House of Commons

Transport Committee

Rollout and safety of smart motorways: Government Response to the Committee's Third Report

Sixth Special Report of Session 2021–22

Ordered by the House of Commons
to be printed 11 January 2022

HC 1020
Published on 12 January 2022
by authority of the House of Commons

Transport Committee

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Sixth Special Report

The Transport Committee published its Third Report of Session 2021–22, Rollout and safety of smart motorways (HC 26) on 2 November 2021. The Government's response was received on 10 January 2022 and is appended to this Report.

Appendix: Government Response

Preface

1. The Government welcomes the Transport Committee's report published on 2 November 2021, following its inquiry into the roll-out and safety of smart motorways. We are grateful to the Committee and to all those that provided evidence for their work.

2. Any questions about safety on our road network must be taken with the utmost seriousness. Smart motorways remain the most scrutinised parts of our road network and at the same time, in terms of fatality rates, they are comparatively the safest in the country based on the available data. The Government's Stocktake and Action Plan in March 2020,[1] National Highways' first year progress report published in April 2021,[2] and the Office of Rail and Road's (ORR) independent assurance of safety data published in September 2021,[3] supported this position.

3. Since assuming office in 2019, the Secretary of State has recognised the concerns of motorists regarding smart motorways and has been working consistently to take action. This included publishing a Stocktake and Action Plan in March 2020, which set out the safety data and committed to a package of 18 measures costing £500 million, which would result in the faster rollout of Stopped Vehicle Detection (SVD) across All Lane Running (ALR) motorways.

4. The approach taken to date by Government has focused efforts on further upgrading the safety of smart motorways. We are pleased that the Committee agreed that the Government was right to focus on upgrading the safety of ALR smart motorways, rather than reinstating the hard shoulder. In doing so the Committee concluded the evidence suggests that reinstating the hard shoulder could put more drivers and passengers at risk of death or serious injury if they were to divert on to less safe local roads, and that hard shoulders do not provide a safe place to stop.

5. Despite the continuing improvements to smart motorways as set out in the Stocktake and Action Plan, the evidence gathered to date, and the Committee's report which recognised the Government was right to focus on upgrading the safety of ALR smart motorways, the Government remains determined to go further and do all that it can to help drivers feel safer and be safer on all our roads.

6. Having listened to the evidence provided and carefully considered the Committee's report, the Government will be taking forward all the recommendations as laid out below. This includes accepting the Committee's recommendation to pause the roll out of future ALR smart motorway schemes in order to gather further safety and economic data across

1 Smart Motorway Safety Evidence Stocktake and Action Plan, March 2020
2 Smart Motorways Stocktake First Year Progress Report 2021, March 2021
3 ORR quality assurance of all lane running motorway data report, September 2021

a wider network of open ALR smart motorways and to complete and evaluate the rollout of measures within the Stocktake and Action Plan. It will also enable evidence to be gathered to inform a robust assessment of options for future enhancements of capacity on the Strategic Road Network (SRN) as we prepare for the next Road Investment Strategy.

7. However, we do not agree with the Committee's view that the decision taken in March 2020, that all new smart motorways would be ALRs, was premature nor that the introduction of ALR smart motorways was an unsafe change to the SRN. The Government's Stocktake and Action Plan, National Highways' first year progress report, and the ORR's independent assurance of safety data, all consistently support the evidence that in most ways smart motorways are as safe as, or safer than, conventional motorways, but not in every way. All ALR smart motorway schemes are also subject to high standards of design, risk assessment and construction, followed by detailed monitoring and evaluation once opened to traffic. National Highways (and predecessors) have also actively sought to mitigate the impacts from the risk of live lane stops, including breakdowns.

Recommendation 1: The Department should make the introduction of changes to the design and operation of the Strategic Road Network depend on a formal health and safety assessment by the Office of Rail and Road

8. The Government commits to further investigating the benefits of a health and safety assessment being undertaken by ORR before changes to design or operational standards are implemented on the SRN.

9. National Highways have in place robust processes and governance to oversee changes to the design and operation of the SRN. All schemes implemented on the SRN are subject to high standards of design, risk assessment and construction, followed by detailed monitoring and evaluation once opened to traffic. It is a requirement that all National Highways' projects are designed, specified, and built, in accordance with industry recognised processes and procedures including the Design Manual for Roads and Bridges (DMRB) and the Project Control Framework (PCF).

10. The Government however recognises that independent oversight may further strengthen existing processes and provide further assurance to the public when new design and operational standards are introduced. As such, we are committing to investigating further the benefits of independent assessment of health and safety being undertaken by ORR when changes to design or operational standards are implemented. This will include reviewing existing regulatory responsibilities and assessing the benefits and risks of additional assessment by ORR. We will also consider whether there are alternative approaches to achieving the outcomes proposed in the Committee's recommendations.

11. While comparisons are made with ORR's role overseeing railways, if implemented, this approach would be a significant departure from the current responsibilities ORR holds for roads as set out in the Infrastructure Act 2015. It may require legislative powers and would result in significant organisational changes for ORR. It could also have ramifications for roads beyond smart motorways and the SRN. As such any changes will need robust consideration and consultation with a wide range of stakeholders.

12. We will shortly be establishing an expert panel to help us review existing regulatory responsibilities and assess the costs, benefits and risks that additional assessment by ORR would give, with recommendations being made to ministers later this year. We will keep the Committee informed of the progress of this work.

Recommendation 2: The Department and National Highways should pause the rollout of all-lane running motorways until five-years of safety data is available for the remaining 112 miles of all-lane running motorway introduced before 2020.

13. The Government agrees with this recommendation and will immediately pause the roll-out of ALR smart motorway schemes yet to commence construction until five-years of safety data is available for ALR motorways introduced before 2020.

14. Despite the evidence provided by the Government and the implementation of actions from the Stocktake and Action Plan, the Committee's recommendation suggests that more needs to be done to demonstrate the safety case for ALR smart motorways and that further data is required to inform future decisions on enhancing capacity on the SRN.

15. As such, we will immediately pause the roll-out of ALR schemes yet to commence construction. This includes the M3 J9–14, M40/M42 interchange, the M62 J20–25, and the M25 J10–16. At some of these locations, we will continue to invest in additional safety measures by making improvements to the central reservation.

16. We will complete schemes already in construction given they are all over 50% complete. In addition, leaving Traffic Management in place for the duration of the pause would lead to significant disruption to the travelling public and could potentially lead to drivers using less safe A-roads.

17. The schemes currently in construction will have SVD technology in place when opened as well as some additional Emergency Areas (EAs), where possible.

Recommendation 3: The Department and National Highways should retrofit emergency refuge areas to existing all-lane running motorways to make them a maximum of 1,500 metres apart, decreasing to every 1,000 metres (0.75 miles) where physically possible.

18. The Government agrees in principle with this recommendation as we recognise that the installation of EAs at closer spacing is valued by drivers and road safety organisations.

19. The Stocktake and Action Plan launched a new standard to achieve closer spacing of EAs at 0.75 mile where feasible, up to a maximum of 1 mile.[4] This is now a design requirement for new ALR smart motorways schemes which entered the design phase from November 2020. The Stocktake and Action Plan also included a commitment to consider, by April 2022, a programme to install more EAs on existing ALR smart motorways.

20. The Government's overarching objective is to make ALR smart motorways as safe as they possibly can be, and we believe that providing more places to stop in an emergency can contribute to that aim. As such the Government is committing £390m over the duration of the second Road Investment Strategy to roll out an EA retrofit programme.

4 In some exceptions it will not feasible to construct additional emergency areas, such as where junctions intersect or on bridges.

This will see over 150 additional EAs being added to ALRs in operation and construction by 2025, with works expecting to start later in the year. These additional EAs will give drivers added reassurance that there is a safe place for them to stop in an emergency.

21. A decision on whether to retrofit across the remainder of ALR smart motorways will be considered as part of the formulation of the third Road Investment Strategy, based on evidence of safety benefits.

Recommendation 4: The Department and National Highways should commission the Office of Rail and Road to conduct an independent evaluation of the effectiveness and operation of stopped vehicle detection technology, including maintenance and monitoring.

22. The Government agrees with this recommendation. We recognise the benefits in assessing the effectiveness and operation of SVD technology as it is important motorists have confidence in its accuracy and reliability.

23. The technology currently used on smart motorways is a system of inter-related features working together to help keep traffic moving and safe. They include variable speed limits, Red X signs to close lanes and enforcement cameras, CCTV, and the Motorway Incident Detection and Automatic Signalling (MIDAS) system. This means that there is no over-reliance on one single system and that individual systems can cope with a level of redundancy without reducing an operator's ability to monitor and manage the network.

24. SVD is a new enhancement which complements the existing systems that work together to make motorways without a hard shoulder as safe as, or safer than, conventional ones. We therefore will be going further and not only assessing the effectiveness of SVD, but also other measures in place. We will be engaging with ORR to develop an approach to addressing this recommendation and expect that an initial report will be available later this year which we will share with the Committee once available.

Recommendation 5: The Department and National Highways should insert the emergency corridor manoeuvre into the Highway Code to help emergency services and traffic patrol officers to access incidents when traffic is congested.

25. The Government agrees in principle with this recommendation, subject to the successful outcome of research, consultation, and feasibility trials.

26. The emergency corridor rules adopted in other countries provide a system to assist emergency services access incidents where no hard shoulder exists. National Highways is currently working with the AA to look at the feasibility of introducing a similar arrangement of 'proactive' emergency corridors. This involves investigating how well emergency corridors work, what benefits they could provide in reducing incident access times, and any potential disadvantages. An area of focus will be understanding how the emergency corridor manoeuvre would be applied to four lane ALR smart motorways.

27. The initial research is due to be completed in early 2022. This will then be followed by a full impact assessment, safety risk assessment and stakeholder consultation on the concept by late 2022. We will share our findings with the Committee once available.

Recommendation 6: Beginning in September 2022, the Office of Rail and Road should be tasked with evaluating how successful the action plan has been in a) reducing incidences of live lane breakdowns on all-lane running motorways; b) reducing the time for which people who breakdown or stop in a live lane are at risk; and c) educating drivers on what to do if they breakdown in a live lane

28. The Government agrees with this recommendation and will commit to evaluating how successful the Stocktake and Action Plan has been in relation to live lane stops, including breakdowns.

29. We will be asking ORR to evaluate the success of the Action Plan in relation to reducing the incidences of live lane stops including breakdowns, reducing the time for which people are at risk, and educating drivers on what to do. This will include assuring that each action has been successfully delivered by National Highways and that the desired outcomes are being achieved. We will ask ORR to report on this annually, starting later this year.

30. We will also consider the benefits of ORR reporting on wider actions undertaken by National Highways to improve safety on the SRN more generally, mirroring what they do for the rail sector.

Recommendation 7: The Government and National Highways should pause the rollout of all-lane running motorways to collect more data, to upgrade and then evaluate the safety of existing all-lane running schemes and to consider alternative options for enhancing capacity on the Strategic Road Network. The Government and National Highways should pause the rollout of new all-lane running schemes until: a)five years of safety and economic data is available for every all-lane running scheme introduced before 2020; and b) the implementation of the safety improvements in the Government's action plan has been independently evaluated.

31. The Government agrees with this recommendation. Evaluating the safety and economic impact of all schemes post opening is an integral part of ensuring we are delivering the benefits expected from investing in infrastructure. There are already comprehensive evaluation plans in place for both ALR and Dynamic Hard Shoulder (DHS) schemes.

32. National Highways produces Post Opening Project Evaluation (POPE) reports as part of the evaluation of all major projects, including ALR and DHS schemes, when one-year data and five-year data is available. This will apply to all ALR and DHS schemes already open as well as those in construction. Work is already underway on publishing this information, with National Highways having published POPEs and safety reviews for seven schemes since April 2021.

33. The Department will continue to work with National Highways and the ORR to further improve the data and insight that POPE reports provide to better understand safety on the SRN and the wider economic impact of the investment.

34. We also recognise users' perception of safety for ALR and DHS schemes is critical in terms of their acceptability. As such we will continue to work with National Highways and Transport Focus to consider how the Strategic Roads User Survey (SRUS) can be

used to understand road user journey experiences and satisfaction. We will also work with Transport Focus to consider the benefits of more focused research to provide greater insight on safety perception.

35. Alongside the collection of additional data and evaluation of the safety and economic impact of existing ALR and DHS schemes, alternative options for enhancing capacity on the SRN will also be considered. This will be carried out as part of the preparation of the third Road Investment Strategy (RIS3), which will set the SRN programme and National Highways priorities for 2025–30. As part of that process, the Government is committed to a careful assessment of how to improve the performance of the SRN in all aspects, based on robust data and evidence. At this time, National Highways is collecting evidence and stakeholder views through its Route Strategies consultation where all users of, and those impacted by, the SRN, can make their voices heard on future priorities. There will be further consultation on the developing RIS3 programme in 2022.

Recommendation 8: The Department for Transport and National Highways should pause plans to convert dynamic hard shoulder motorways until the next Road Investment Strategy and use the intervening period to trial alternative ways in which to operate the dynamic hard shoulder to make the rules less confusing for drivers.

36. The Government agrees with this recommendation and will pause the conversion of seven DHS schemes to ALR until the next Road Investment Strategy, so that alternative operating approaches can be considered.

37. A key action in the Stocktake and Action Plan was to convert DHS schemes to ALR as their removal would simplify the types of motorways on the network and would reduce the potential for driver confusion. The Committee's recommendation however suggests that there is merit in re-examining the model to see if there are alternative ways of operating them.

38. We will consider alternative ways in which to operate the DHS motorways, including, but not limited to, having set operating hours so that motorists can become familiar with the operation of the road. We will also continue to collect data and analyse the safety performance of DHS motorways to help inform our thinking. This will be a priority action for National Highways, and we plan to report back to the Committee on this later this year.

39. At the same time, we will continue to invest in these motorways and have asked National Highways to install further safety measures were DHS motorways are in operation. This includes incorporating enhancements from the Stocktake and Action Plan, such as SVD technology, central reservation improvements and the enhancements to EA visibility and signage.

Recommendation 9: The Department and National Highways should revisit the case for controlled motorways. The Department should set out how the business case for controlled motorways compares with that for all-lane running motorways.

40. The Government agrees with this recommendation and will revisit the case for controlled motorways and how it compares with ALR motorways. We will look to publish an initial report which compares the business cases later this year which will be updated once further data is collected on ALR motorways over the next few years.

Conclusion

41. We welcome the Transport Committee's scrutiny and have thoroughly examined its recommendations in detail. We take the recommendations and the actions we have committed to in our response very seriously.

42. The Transport Secretary is absolutely committed to making smart motorways as safe as possible. We are taking immediate steps to implement the actions we have set out in this response and will update the Committee on progress over the coming year.