not just something that has been developed on the back of a fag packet, which is vaguely implicit in what is happening. It has been developed over many years of working. Let's go back and have a look at the design of the refuge areas, who was involved in that design and how it was developed in great detail. I will ask Mike to fill in because it was way before my time.

Q140 Chair: We are not necessarily interested in how you have come to where you are, because clearly you have your reasoning as to why you have done what you have done and it is in the written evidence we have. During the inquiry we have heard concerns expressed about some of these points. At this point in our investigations we are interested to know how you are looking at what you have already decided, in relation to the concerns that have been raised. In relation to the emergency refuges, a number of concerns have been raised. Are you telling us that you are willing to look again at the design and perhaps the spacing of those refuges in response to the concerns that have now been raised?

Mike Wilson: The answer to your question is yes. We are looking at it continually. We are confident in the performance of the existing all lane running schemes, but we are developing them, based on our experience of operating in those environments. We are looking at reducing the risks associated with stopping in live lanes. Part of that system is emergency refuge areas and the spacing associated with them. We will look at the spacing of emergency refuge areas as part of the system. Part of that system is also helping road users to understand better how to use smart motorways and what to do in an emergency situation. Smart motorways are designed to be intuitive, but we recognise some of the challenges that have been expressed to the Committee and to us, and we are moving forward with not only ongoing activity to improve smart motorways but a comprehensive plan to communicate to road users what to do in an emergency, although I stress that the design of smart motorways is such that it should be intuitive to road users.

Q141 Chair: What is the reason that has got you to where you are, in the light of the concerns we have heard expressed?

Mike Wilson: In terms of our review?

Q142 Chair: You say you have reached your decisions based on a number of considerations, yet we are hearing a lot of concerns, so what is the difference?

Mike Wilson: Where we are in terms of the evidence base we have gathered and are using gives us confidence about the performance of existing smart motorways, but also a desire to improve road user safety. Road safety, and indeed road worker safety, is Highways England's No. 1 priority. We have a commitment to delivering an improvement in road safety of 40% as part of the road investment period. We are continually looking for opportunities to improve road safety, as we do across the road network. That is what we are doing with all lane running.

Q143 Chair: Why do you think we are hearing so many concerns about, for example, the refuges, when you have reached decisions on your own assessments? How did you get to where you are?

Mike Wilson: I explained that our assessment is based on the evidence we have gathered. I agree there is more we can do, in discussion with the recovery organisations, the police and emergency services, to work with them on the roll-out of smart motorways. To go back to the Minister's point about the design of emergency refuge areas, more than 10 years ago, we did that with the recovery organisations at the Fire Service College, the police and the emergency services.

Andrew Jones: That is my point. They were involved in the design. The design was not a surprise; they were part-authors of it.

Mike Wilson: And the design has not changed in those 10 years. We have 10 years of evidence that emergency refuge areas are of an appropriate size, and that they work in terms of providing a refuge for people in an emergency situation.

Q144 Karl McCartney: I want to ask the question in a different way. Would you agree that the safest development for all users of the motorway, including those who work in the recovery sector, would be for you to build a new lane and keep the hard shoulder?

Mike Wilson: No, I would not.

Q145 Karl McCartney: That would not be the safest option.

Mike Wilson: I do not agree that it would. As the Minister has already said, hard shoulders are not an intrinsically safe place to be. They are a place of relative refuge, but between 2010 and 2014 almost 10% of all fatal accidents on motorways happened on hard shoulders. The advice if you stop on a hard shoulder—I have been there—is that you get out of your vehicle and stand behind the barrier. Emergency refuge areas, or places of refuge, provide sufficient place for people to stop. However, as I said, we are not complacent. We are trying to identify and reduce the risks associated with stopping in live lanes, and we will do that.

Q146 Karl McCartney: What cost, in terms of safety and maybe building refuges, will make you rethink? What has to happen in a live lane stoppage for you as a Department to decide that you are wrong?

Mike Wilson: The evidence. The views of stakeholders are important, but it is the evidence that allows us to make an informed decision about it.

Q147 Karl McCartney: Would you take a job working in a recovery team on a motorway?

Mike Wilson: I have been out with traffic officers.

Q148 Karl McCartney: Have you ever tried to recover a lorry from a live lane?

Mike Wilson: In the situation you portray, the technology associated with smart motorways allows us to close that lane, alert oncoming traffic and reduce speeds.

Q149 Karl McCartney: I am glad you have that confidence from the safety of an office. Put yourself in the shoes of somebody standing on a motorway.

Andrew Jones: That is not very reasonable.

Q150 Karl McCartney: Minister, some of us have talked to people who work on the motorways.

Andrew Jones: So have I.

Q151 Karl McCartney: They do not want to go out to those breakdowns.

Andrew Jones: To suggest that Highways England has not is also factually wrong. Let's rewind a bit. Highways England employs people who are out on the motorways all the time. They are traffic officers. They are not AA or whatever, and they do not have to deal with recovery, but they have to keep our highway operating, so the idea that they are unaware of what is happening on our motorways is pie-in-the-sky nonsense.

Q152 Iain Stewart: We have heard evidence that there is a poor level of awareness by private drivers and drivers of commercial vehicles about the purpose of emergency refuge areas; that a lot of non-emergency use is made of them; and that there is poor signage on the frequency of the stops. Is this a concern of the Department? Are you going to review it and, if so, what measures would you take to improve the visibility of ERAs?

Mike Wilson: Throughout the roll-out of smart motorways, we have communicated with road users and provided them with information that allows them to understand smart motorways. For the first schemes on the M25 we undertook scheme-related communications associated with a campaign called "Get smart, know your motorways". There were radio adverts, posters and so on. As we have more and more smart motorways, we will continue those scheme-related communications, but this year we have plans to do a much wider campaign associated with information to road users about smart motorways—key features about the signs they will see, the environment they are in and what to do if they get into an emergency situation. To answer your questions, yes, we have plans this year to do a much more comprehensive campaign associated with the wider roll-out of smart motorways.

Q153 Iain Stewart: Can I suggest that that is necessary? We have had quite a bit of evidence that there is a problem. As a user of the M1, I do not feel I am informed about where the refuge areas are and how frequently they will come up. Signage is particularly important, because as a user of that motorway I am not clear where they are. That is just my observation as, I think, a reasonably considerate and conscientious driver.

Mike Wilson: Where what are?

Q154 Iain Stewart: The ERAs. I do not see any clear signage, and that was one of the suggestions from the AA and RAC. If the decision is that more needs to be done to have

more ERAs, improved signage and better awareness campaigns, are there resources within the budget to do that?

Mike Wilson: Yes.

Q155 Iain Stewart: Is that ring-fenced?

Mike Wilson: On all lane running schemes—the M25 scheme—as you enter it you see a sign that says there is no hard shoulder for however many miles. For the northern section, it is 17 miles. Then you see a sign that says that emergency refuge areas are provided in case of emergency, and you see a countdown sign of 1 mile and half a mile to the emergency telephone, which is located in the emergency refuge area. If we believe there is more we need to do in terms of signing to alert road users as to the location of emergency refuge areas, we will do it. We are committed to improving road safety and the user experience, and if signs will do that we will certainly include them as part of our schemes going forward.

Q156 Mary Glendon: Can I ask about the safety of traffic officers? The generic safety report for all lane running said that “improvements are required” to manage satisfactorily the risk to maintenance workers. What improvements have been made since then?

Mike Wilson: You are referring to two particular groups of people: traffic officers and maintenance workers. In traffic officers, we have a highly trained workforce who attend more than 6,500 live lane incidents across the network every month—not just on all lane running, but across the network. Indeed, for smart motorways we have developed specific procedures for attending and managing incidents on smart motorways. Those are under constant review, as I believe you heard from some of the traffic officers who attended on behalf of Prospect.

Similarly, for maintenance workers we undertook a detailed review; because it is a different working environment, we undertook a specific review to develop procedures. To come back to your specific point, we have, for example, put in new signs that allow temporary traffic management cones and signs to be erected safely, which you will not find on other schemes. We have reviewed our maintenance procedures so that we go through a six-weekly cycle of planned maintenance activity for routine activities. Indeed, a reduction in the technology and a different approach to that technology, using remote monitoring and diagnostics, allows us to reduce the exposure to risk of road workers being on the road network. To answer your question, we believe we have done a thorough job in looking at the operating arrangements for workers and traffic officers, but again we are not complacent. We are looking all the time at changes and improvements to the operating arrangements for smart motorways.

Andrew Jones: Safety is a key priority and one of the key objectives of our road investment strategy. We monitor safety performance throughout. This scheme would not have been contemplated if all the development work and the predictive analysis had not shown we would be looking at least at maintaining the safety record. That has not just been achieved but surpassed, because we are looking at reduced risks.

Mike Wilson: As an example of the development work we have done, because we have been talking about the risks associated with stopping in a live lane, we have been working

on additional technology further to reduce the risks, particularly for those stopping in live lanes that we spoke about earlier. We have a stopped vehicle detection system, a radar-based system that allows us to identify stopped vehicles, particularly in low flows but all the time, and we have been trialling that system on the M62 and the southern section of the M25 all lane running scheme. We are now confident that it works, and it will be part of the standard roll-out of smart motorways going forward. We are continually trying to improve the safety of smart motorways for road users and road workers.

Q157 Mary Glindon: You have just outlined that there have been improvements, particularly for maintenance workers. In a previous evidence session, Prospect outlined the issue of near misses for traffic officers. There were over 600 in respect of M25 junctions 23 to 27 since the start of the scheme in 2014. They are very concerned about that, and it mainly involves officers rather than the public.

Mike Wilson: Many of those near misses have come about as a response to non-compliance with red X symbols. We are working hard to improve compliance with red X generally. You have heard evidence about non-compliance. We have a compliance rate of 92%, so that 8% is of concern to us. We have a programme in place to educate and inform road users about the importance of red Xs, which are the equivalent of a red traffic light. We encourage road users by identifying those who are non-compliant and writing to them to inform them of how smart motorways work and the action they undertook, and we are working with the Department to look at proposals for enforcing red X compliance.

Q158 Mary Glindon: Red X compliance or non-compliance would apply more to the public than to the officers involved in near misses.

Mike Wilson: No, forgive me. The public are travelling through the red Xs and coming across traffic officers. That is where the near miss comes from. It is an issue that we take incredibly seriously and are working through. The rate of near misses has reduced by about 15% since we have been operating smart motorways, but it is an issue that is really important to us and we are working hard to improve compliance with red Xs.

Q159 Chair: How are you going to secure that improvement?

Mike Wilson: Education is our first step. We talked about campaigns. We have already had one campaign on red X compliance, at the end of last year, and we will continue to do that as part of our upcoming communications programme. We are undertaking encouragement. We have not really talked about dynamic hard shoulder running in smart motorway schemes. One of the challenges we found with dynamic hard shoulder was hard shoulder misuse or abuse—using the hard shoulder when it was not a running lane. We have developed approaches, in conjunction with the central motorway policing group, around Birmingham, to send out what we call encouragement letters, which say, “We saw you misuse the hard shoulder”—in our case, it would be “abuse a red X” or the status of a red X—“and we are not taking enforcement action at this time.” It is an education piece. We also ask them to fill in a SurveyMonkey to understand a bit more about how they perceive why they did what they did, so that we get better understanding of the actions of motorists.

Q160 Chair: Did that succeed?

Mike Wilson: Yes.

Q161 Chair: Did you make an assessment of that campaign?

Mike Wilson: In terms of hard shoulder abuse, there was a huge assessment. I cannot recall the numbers, but it had a significant impact in reducing reoffending. It has been successful and we are rolling it out at the moment, and have plans to do it on the M25.

Q162 Chair: How many of those encouragement letters did you send out?

Mike Wilson: For hard shoulder abuse, I think we sent out 30,000. That is the number in my head.

Andrew Jones: We are looking at 92% compliance with red X lane signals, which, compared with other traffic sign compliance, perhaps speed ones, is rather high.

Q163 Graham Stringer: It is very low compared with red lights crossings.

Andrew Jones: That is fair.

Q164 Graham Stringer: Presumably, 8% represents hundreds of thousands of vehicles. If you were to put a figure on it, I guess it would be very large, if you have that number.

Mike Wilson: I have that number. I do not have it here, but I am quite happy to provide it to the Committee.

Q165 Graham Stringer: Can you send it to us? To follow up the Chair's question about breakdowns in live lanes, am I to understand from what you say about trying to improve the safety of people who have broken down in those lanes that your main way of doing it is by public safety information, or are there other things you are looking at?

Mike Wilson: Education is just part of what we are doing. I have spoken about stopped vehicle detection systems.

Q166 Graham Stringer: I do not understand what that is.

Mike Wilson: It is a radar system that detects a stationary vehicle in a live lane. That will alert a traffic officer in a control room that there is a stopped vehicle and will allow us to use the technology associated with smart motorways to set signs, inform oncoming traffic, reduce speed limits and use red Xs to protect people in stopped vehicles. We also have a continuing programme for improving our operation of smart motorways. We are working with the police, the emergency services and vehicle recovery organisations to improve our processes and procedures. Last year, we undertook a live exercise on the M25, when it was shut for maintenance purposes, to improve our processes and procedures for managing incidents on smart motorways.

Q167 Graham Stringer: Minister, can I ask you a philosophical question? We are very high-falutin' on this Committee. We heard from Mr Wilson earlier that the risk increased for breakdowns in live lanes by 200%. I think I have that figure right.

Mike Wilson: In low flow situations.

Q168 Graham Stringer: Is it justifiable to put one group of motorway users at risk while reducing the risk for other people, because it is your contention that overall risk will be reduced but will increase for some people? Is that justified for those people you are putting at greater risk?

Andrew Jones: We are always seeking to balance different priorities and challenges and come up with a solution. We have a system that is producing an overall net improvement, and we have in place some technological solutions that mean we will be able to pick up some of those slow moving vehicles where there could be an increased risk. That is what the traffic detection radar system is about solving. I suppose you could argue that, if you reduced the speed limit, you might reduce the number of casualties. We are always looking at trying to find a balance between effective, efficient use of our system and the rules with which we operate.

Q169 Graham Stringer: I understand that, and that is legitimate. The point I am trying to get at is that you are putting one group of motorway users at greater risk, which means that inevitably some will die who otherwise would not have died if you had not changed the system in this way. Are you comfortable philosophically as a Minister in making that decision?

Andrew Jones: I am seeking to improve road safety for everybody. I do not think it is a question of being prepared to sacrifice cohort A for the sake of cohort B.

Q170 Graham Stringer: But that is precisely what Mr Wilson said. I am not putting words into his mouth. He said that the risk increased by 200% in one area. I want to know whether you can justify that, and you are happy with it. I think I understand the situation.

Andrew Jones: We are seeking to make sure we have a system that operates. Let's remember that the hard shoulders these things are replacing are also fundamentally unsafe, so I do not buy the idea that we are compromising one group. We are always looking to improve our system and the performance of the road network as a whole, and we are using technology to do it. It is a part of the analysis. You look at different groups. Mr Wilson mentioned 136 different hazards. You have to view these things in aggregate rather than focusing upon one.

I am not happy with any casualties on our roads. That is why we have a road safety statement. That is why road safety is one of the key priorities for the road investment strategy. That is why we are investing in things like the slow traffic detection radar system; and why, as we roll out these schemes, we are also rolling out full CCTV coverage to have visibility of what is happening on our roads. I do not want you to get the idea that we are being complacent. It is the absolute opposite of what we are trying to do with road safety.

Q171 Graham Stringer: I do not think that quite answers the question, but can I move to another question? For some time there has been work going on, on the M60/M62. I am not sure whether it is for all lane running or for a smart motorway. Mr Wilson, can you tell us why it is taking so long? If the objective is to increase capacity and safety, it has taken an enormously long time, with no work taking place on that part of the motorway.

Andrew Jones: Which scheme is that?

Q172 Graham Stringer: It is where the M60 runs into the M62, going west to east just before you get to Rochdale.

Andrew Jones: Junction 8 on the M60 to junction 20 on the M62.

Q173 Graham Stringer: That is probably it.

Andrew Jones: I do not have the detailed timing of that scheme, but I can find out and write you a letter with all the information on it, if that is of help.

Q174 Graham Stringer: Perhaps you could address that point. If we take your view that this is good for capacity, which it undoubtedly is, and good for safety, which some people contend, it should be done as quickly as possible. There are lots of times when no work at all is taking place on that stretch of motorway, and I would be grateful if you could respond to that point.

Andrew Jones: Now or in writing? In principle, there are sections, particularly as the scheme progresses, where work will be taking place potentially at night and, therefore, you would not necessarily see those working on the scheme. We have also had a system where quite large stretches of the highway have been taken into one project at a time, and that may have resulted in a scheme being worked upon in section A, not in sections B or C and then in section D. That frustrates motorists, and I have challenged Highways England on that. The response has been that we will be looking to take much shorter sections of the highway in future.

Q175 Graham Stringer: Breaking the tender down into smaller pieces.

Andrew Jones: Yes. They will be worked on more intensively, and that will include more weekend working so that motorists are less inconvenienced.

Q176 Graham Stringer: Could you send us a detailed note, Minister?

Andrew Jones: Sure.

Graham Stringer: Thank you.

Q177 Robert Ffello: First of all, there is absolutely no excuse for going through a red X, but quite frequently when going up and down the motorways, you see signs indicating lane closures or speed reductions. You travel all the way through and when you get to the other side there is nothing there. I understand that a lot of motorists get very frustrated by that. Against that backdrop, it is perhaps not entirely surprising that some people ignore red

Xs, which is utterly inexcusable. Generally, within the psyche of the British motorist, there is an understanding that the hard shoulder is a safety lane. People use it inappropriately, but there is an understanding that the hard shoulder is there for emergency vehicles and people who have broken down. There is, however, not necessarily the same understanding of a red X, particularly as a lot of changes are coming in. Drivers like myself who are long in the tooth find some of these changes a bit new. You said that non-compliance with red X is only 8%. My colleague quite rightly points out that that could represent thousands upon thousands of vehicles. Are you comfortable that when highways staff are putting out cones and doing maintenance work they should trust just the red X to keep them safe, or do you take other measures?

Andrew Jones: Red Xs are part of The Highway Code, but your point is a fair one, in that people should be following that; it is a rule which is there for their safety—for everybody's safety. Ignorance does not cut it, because we have had red Xs for quite a long time. I checked The Highway Code this afternoon and found several references; you cannot miss it.

Q178 Robert Flello: Sure. Motorists know that is the hard shoulder. Quite often they drive up and down the motorway and they find a lane has been closed, and when they get to the other end it is open again and there is no reason for it, so there is an understanding, albeit a wrong one, isn't there? If highways staff are working on a live lane with a red X on it, so it is no longer a live lane, do you trust that your workforce, on a live lane of a motorway, are safe with that red X?

Mike Wilson: To pick up a point made a minute ago about better signing, I agree that we need to do better. Right at the beginning I mentioned that I have a slightly different role at the moment. Highways England has just reorganised itself to form an operations directorate, one purpose of which is to do exactly the thing you are talking about, which is to improve our accuracy of signing and remove signs when they are no longer needed as fast as we can. We are doing work in that space as well.

Robert Flello: Splendid.

Mike Wilson: Traffic officers are trained to operate in live lanes where there is not a red X.

Q179 Robert Flello: I am not talking about traffic officers; I am talking about staff who are putting out cones and doing maintenance work.

Mike Wilson: My apologies. The approach we take for putting out cones is exactly the same on a smart motorway as it is on any other motorway, and the red X provides an additional level of support to smart motorways.

Q180 Robert Flello: Additional to what?

Mike Wilson: We use impact protection vehicles to put out signs.

Q181 Robert Flello: Always?

Mike Wilson: Where the risk assessment demonstrates they are necessary.

Q182 Robert Ffello: That is virtually always.

Mike Wilson: Almost always, yes.

Q183 Robert Ffello: Why is it acceptable, on the one hand, to have an impact vehicle, quite rightly, to protect maintenance staff because you do not trust the red X, but vehicle recovery operators, whether they are working on a traditional motorway, a dynamic motorway or an all lane running, are expected to be protected by the red X?

Mike Wilson: Even though it is a red X, it is not considered to be a live lane. Recovery does not take place from a live lane, so our approach for smart motorways is to remove vehicles. Traffic officers have the capability to tow even the biggest HGVs to a place of refuge, such as emergency refuge areas, from which recovery can take place. If that is not possible, if the vehicle is so damaged that it cannot be moved, recovery takes place only under the supervision and protection of a traffic officer or policeman.

Q184 Robert Ffello: How often does that happen? How often are HGVs towed to ERAs by a Land Rover or Range Rover?

Mike Wilson: I do not have that information, but we have introduced a new towing capability. I have been in such a vehicle, and it is extraordinary what a 4x4 can move. I can provide you with that information.

Q185 Robert Ffello: I will be very interested. If it is an ADR vehicle, say a tanker carrying chemicals or fuel, highway traffic officers are qualified to tow it safely; they have all the ADR training to be able to take it to an ERA.

Mike Wilson: I do not have the answer to that specific question, but I can write to you on it. They are trained. As I have said a number of times—I make no apology for that—safety is our most important consideration.

Q186 Robert Ffello: You say that, but you have just told the Committee that there is a 200% increase in risk for one particular cohort. You have doubled the risk, yet you say safety is your greatest consideration.

Mike Wilson: The overall safety environment is improved, and we are working to reduce the associated risks.

Q187 Robert Ffello: That is the blended risk in terms of the domestic motorist who might be sitting in traffic getting very frustrated, desperate for the loo and all the rest of it. That is the blended risk of your 130-odd different factors. I am talking about the vehicle recovery operator who is at the side of the road trying to recover or fix a 44-tonner, which, I am told, is more often than not sitting, effectively, in a live lane with no impact vehicle and just a red X to defend it, because it has not been towed to an ERA. I am being told time and again that the risk to them, which is already huge—there are serious injuries and fatalities among VROs—is now doubled, but it is okay because the blended risk has gone down.

Mike Wilson: That is one particular hazard scenario. If a vehicle is recovered from a live lane, it is done under the instruction and protection of a traffic officer or police officer, and for the most part recovery takes place from an emergency refuge area, or another place of

refuge. Those emergency refuge areas, because of their design, are discontinuities from the network and are, I would suggest, safer places to recover vehicles from than a hard shoulder.

Q188 Chair: I think we have explored that. We are focusing on a particular difficulty, although there are other aspects that are more positive. What work is being undertaken to improve communications between Highways England and the fire services during incidents when reverse flow access is used?

Mike Wilson: We recognise the evidence associated with this given by the London fire brigade. We have protocols in place to communicate effectively, so that we can manage incidents.

Q189 Chair: What are you doing to improve the current situation?

Mike Wilson: We have already established a group that is looking at that specific issue, to improve communications between traffic officers and fire brigade officers on the ground.

Q190 Chair: When do you think that group will be able to implement changes?

Mike Wilson: I do not know what those changes are going to be or what they will consist of, but we will be working with the London fire brigade and other parties to ensure that they are implemented.

Q191 Chair: Did you say you are doing it, or that you will be doing it?

Mike Wilson: I do not know what that group will develop; it has not yet started, but it is planning to start—

Q192 Chair: When is it due to start?

Mike Wilson: Next month. One of its tasks is to identify improvements, and we will be working with the fire brigade service to make those improvements.

Q193 Chair: We have heard from quite a number of witnesses that they felt there has been no real consultation on whether there should be all lane running schemes; it has been more about the detail of them. Are they right in saying that?

Andrew Jones: There has been quite extensive consultation. It might be helpful to run through it.

Q194 Chair: But is the consultation about whether all lane running schemes go ahead in the way you propose—about how they will go ahead? We are told people do not feel there has been consultation about whether they should be done. Are they right in saying that?

Mike Wilson: As I mentioned, we have been working with organisations—emergency services and so on—for a very long time on the development of smart motorways, and have had dynamic hard shoulders operating for the majority of the day. That is very akin to an all lane running situation, although a dynamic hard shoulder running scheme runs at 60 mph rather than 70 mph for all lane running. There is no formal requirement for

consultation associated with the change, but there has been a large amount of engagement with emergency services and recovery organisations in the development of smart motorways.

Q195 Chair: Can I stop you there? I think you have answered it. You said they were consulted about the development of all lane running, not whether there should be all lane running. Would that be a fair statement? They have been consulted about how it should be developed rather than whether it should be developed. I am not suggesting you have broken any regulation in doing that; I am just trying to establish what happened.

Mike Wilson: Yes is the answer to your question, but they were heavily involved and engaged in the development of smart motorways.

Q196 Chair: In looking at improving compliance with variable mandatory speed limits and closed lanes, which we have touched on before, would the Government consider increasing penalties for drivers who do not follow those instructions? Is that something Ministers have thought about but is not there yet?

Andrew Jones: I will keep a watchful eye on whether it is necessary to increase penalties. I am not against the principle of doing so, which is why in the road safety statement published a few months ago there were proposals for increased penalties for hand-held mobile phone use. I am comfortable with the principle. It is just a question of making sure we are using it wisely. If the situation requires it, I am happy to use it.

Q197 Chair: We have heard about plans to trial a stopped vehicle detection system on the M25. Can you tell us anything about that?

Andrew Jones: That is the radar system Mr Wilson has already discussed this afternoon.

Q198 Chair: What is the position on that? Where is it up to?

Mike Wilson: It works, and it will be part of the standard for rolling out smart motorways going forward, and indeed retrofitting on existing smart motorways.

Q199 Chair: Is there evidence that limitations of the MIDAS system mean that all lane running schemes are less safe in sparse traffic, particularly at night?

Mike Wilson: You are talking about the reason why we have been working on and are introducing the stopped vehicle detection system. One of the ways we identify incidents at the moment is by their impact on traffic and by looking at changes in that traffic using inductive loops or radar to identify and count the type of traffic and its speed. That is how we know something has happened on the network that allows a traffic officer in a control room to identify specifically what it is and then take action. The stopped vehicle detection system will identify a stationary vehicle or an incident and alert traffic officers. It speeds up detection and therefore the action we can take to protect a vehicle in that situation.

Q200 Chair: We have also heard from witnesses that lack of lighting creates a problem. Has that been thought about?

Andrew Jones: It is often considered.

Mike Wilson: Our lighting policy is the same for all types of road, and we consider it on a case-by-case basis depending on the nature of the road, the nature of incidents that have taken place and whether we can justify the expense of lighting in that scenario. That is why lighting is generally put at junctions, where there are weaving movements and vehicle interactions, because it has a discernible impact in those sorts of environments, but the policy for all lane running is no different from what it is for the rest of the network.

Q201 Chair: Are there plans to convert dynamic hard shoulder schemes into all lane running schemes?

Andrew Jones: There are no plans at the moment to do that. Equally, we are only just starting the process for the second road investment strategy. I am open to a conversation about that as we develop the strategy, but as it currently stands there are no plans for retrofitting.

Q202 Chair: Will new technologies like stopped vehicle detection be applied to existing smart motorway schemes?

Andrew Jones: Yes.

Q203 Chair: Will that be policy?

Andrew Jones: Mr Wilson has just said that, and we confirm it.

Mike Wilson: It will be part of the standard for all lane running going forward, but we will consider it for dynamic hard shoulders. In the dynamic hard shoulder variant of smart motorways, CCTV specifically for monitoring the hard shoulder allows us to view the hard shoulder before we open it up, but we will consider the impact of it for dynamic hard shoulder schemes.

Q204 Chair: In terms of international comparisons, are the all lane running schemes that you propose to launch in a very big way operating anywhere else?

Mike Wilson: The largest roll-out I am aware of is in Victoria, Australia, but other European countries have considered it. In America, people are considering it as well. It is an emergent technology and other road administrations are considering it, but other countries have rolled it out as well.

Q205 Chair: In terms of emerging technologies, are you including technology that could assist the driverless cars of the future? We are hearing a lot about rapid improvements in driverless car technology. Are you looking at technology in the motorway infrastructure that could assist that to develop?

Andrew Jones: That is very much a changing position, because the technology is not fully in place yet. It is clearly developing very fast, as you say, and we have had quite a lot of interesting stories about it in the news over the past few days: for example, manufacturers coming to trial vehicles on the streets of the UK. We will have live trials of driverless cars this year in this country. We are looking at how we can future-proof the strategic road network. There is a project to look at the A2/M2 scheme, which we have called a



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connected corridor. That is something Highways England is currently developing. It is a trial that they will run in Kent.

Chair: Thank you very much.