

## **Supplementary written submission from Moto Hospitality Limited (RDF0030)**

Thank you to the Select Committee for hearing our oral evidence in respect of the provision of roadside services and specifically in relation to the issues that arise in translating current national planning and highways policy into the taking of meaningful decisions on planning applications at local authority level. As I committed at the hearing, I thought it would be helpful to outline our thoughts further to you.

### **Planning policy and decision taking**

I outlined to you that planning policy for roadside services is provided at a very high level, and many local authorities struggle to translate this into a meaningful framework for decision taking. Part of this issue is as a result of a lack of awareness of the issues surrounding the provision and maintenance of roadside services. Whilst the Department for Transport Circular 02/2013, The Strategic Road Network and the Delivery of Sustainable Development, provides some assistance in decision taking, this is not planning guidance but a statement of transport policy whose main purpose is to indicate how National Highways (formerly Highways England) will engage with local planning authorities in relation to development affecting the strategic road network (SRN). It contains no guidance on how local planning authorities should approach either policy decisions or development management decisions for any roadside service facilities.

I will address the deficiencies in Circular 02/2013 in more detail below, but to outline to you the difficulties local authorities face in taking decisions, they must currently make decisions in accordance with their Local Plans.

Many local authorities do not have specific policies in their Local Plans concerning the provision of new roadside services or improvement of existing ones. As a result, local authorities must turn to the National Planning Policy Framework (NPPF) for planning guidance. The NPPF is significantly limited in its scope of discussion on roadside services, and the policy considerations focus on plan making and not decision taking. Local authorities are urged to adopt policies for transport facilities with roadside services identified only as a footnote (paragraph 106 e) and footnote 44).

In respect of HGV parking, paragraph 109 sets out a single sentence which extends to decision taking as well as policy, but this states: "*Planning policies*

*and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance."*

There is no additional planning policy or guidance to assist local authorities in taking decisions, and what results is a vacuum in policy or guidance on how best those decisions can be taken.

As decision taking is often on a strategic level, and can involve cross-boundary traffic flows (between Boroughs/Districts or between Counties), a degree of cross boundary co-operation is required in determining matters such as the need for roadside facilities. This is particularly relevant for the provision of HGV parking.

### **Circular 02/2013**

Circular 02/2013 is not planning guidance. It contains no guidance on how local planning authorities should approach decision taking for the development of roadside services. Paragraph B8 advises local planning authorities to determine planning applications on their individual merits. But paragraph B8 is set out under the sub heading 'Spacing'. Paragraph B9 goes slightly further but is limited, and simply states: "*New and existing roadside facilities are subject to the provisions of relevant planning legislation and regulation, which together set the framework within which local planning authorities would consider the planning proposals for such developments.*"

The Circular does not provide advice on how the need for roadside facilities is to be assessed in planning applications. We often find that our consultants, through best practice, provide a decision taking framework to local authorities on how best to address need, for the local authority to then decide the best way in which to make that assessment. The approach can be inconsistent as a result.

Beyond decision taking, we find that the Circular contains a number of contradictions, is limited in its scope or is now out of date as a result of advancements in technology since it was written in 2013. I have addressed these points below:

- spacing is often considered to be determinative of need for a new site, however there is no way for local authorities to determine a need where

- a gap in the network is less than 28 miles other than potentially determining the planning merits of individual proposals;
- the spacing advice in the Circular focuses on the provision of motorway service areas, despite providing policy guidance on other types of roadside facilities (motorway rest areas, truck stops etc). There is no guidance on how to assess suitable distances between other types of facilities, and as such local authorities have no guidance on how to assess need in the case of alternative types of roadside services;
  - the distance of 28 miles as the primary network of motorway service areas or about 30 minute drive time causes confusion on particularly busy sections of motorway where a drive time of 30 minutes may not result in driving a distance of 28 miles.
  - there is no reference to Electric Vehicle charging points. As a result of advances in technology, there is a need for the provision of charging points but it is unclear whether this forms part of the overall car parking requirement for sites or should be provided in addition to the number of car parking spaces. We often find ourselves in discussion with local authorities on this point.
  - in updating existing sites, local highway authorities are often consulted but try to apply their own parking standards rather than those in the Circular.

As such, operators and developers of roadside services face particular difficulties in obtaining planning approvals for both the expansion of existing sites and development of new sites for all vehicle types and road users due to plethora of documents and lack of detail to guide local authorities in plan making and decision taking.

### **Changes to Policy**

In terms of changes to policy, it is welcome news that Circular 02/2013 will be updated and we would ask the Committee and Department for Transport that early engagement with the industry is made to ensure that the review is as fit for purpose as possible.

In terms of planning policy, in the proposed update to the NPPF, a greater degree of detail could be included, and could include wording as found in the cancelled PPG13 or HA269 that the provision of regular opportunities for drivers to stop and rest during their journeys makes an important contribution to the safe and efficient operation of the strategic road network and that local authorities should consider and plan for the development of suitable facilities

in their areas, and particularly facilities for short and long-stay parking for HGVs along with amenities for their drivers.

It might be appropriate for DfT and DLUHC to produce a joint policy statement which pulls together all of the elements of planning and highways policy into one document. This would create a suitable framework for decision taking in the form of a 'one stop shop' for all of those involved in the process. This would be particularly helpful for local authorities who are unfamiliar with roadside policy.

In addition to the issues outlined above concerning inadequacy of current policy, it would be helpful for any review to also look at the following matters:

- changing the Circular to align with the NPPF in terms of both planning policy but also highways considerations. There are currently inconsistencies in respect of the impact test, with National Highways often taking a different view to local highway authorities on this.
- the distance between services needs to be reviewed, especially given the move to electric vehicles and the range of vehicles is less than a petrol or diesel engine.
- there is no refinement for distance by vehicle type and therefore it is difficult to assess whether this is adequate for HGVs for example. Equally, there will be a greater requirement for HGVs by relationship to the drive time distance of ports or adjacent to major distribution facilities.
- National Highways preference for online facilities over offline facilities needs to be reviewed with both types of facility treated equally. This would have a number of advantages concerning the provision of services and also providing a broader range of types of services. It is particularly costly to build new, online facilities due to the provision of site specific slip roads. These also require a significant amount of land to be used, compared with the utilisation of existing junctions where infrastructure already exists. In addressing issues around the sustainability of developments, it would be more sustainable to locate sites where existing infrastructure (with proven capacity) can service sites;
- Ideally, there would be no preference between online and offline sites, and each proposal would be considered on its merits. This would also have the benefit of removing a number of conflicts within the existing Circular concerning creation of access for safe movement (Paragraph

- 37); accesses requiring safe weaving (Paragraph 38); and that new development should make use of existing junctions (Paragraph 43);
- An update to the requirements for signage from the strategic road network would be helpful. There are additional facilities that are appropriate for signage such as EV charging stations, or more compact short stop facilities.
  - It would be useful to drivers to have the availability of EV charging stations forward signed in real time on the network. Drivers will be able to know where they can stop and guarantee charging their vehicle without making unnecessary stops if there are no available charging points.
  - Equally, the same provision could be made for HGV drivers. This would enable drivers to determine whether to divert from the main carriageway or whether to continue to drive to find a place where they can safely stop and rest. An example below from a city centre car park shows the way in which driver information can be provided, and this could be simplified to simply say 'full' or 'available'.



Finally, we would also recommend going further and setting targets for the number of additional dedicated HGV parking spaces required on motorways over the coming 5-10 years. Without clear guidance on the actual shortfall and the timing to achieve these targets, we believe progress will remain excruciatingly slow and HGV driver conditions will not significantly improve because of a lack of available facilities.

## Conclusion

In summary, there are many areas where planning policy and highway policy are overlapping in respect of roadside facilities but neither provide clear guidance to local authorities in making decisions on planning applications. An update in all policy would be useful, and we would be very happy to assist the

Committee further if this would be helpful.

### **Department for Transport Leases**

When the Motorway Network was first constructed in late 1950's, the Department for Transport (DfT) compulsory purchased 21 parcels of land adjoining it, to provide safe welfare facilities for drivers.

The private sector entities, now known as the Motorway Service Area Operators, at the time developed and constructed these sites themselves and leased the land from the Government for a period of 50 years at a peppercorn rent.

These leases are now shortly due to expire and the Motorway Service Area Operators have been discussing with DfT, over the past 5+ years to extend the leases to allow further investment and modernisation on the sites.

Due to the lack of certainty about the future leasing arrangements for these sites, they have generally been under-invested in and are now often not large enough to cope with current traffic levels and volume of drivers needing to take a break. The exception to this is Cherwell Valley Services on the M40 which was rebuilt following a fire in 2011.

Moto currently have the following six sites which are leased from the DfT. The table below sets out the addresses and lease expiry dates for these sites. Four of our Leases expire in 2030 which is now only eight years away, as they are situated along the oldest motorways (M1, M6 and M62).

Property	Existing Lease Expiry
Birch MSA, M62 eastbound and westbound between Junction 18 and 19, Heywood, Lancashire OL10 2QH	10/12/2030
Cherwell Valley MSA, M40 Junction 10, Northampton Road, Ardley, Bicester, Oxfordshire OX27 7RD	18/03/2044
Knutsford MSA, M6 northbound and southbound between Junction 18 and 19, Northwich Road, Knutsford, Cheshire WA16 0TL	30/09/2030
Thurrock MSA, M25 between Junction 30 and 31, Arterial Road, West Thurrock, Grays, Essex RM16 3BG	07/04/2040
Toddington MSA, M1 northbound and southbound between Junction 11 and 12, Toddington, Bedfordshire LU5 6HR	10/12/2030
Trowell MSA, M1 northbound and southbound between Junction 25 and 26, Trowell, Nottingham NG9 3PL	10/12/2030

The Motorway Service Area Operators have been asking Transport Ministers to focus on these Leases and provide certainty to the Operators for over five years, with very little traction.

During 2021, Baroness Vere wrote to the Motorway Operators to confirm it was hoped a decision about the future of the Government owned sites would be taken in 2022. In late December 2021, Moto received communication from the DfT to confirm they were starting to value these sites to support Ministers decision making in 2022 on whether to:

1. Leave as is (i.e. do nothing approach – leave the Leases to expire);
2. Re gear (i.e. Lease extension for a further 50 years);
3. Exit (i.e. market sale);
4. Income strip/fixed income (i.e. new Lease with premium payment / rental income).

Whilst it is a positive step forward that the Government are looking at these leases, it still does not leave Motorway Service Area Operators with any confidence that there is going to be a timely decision made or that a lease extension will be granted - which is necessary if we are to have the confidence to invest in these sites.

In the meantime, Moto is left in a difficult position of not being able to invest in our sites to improve customer facilities and extend HGV parking areas as the

duration left on our leases does not allow sufficient time to recoup our investment.

As a result, Moto is forced to invest in our Freehold estate or sites with Leases where we have certainty of tenure from our Landlords instead of the Government owned sites. This is leading to substantial differences in facilities across our Moto estate and restricting our ability to act quickly to help with national issues such as the HGV Parking Shortage and “Clean Fuels” investment such as EV charging.

**Moto is seeking the assistance of the Transport Select Committee to ask Ministers to extend our leases for a further 50 years. This will provide the certainty to allow Moto and the Motorway Service Area Operators to rapidly invest in these sites to address critical national priorities such as increase HGV parking provision and further EV charging provision.**

January 2022