

<b>Title:</b> Reform of Traffic Regulation Orders  <b>IA No:</b> DfT00436  <b>RPC Reference No:</b> N/A for consultation stage impact assessments.  <b>Lead department or agency:</b> Department for Transport  <b>Other departments or agencies:</b>	<b>Impact Assessment (IA)</b>
	<b>Date:</b> 28/02/2022
	<b>Stage:</b> Consultation
	<b>Source of intervention:</b> Domestic
	<b>Type of measure:</b> Primary Legislation
	<b>Contact for enquiries:</b> TROenquiries@dft.gov.uk
<b>Summary: Intervention and Options</b>	
<b>RPC Opinion:</b>	

Cost of Preferred (or more likely) Option (in 2019 prices)			
Total Net Present Social Value	Business Net Present Value	Net cost to business per year	Business Impact Target Status Qualifying Provision
£15.4m	£23.3m	-£2.7m	

**What is the problem under consideration? Why is government intervention necessary?**

Traffic Regulation Orders (TROs) are needed to change a road's use or its design. The process and procedures for making these legal orders have been in place for a generation and were created in an analogue world and when people relied on sharing and receiving information, such as applications and drafts of the TRO, on paper and via physical copies of documents. Feedback from stakeholders has made it clear that the different aspects of the regime need to be reformed as they are no longer fit for purpose, are time consuming and overly bureaucratic, and a source of frustration for many who interact with the system including Traffic Authorities (TAs), TRO applicants, special event organisers, road users, local businesses, and the transport technology sector. Government intervention is needed to change the legislative framework to modernise the regime and make it fit for a digital world. Legislation also requires that all TROs are published in local newspapers. However, some TAs do not have access to local newspapers which presents an information problem and they cannot comply with a regulatory requirement. Since this publishing requirement is regulated, Government is best placed to resolve the problem.

**What are the policy objectives and the intended effects?**

To modernise and reform the TRO regime to:

- **Create digital TROs:** Applicants can apply for TROs online and they would be processed and consulted on using digital, software systems. They would be published in an open, digital format when they are proposed and when they are made.
- **Transform engagement and communication with local communities:** Road users are better informed of and engaged in proposed changes to roads. They are informed when rules are in place or when they have changed. Creating digital TROs will mean information can be accessed through a range of media platforms including websites, social media, and emails in addition to local newspapers.
- **Simplify and speed up the time it takes to make TROs:** Legislation is amended to remove barriers and unnecessary bureaucracy. A costly and time-consuming paper-based process is changed to improve service and transparency for TRO applicants.

**What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)**

It is expected that option 2 is the preferred option, however, this will be considered through consultation responses. The options below have been considered to give decision-makers options regarding digitalisation, changes to special event TRO processes and increased transparency.

**Option 1: Publicity digitalisation where no local newspaper is in circulation** - The primary change in this option is that TAs without access to local newspapers will be able to publish TROs using alternative media such as digital media. There would be no change to the digitalisation of TRO processes, keeping paper-based system and no change to special event TROs.

**Option 2: Process digitalisation and publicity digitalisation where no local newspaper is in circulation (preferred option)** - The TRO regime is digitalised so that they can be applied for online, processed using digital software and there is an end to more costly, paper-based systems. All special event TROs can be approved by authorities and be used to close roads for sporting, social and entertainment

events. The main source of engagement is local newspapers apart from those authorities where a newspaper is no longer in circulation who can use alternative, digital media.

	<b>Publicity change</b> <i>Digital publicity where no newspaper exists</i>	<b>Digitalisation of TROs</b> <i>Ending more costly, paper-based system. TROs can be applied for online, processed using digital software.</i>	<b>Improvement to special event TROs</b> <i>All special event TROs can be approved by authorities and be used to close roads for sporting, social and entertainment events.</i>
PO1 - publicity digitalisation where no local newspaper is in circulation	X		
PO2 - process digitalisation and publicity digitalisation where no local newspaper is in circulation	X	X	X

**Will the policy be reviewed?** It will be reviewed. **If applicable, set review date:** 09/2028

Does implementation go beyond minimum EU requirements?	N/A			
Is this measure likely to impact on international trade and investment?	No			
Are any of these organisations in scope?	<b>Micro</b> Yes	<b>Small</b> Yes	<b>Medium</b> Yes	<b>Large</b> Yes
What is the CO <sub>2</sub> equivalent change in greenhouse gas emissions? (Million tonnes CO <sub>2</sub> equivalent)	<b>Traded:</b>		<b>Non-traded:</b>	

***I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits, and impact of the leading options.***

Signed by the responsible : \_\_\_\_\_ Date: \_\_\_\_\_

# Summary: Analysis & Evidence

# Policy Option 1

**Description:** The primary change in this option is that TAs without access to local newspapers will be able to publish TROs using alternative media such as digital media. There would be no change to the digitalisation of TRO processes, keeping paper-based system and no change to special event TROs.

## FULL ECONOMIC ASSESSMENT

Price Base 2021	PV Base Year 2022	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: £15.6	High: £58.6	Best Estimate: £32.5
			0		

COSTS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	£0.0		£0.0	£0.0
High	£0.0		£0.0	£0.0
Best Estimate	£0.0		£0.0	£0.0

### Description and scale of key monetised costs by 'main affected groups'

**Familiarisation** – By changing the publicity requirements for TAs without access to local newspapers, it is expected there will be familiarisation costs of £5.4 thousand across TAs without access to local newspapers. These costs would be faced in the first year of legislative changes.

### Other key non-monetised costs by 'main affected groups'

BENEFITS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	£0.0		£1.8	£15.6
High	£0.0		£6.9	£58.6
Best Estimate	£0.0		£3.9	£32.6

### Description and scale of key monetised benefits by 'main affected groups'

**Reduction in publicity costs to TAs** – TAs without access to local newspapers can publicise TROs using an alternative media source which is expected to be at a much lower cost than the current situation of publishing in their closest local newspaper. Therefore, TAs are estimated to have a reduction of publicity costs by £4.3 million pa in the central scenario.<sup>1</sup> Since TAs have a cost recovery structure, this is expected to be passed onto TRO applicants which are businesses such as utility and construction companies.

### Other key non-monetised benefits by 'main affected groups'

**Improved public engagement** – The change in publicity requirements is expected to increase engagement with local communities through greater awareness of changes to proposed and implemented TROs, particularly in the area where the TROs would be implemented. Greater public engagement could have indirect benefits such as reduced congestion and improved journey reliability by increasing awareness of active and upcoming TROs, allowing road users to plan their journeys accordingly.

Key assumptions/sensitivities/risks rate (%)	Discount	3.5
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<sup>1</sup> The estimated publicity costs are based on previous research, though this may be an overestimate. We are asking as part of the IA for further data to help us update these figures.

There are some evidence gaps within the analysis so many proxy figures and assumptions have been made such as the number of TAs without access to local newspapers, and these are outlined fully with sensitivity in annex 1. Where evidence gaps do exist and assumptions have been made such as the number of staff that would face familiarisation costs and how long this would take, there are questions included in the consultation as highlighted throughout. This aims to fill evidence gaps for analysis in the final stage IA. To account for any inaccuracies of the assumptions where there is a lack of evidence, sensitivity analysis has been undertaken. This includes a 20% sensitivity to the assumptions regarding the number of hours it would take to familiarise and to the number of TAs.

**BUSINESS ASSESSMENT (Do minimum option)**

<b>Direct impact on business (Equivalent Annual) £m:</b>			<b>Score for Business Impact Target (qualifying provisions only) £m: -8.5</b>
<b>Costs: £0.0</b>	<b>Benefits: £1.9</b>	<b>Net: -£1.9</b>	

## Summary: Analysis & Evidence

## Policy Option 2

**Description:** The TRO regime is digitalised so that they can be applied for online, processed using digital software and there is an end to more costly, paper-based systems. All special event TROs can be approved by authorities and be used to close roads for filming. The main source of engagement is local newspapers apart from those authorities where a newspaper is no longer in circulation who can use alternative, digital media.

### FULL ECONOMIC ASSESSMENT

Price Base Year 2021	PV Base Year 2022	Time Period Years 10	Net Benefit (Present Value (PV)) (£m)		
			Low: £33.4	High: £85.5	Best Estimate: £54.9

COSTS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low	£0.0		£0.0	£0.0
High	£0.2		£0.0	£0.2
Best Estimate	£0.1		£0.0	£0.1

#### Description and scale of key monetised costs by 'main affected groups'

**Familiarisation** – By introducing a digital system and changing the publicity requirements for TAs without access to local newspapers, it is expected there will be familiarisation costs of £5.4 thousand in the first year of implementation to adjust to changes in publicity requirements and costs. To familiarise with changes to digitisation there is expected to be costs of £10.1 thousand to TRO applicants and £40.7 thousand to TAs, both of which are expected to be faced in year 2.

#### Other key non-monetised costs by 'main affected groups'

**Digital System for TROs** – Creating a digital TRO system in this option would allow TROs to be applied for online, processed using digital software and end more costly, paper-based systems. The costs of building and operating this system is subject to negotiations as part of the procurement process.

BENEFITS (£m)	Total Transition (Constant Price) Years		Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low	£0.0		£4.0	£33.6
High	£0.0		£10.1	£85.5
Best Estimate	£0.0		£6.5	£55.0

#### Description and scale of key monetised benefits by 'main affected groups'

**Efficiency gains** – There is expected to be increased efficiency to various groups through time reductions in processing TROs. The efficiency savings are expected to be:

- To DfT - £200 thousand from year 2 onwards,
- To TAs - £1 million in year 2 and £1.5 million from year 3 onwards
- To utility companies - £500 thousand in year 2, £1 million in year 3 and £1.5 million from year 4 onwards.

**Reduction in publicity costs to TAs** – TAs without access to local newspapers can publicise TROs using an alternative media source which is expected to be at a much lower cost than the current situation of publishing in their closest local newspaper. Therefore, TAs are estimated to have a reduction of publicity costs by £4.3 million

pa in the central scenario.<sup>2</sup> Since TAs have a cost recovery structure, this is expected to be passed onto TRO applicants which are businesses such as utility and construction companies.

**Other key non-monetised benefits by ‘main affected groups’**

**Dataset** – Data on TROs could be a useful data set on the road network that supports a range of individuals and organisations. The dataset could support the work of various organisations including:

- emergency services - improving speed of emergency response by having the most up to date information about routes,
- app developers and navigational companies – better coverage and improved quality of product
- TRO applicants – help plan works
- CAV – more reliable through better information about road network,
- Police and Traffic Officers – efficiency in enforcing current TROs, and
- road users – improved journey reliability and reduced congestion by planning journey according to TROs.

**Future of mobility** – While implementing a digital TRO system is expected to have a range of benefits that could be achieved soon after implementation, having a digital system is also expected to support the government and TAs in achieving their longer-term goals including:

- dynamic TROs – through better knowledge of road network
- fibre network rollout – to plan broadband installation,
- net zero targets - to increase in on-street electric vehicle charging facilities

**Improved public engagement** – The change in publicity requirements is expected to increase engagement with local communities through greater awareness of changes to proposed and implemented TROs, particularly in the area where the TROs would be implemented. Greater public engagement could have indirect benefits such as reduced congestion and improved journey reliability by increasing awareness to TROs that will be in place, allowing road users to plan their journeys accordingly.

**Key assumptions/sensitivities/risks**  
(%)

**Discount rate**

3.5%

There are some evidence gaps within the analysis so many proxy figures and assumptions have been used and these are outlined in annex 1. Where evidence gaps do exist, such as the number of staff and length of time it will take to familiarise with using a digital system, there are questions included in the consultation to gain further information. To account for any inaccuracies of the assumptions where there is a lack of evidence, sensitivities to assumptions have been applied. This includes a 20% sensitivity to the assumptions regarding the number of hours it would take to familiarise and on the efficiency savings to each group.

**BUSINESS ASSESSMENT (Option 2)**

<b>Direct impact on business (Equivalent Annual) £m:</b>			<b>Score for Business Impact Target (qualifying provisions only) £m: -£13.5</b>
<b>Costs:</b> £0.0	<b>Benefits: £3.1</b>	<b>Net: - £3.1</b>	

<sup>2</sup> The estimated publicity costs are based on previous research, though this may be an overestimate. We are asking as part of the IA for further data to help us update these figures.

# 1.0 Policy Rationale

- This Impact Assessment accompanies a consultation that sets out a vision for modernising and reforming the Traffic Regulation Order (TRO) regime in a way that meets today's needs but will also meet the needs we foresee over the next 10-20 years. Feedback from research with stakeholders has told us that reforms are long overdue and much needed, and there is growing demand for the data TROs contain in a digital and open format. Our vision is to:
  - **Create digital TROs:** this would mean that applicants could apply for them on-line, TROs would be processed using digital software systems, and they would be published in an open, digital format so the information they contain can be accessed easily by the range of organisations and people who have an interest, both at consultation stage and when they are made.
  - **Transform engagement and consultation with local communities:** people want to know about proposed changes to the road network before they happen and to be able to express their views. They also want to know about the rules once they are in place. Creating digital TROs will mean that information can be accessed through the media the vast majority of people use today i.e. websites, social media, and emails. Existing publicity requirements will be complemented by making information even more accessible, including being provided in different formats, for instance, for people with a visual impairment. Changes, as soon as they are made, can be made available in, for example, SATNAVs, apps, and other in-vehicle systems.
  - **Simplify and speed up the time it takes to make TROs:** we want to amend the legislation and remove current barriers and unnecessary bureaucracy. We also want to simplify what is currently a costly and time-consuming, paper-based process and improve services and transparency for TRO applicants.
- Our proposals will mean changes to the Road Traffic Regulation 1984 Act (the 1984 Act) through primary legislation and to three sets of related regulations through secondary legislation<sup>3</sup>. They will also involve enhancing existing digital services and building new ones. Delivery will depend on finding a suitable Parliamentary slot for the primary legislation needed and funding being available for the digital services.

## Policy background

- Traffic Authorities (TAs) need to make a Traffic Regulation Order (TRO) if they want to introduce a new rule about how a road is used or designed, or to make changes to existing rules. A TRO is the legal order needed to set out the details of, for example, the times when bus lanes operate, the speed limit on a road, any restrictions such as those relating to loading and unloading and parking, which vehicles can or cannot use a road etc. It needs to be a legal order so that it can be enforced, and penalties can be issued for breaking the rules. Information in TROs can also be used to let road users and local communities know when roads may be closed for road works or for special events such as parades or sporting events. The regulations set out a detailed process that TAs have to follow when making TROs and these include a requirement to publicise proposed changes, so that people know about changes that are going to be made and have an opportunity to comment on proposals or object. TROs also need to be published when the legal order is made so people know the rules they have to follow.
- There are different types of TROs, for instance, they can be permanent, temporary, experimental (to trial schemes) or for special events. TROs are needed to, for example:

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<sup>3</sup> The Secretary of State's Traffic Orders (Procedure) (England and Wales) Regulations 1990 (SI 1990/1656). Available from: <https://www.legislation.gov.uk/uksi/1990/1656/regulation/10/made> (the 1990 Regulations)  
The Road Traffic (Temporary Restrictions) Procedure Regulations 1992 (SI 1992/1215). Available from: <https://www.legislation.gov.uk/uksi/1992/1215/regulation/11/made> (the 1992 Regulations)  
The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (SI 1996/2489). Available from: <https://www.legislation.gov.uk/uksi/1996/2489/contents/made> (the 1996 Regulations)

- install a cycle or bus lane and set rules about who can use it
  - designate parking bays and set rules about how they operate, including for car sharing or electric vehicle charging
  - introduce controlled parking zones or pedestrianised areas
  - close a road, either permanently or temporarily, for road works
  - widen pavements (e.g. as they were during the Covid-19 pandemic)
  - support e-scooter trials by authorising use of cycle lanes
- TROs are therefore a vital tool for TAs in managing the public road network and traffic, which includes pedestrians and cyclists. We know that many more will be needed in the coming years to enable delivery of a number of key Government strategies including:
- The roll-out of electric vehicle charging points. TROs are needed to designate the parking bays alongside these and can be needed during the installation works.
  - ‘Gear change: a bold vision for cycling and walking’<sup>4</sup>. TROs are needed to install cycle lanes, designate pedestrianised areas, or widen pavements. Temporary TROs can also be needed for the works needed to install them.
  - ‘Bus back better: a national bus strategy for England’<sup>5</sup> envisages more bus lanes. TROs are needed to install these.
  - Connected and Autonomous Vehicles (CAVs): TROs contain vital data, for example, on width and height restrictions, speed limits, one-way systems as well as data on the other areas already listed. CAVs are likely to need access to TRO data and to any updates and changes that are made.
  - The Future of Transport: Changing behaviours and technology is expected to drive radical changes in transport in the next ten years, with profound implications for transport users and businesses. As a result, we may well see changes in the way our towns and cities are designed and used, for example, dynamic kerbs where rules can change by day or time of day. TROs are needed to make those changes and TRO data, for example, about loading and unloading restrictions or parking spaces, could revolutionise how data is used to support better management of traffic and congestion and just in time deliveries.
- The process and procedures for TROs have been in place since the 1980s/90s and were created in an analogue world before the internet was in wide use, when people typically worked in offices on a 9.00am-5.00pm basis, Mondays to Fridays, and people relied on sharing and receiving information on paper and via physical copies of documents. The world has changed considerably since then, yet the legal process and procedures have stayed the same. Feedback from stakeholders has made it clear that they are no longer fit for purpose, are time consuming and overly bureaucratic, and a source of frustration for many who interact with the system. These include: TAs who draft and make TROs for their own network management purposes and who deal with applications; TRO applicants such as utility and construction companies and special event organisers who need to apply for a TRO to, for example, temporarily close a road; road users including bus and freight operators, members of the public and local businesses who need to know about changes; and the transport technology sector who want access to the valuable data contained in TROs.
- In order to deliver the vision for reform and modernisation of the TRO regime, this Impact Assessment accompanies a consultation that includes these specific changes to both primary and secondary legislation:

#### Primary legislation

- We are proposing to add a new requirement for TAs in England to publish standardised, digital, and open data on all types of TROs for anyone to access, use and share. Data would be provided in the format specified by DfT via a data model, which would be published as a schema, and that will be updated from time to time. DfT would build the publication platform

<sup>4</sup>Department for Transport. (2020). ‘Cycling and walking plan for England’. Available from: <https://www.gov.uk/government/publications/cycling-and-walking-plan-for-england>

<sup>5</sup>Department for Transport. (2021). ‘Bus back better’. Available from: <https://www.gov.uk/government/publications/bus-back-better>



that would be available on [www.gov.uk](http://www.gov.uk). TRO data could be supplied to and from the publication platform through an Advanced Programming Interface (API) from software systems in use by TAs and to data customers.

- We propose to add a regulation making power to allow DfT to specify a set of mandatory information that must be published. We would also take a power to issue statutory guidance.
- We are consulting on whether or not there should be a maximum response time for TAs to respond to applications from external organisations, such as utility and construction companies and special event organisers, to improve service levels (and for which applicants are being charged). Response times could be linked to the type and/or complexity of TRO and the authority would be required to publish their service levels on their websites alongside the fee that is being charged.
- We would like to remove the current requirement to seek approval from the Secretary of State for Transport for special events orders that last more than 3 days or would close the same road for more than one occasion in a calendar year. This is a deregulatory measure that would mean TAs can deal with such requests faster and administration costs would be reduced.
- We propose allowing special event orders to be used to close roads for filming.

### Secondary legislation

- We are consulting on the current publicity requirement requiring publication of proposed and made TROs in local newspapers. We are proposing to allow those authorities where a local newspaper is no longer in circulation to use digital forms of publicity.
- Currently, temporary TROs need to be published twice – when they are proposed and when they are made. In reality, most of these orders are made to enable road works to be carried out and there is hardly any change between the first proposed order and the second one that is made. We are therefore consulting on whether or not there is a need for a second order to be published for temporary TROs unless any details have changed from the proposed temporary TRO.
- We propose requiring TAs to publish details of their application fees on their websites, which should be based on cost recovery only, to ensure greater transparency over the fees that applicants are charged.
- We would like to review the list of statutory consultees for Permanent and Temporary TROs.
- We propose to allow copies of proposed and made TROs to be emailed or posted to residents instead of or as well as being made available for view in Authority offices.

### **Problem under consideration**

- There are 4 main types of TROs:
  - **Permanent TROs** made under Section 1 (and Section 6 for Greater London) of the 1984 Act. They are made to introduce, for example, controlled parking zones, permanent traffic management measures, bus and cycle lanes, pedestrianised areas, width, and height restrictions.
  - **Experimental TROs** made under Section 9 of the 1984 Act. These are intended to be used to trial schemes that a TA is considering introducing permanently. Schemes can be put in place without prior consultation, but the TA must carry out ongoing consultation and monitoring for at least the first six months of the scheme. They may last no longer than 18 months.
  - **Temporary TROs** made under Section 14 of the 1984 Act. These can last up to 18 months (6 months if on a footpath, bridleway, cycle track or byway open to all traffic). Around 80% of

Temporary TROs are made for road works to, for example, close a road, suspend a parking bay or to support traffic management measures. Developers can also request them to close roads around construction sites.

- **Special Event Orders** made under Section 16A of the 1984 Act. These can be made for 'any sporting event, social event or entertainment which is held on a road'. If an event is going to last for more than 3 days or the same road is being closed for more than once in a calendar year, approval from the Secretary of State for Transport is needed.
- There are other types of orders made on the public road network, for example, covering play streets<sup>6</sup> and Speed Limit Orders (SLOs) made under Sections 29 and 84 of the 1984 Act. The procedures for making SLOs are included in the 1996 Regulations.
- The procedures for making all TROs are set out in a combination of the 1984 Act and the 1990, 1992 and 1996 Regulations. They are summarised in a best practice guide prepared by the British Parking Association<sup>7</sup>. Amongst the requirements are regulations that require Permanent and Temporary TROs to be published at proposal stage and at the stage when they are made or signed, 'in one or more newspapers circulating in the area in which any road to which the order relates is situated.' The regulations include requirements for other types of notices to be published in newspapers, for example, notices of any public inquiries and if any TROs are being revoked. There are also additional requirements to consult or inform the list of statutory consultees included in the legislation, to make Permanent TROs available for public inspection at an authority's office and, on occasions, notices can be posted on, for example, lampposts. The Regulations do not include any alternative arrangements for cases where a local newspaper is no longer in circulation.
- DfT has been aware of issues with the legislation for some time, plus there have been growing calls from all those who interact with the TRO regime for reforms including the Transport Select Committee<sup>8</sup>. We have been carrying out a series of research projects into various aspects of the regime to understand the issues and frustrations and to identify solutions.
- The most recent research projects and their findings are listed below. Their recommendations have fed directly into the proposals for reform included in the consultation and in this Impact Assessment.
  - In January 2018, we commissioned North Highland<sup>9</sup> consulting to undertake a discovery user research into local transport data. Amongst others, they found that significant amounts of Local Authority data are currently not available to the public or are not easily accessible; there is operational value in the data for managing road networks; investment is required to improve data quality and standardisation for future operational and commercial exploitation; there is significant enthusiasm within Local Authorities to progress the open data agenda, but guidance and support is needed to realise potential opportunities.
  - Following on from the North Highland report in 2018/early 2019, we commissioned additional user research into all aspects of TROs from Geoplace, Ordnance Survey and the British Parking Association<sup>10</sup>. They found a range of pain points and frustrations described by all those who interact with the TRO regime, including issues with data availability; timeliness; content; accuracy and quality; digital maturity; open data; legislation; how information is conveyed; and complexity

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<sup>6</sup> Department of Transport. (2019). 'Revised road closure guidance to boost children's outdoor play'. Available from: <https://www.gov.uk/government/news/revised-road-closure-guidance-to-boost-childrens-outdoor-play>

<sup>7</sup> British Parking Association. (2019). 'The BPA Traffic Regulation Orders Guide: Best Practice and a Path to the Future'. Available from: [https://www.britishparking.co.uk/write/Documents/TIR%20Board/BPA\\_TRO\\_Best\\_Practice\\_Guide\\_2019.pdf](https://www.britishparking.co.uk/write/Documents/TIR%20Board/BPA_TRO_Best_Practice_Guide_2019.pdf)

<sup>8</sup> Parliament UK. (2019). 'Publications and Records: Pavement Parking'. Available from: <https://publications.parliament.uk/pa/cm201719/cmselect/cmtrans/1982/198202.htm>

<sup>9</sup> North Highland/Department for Transport. 'Local Transport Data Discovery'. Available from: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/730787/local-transport-data-summary.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/730787/local-transport-data-summary.pdf)

<sup>10</sup> GeoPlace/Ordnance Survey/British Parking Association/Department for Transport (DfT). (2020). 'TRO Discovery Summary Report'. Available from: <https://static.geoplace.co.uk/downloads/TRO-Discovery-Summary-Report.pdf>

and consistency. They identified un-met user needs and made a series of recommendations for changes needed to simplify process for making TROs. These included the need to digitalise them from application to publication stage (digital TROs). This project recommended a strategic vision for what TROs could look like, based on what the users who participated in that project told them.

- In 2018, Transport Focus carried out research<sup>11</sup> with their transport user panel and received more than 3,000 responses. One key finding was that 24% of residents and local businesses hear about proposed changes to roads in their area through their local newspaper (17% from local newspaper reporting and 7% from an official notice in a local newspaper), complementing the 61% who find out from roadside signage.
- In 2019, we followed up the discovery user research project with a policy Alpha/design project that was carried out by PA Consulting<sup>12</sup> and which used more user research to design a possible new legislative process. The key points repeatedly raised by users as part of this research included significant variation and poor transparency of Temporary TRO (TTRO) fees; fees for TTROs were found to vary between £600 to £7,000 nationally, with an average fee of £1,021; inconsistent, inflexible and lengthy processing times; data provision is inconsistent and non-standardised; the TRO-making process is still managed in some areas through a paper-based approach; the majority of authorities do not generate digital, map-based output as part of the TRO-making process. The policy Alpha design project recommended a number of improvements including for TAs to publish standardised and open TRO data; for TTRO applicants to have minimum standards of service; TAs should operate a more outcome orientated, flexible and proportionate process; and TAs should publish clear and transparent information on their charging arrangements.
- Most recently, in 2020 we commissioned Valtech to carry out a technical data Alpha/design project that researched a possible technical solution for publishing TRO data and further developed a data model and standards for TRO data. This report is being published alongside this Impact Assessment<sup>13</sup>. After carrying out research with a range of interested users, including current providers of software solutions in use by authorities for making TROs, this project recommended that DfT should develop a publication platform that would be available on [www.gov.uk](http://www.gov.uk). This would be a place where all forms of TROs could be published in a digital format. Data would be open and available for the technology sector and others to take and use, for example, map makers, CAVs, SATNAVs, app developers etc via an Advanced Programming Interface (API). A further iteration of the data model and standards was also produced. This would require TRO data to be published in line with the model and standards, that may be changed from time to time, to ensure that data was standardised and consistent and in a common, modern data format.
- The Department for Digital, Culture, Media and Sport (DCMS) commissioned a report in early 2020 on recent dynamics of the press sector<sup>14</sup>. This report includes an assessment of the very limited number of areas with no local news provision or which fall below the thresholds applied to identify whether a newspaper is local.

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<sup>11</sup> Transport Focus (2019) Traffic Regulation Orders Survey Transport User Panel. Available from: <https://d3cez36w5wymxj.cloudfront.net/wp-content/uploads/2019/08/22101036/Traffic-Regulation-Orders-Transport-User-Panel-survey.pdf>

<sup>12</sup> PA consulting/Department for Transport. (2020). 'Traffic Regulation Orders: identifying improvements to the legislative process in England'. Available from: <https://www.gov.uk/government/publications/traffic-regulation-orders-identifying-improvements-to-the-legislative-process-in-england>

<sup>13</sup> Available on the DfT website: [www.gov.uk/DfT](http://www.gov.uk/DfT)

<sup>14</sup> Lavender, T. Wilkinson, L. Ramsay, G. Stouli, S. Adshead, S. Chan, YS. (2020). 'Research into recent dynamics of the press sector in the UK and globally.' Plum. Available from: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/924325/Plum\\_DCMS\\_press\\_sector\\_dynamics\\_-\\_Final\\_Report\\_v4.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/924325/Plum_DCMS_press_sector_dynamics_-_Final_Report_v4.pdf)

- We commissioned IPSOS Mori in 2021 to evaluate the impact of emergency regulations<sup>15</sup> that were in place between May 2020 and April 2021 to deal with the Covid-19 pandemic. These regulations dealt with issues that had arisen over newspapers not producing printed newspapers, authority offices being closed and the need to make TROs quickly to, for example, put social distancing measures in place. The regulations allowed use of digital publicity for proposed Temporary TROs and for other types in cases where local newspapers had closed. Their report is being published alongside this consultation<sup>16</sup>. Amongst the key findings, IPSOS Mori found opportunities for digital communication. Digital communication offered opportunities for cost savings and improvements and other benefits – such as the ability to allow traffic restrictions to vary over the duration of the temporary TRO, provide real-time information to users, and offer complementary information to aid communication and accessibility (such as maps of the affected area or summary information in plain English). It was easier to receive feedback through use of consultation hubs/engagement portals. Further improvements could be attained if the publication of temporary TROs could be standardised across local authorities.
- All the above research shows an overwhelming need for reform to and modernisation of the TRO process, and support from all those who interact with the regime. The benefits of change and wider digitisation of the TRO regime could be significant and include:
  - Greater reach of communications and better engagement in authorities without access to a local newspaper.
  - More accessible information.
  - Time savings – for applicants and authorities leading to administrative benefits and less bureaucracy.
  - Access to TRO data for road users such as bus and freight operators, map makers and the technology sector who can develop products for road users that could, in turn, reduce congestion and carbon emissions.
  - Better data management, data storage and archives.
  - Real-time updates on changes to the road networks.
  - More dynamic regime that can respond to the opportunities presented by new technologies.
  - Greater flexibility – future changes can be made quickly and easily to digital systems and TROs.
  - Better enforcement of, for example, parking restrictions.
  - Enable integration and operability with new and/or other forms of transport data.

## Rationale for intervention

- The current legislation on TROs needs to be updated to reflect modern technology and means of communication. There is a risk that some authorities do not have access to local newspapers and are publishing TROs in other authorities' local newspapers. This risks an information failure as information regarding the TRO may not be informing the target audience of road users where the TRO is being implemented. To resolve this government failure, intervention is needed to improve existing legislation.
- The current, paper-based and bureaucratic TRO process is inefficient and results in a slow and inefficient process in making TROs and limits accessibility to data. By having digital processes, this would allow greater efficiency improving the speed of applications and reduce bureaucracy and the burden on local government.
- With regard to changes to publicity requirements, since it is legislation requiring the publishing of TROs to be in local newspapers, the Government is best placed to resolve the information problem by amending legislation.

<sup>15</sup> Legislation. Gov. (2020). 'The Traffic Orders Procedure (Coronavirus) (Amendment) (England) Regulations 2020.' Available from: <https://www.legislation.gov.uk/ukxi/2020/536/contents/made>

<sup>16</sup> Available on the DfT website: [www.gov.uk/DfT](http://www.gov.uk/DfT)

## Policy objective

- Our key ambition is to create digital TROs and to streamline the legal procedures, removing unnecessary and outdated regulatory requirements. We want to deliver the vision set out in the TRO discovery and the solutions identified in the TRO policy alpha design project.
- The three main aims of the proposals set out in the consultation accompanying this Impact Assessment are to:
  - Create digital TROs: Applicants can apply for TROs online and they would be processed and consulted on using digital, software systems. They would be published in an open, digital format when they are proposed and when they are made.
  - Transform engagement and communication with local communities: Road users are informed of and engaged in proposed changes to roads. They are informed when rules are in place or when they have changed. Creating digital TROs will mean information can be accessed through a range of media platforms including websites, social media, and emails as well as local newspapers.
  - Simplify and speed up the time it takes to make TROs: Legislation is amended to remove barriers and unnecessary bureaucracy. A costly and time-consuming, paper-based process is changed to improve service and transparency for TRO applicants.
- This would deliver the vision that has come from our research which is:
  - A world where the process of applying for TROs and Temporary TROs is quick, consistent, and avoids any unnecessary costs that may be passed on to taxpayers or billpayers.
  - In this world, order-making authorities can make orders for other parties without unnecessary bureaucracy and can manage their own networks more efficiently using TROs.
  - Consultees and others who will be affected by changes are aware in advance of changes that will affect them and know how to contribute to a TRO’s design where appropriate.
  - Data users have access to high quality, timely, discoverable, and accurate TRO data so they can apply it for purposes such as reliable navigation and provision of digital services.

## Options considered

- The solutions identified in our research and on which we are consulting can be summarised in these options:
  - **Option 1: publicity digitalisation where no local newspaper is in circulation** – The primary change in this option is that TAs without access to local newspapers will be able to publish TROs using alternative media such as digital media. There would be no change to the digitalisation of TRO processes, keeping paper-based system and no change to special event TROs.
  - **Option 2: process digitalisation and publicity digitalisation where no local newspaper is in circulation** - The TRO regime is digitalised so that they can be applied for online, processed using digital software and there is an end to more costly, paper-based systems. All special event TROs can be approved by authorities and be used to close roads for filming. The main source of engagement is local newspapers apart from those authorities where a newspaper is no longer in circulation who can use alternative, digital media.
- The following summary table outlines the changes being proposed in option and further details can be found in the accompanying consultation. They also include proposed changes to service levels, greater transparency of fees for applicants and other changes to the legislation that would deliver the changes requested by those who engage with the TRO regime.

	<b>Publicity change</b> <i>Digital publicity where no newspaper exists</i>	<b>Digitalisation of TROs</b> <i>Ending more costly, paper-based system. TROs can be applied for</i>	<b>Improvement to special TROs</b> <i>All special event TROs can be approved by authorities and be used to close roads for sporting, social and entertainment events.</i>
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		<i>online, processed using digital software.</i>	
PO1 - publicity digitalisation where no local newspaper is in circulation	X		
PO2 - process digitalisation and publicity digitalisation where no local newspaper is in circulation	X	X	X

- Delivering the changes would involve amendments to the 1984 Act, to regulations and could involve the development of guidance. Delivery is therefore dependent on the outcome of the consultation, securing time in Parliament to make the changes needed to primary legislation and funding would be needed for the publication platform. The secondary legislation needed to move away from a paper-based application system could be delivered independently of the primary legislation and the digital solution. Delivery would mean action will be needed by TAs. The solutions identified in the data Alpha design project would involve DfT building a publication platform for TRO data and publishing a data model and standards.

#### Digitalising TROs: primary and secondary legislation

- We are proposing to seek an amendment to the Road Traffic Regulation Act 1984 that would require TAs to submit TRO data on TROs to DfT's data publication platform in the format specified by DfT's data model and to the standards that will change from time to time. We would, alongside this, create a regulation-making provision that would specify a set of data fields that must be provided to ensure completeness and consistency of the data and a provision that allowed the Secretary of State for Transport to issue statutory guidance.
- This requirement would mean that all TAs would need to ensure they have a system that could supply the TRO data needed in the required format. It would force those currently in the type-written, text-based and partly digital categories mentioned in the consultation to digitise their systems for processing TROs and accelerate the changes all those who interact with the TRO regime have told us they would like to see. Those who are mostly digital are likely to already have compatible systems or their service providers would be able to adapt the products in use to comply with the data model and standards.
- Without legislation, digitalisation would continue to be slow, incomplete, and inconsistent. With legislation, TAs would receive the benefits of digitalisation and we expect that these benefits would offset any initial transition costs they experience. TAs would need to buy a compatible software system if they did not already have one – DfT would pay for the build and service operation of the publication platform. Once any legislation came into force, it would apply to all new or amended TROs.

#### Publicity requirements: secondary legislation

- The proposed change to secondary legislation involves allowing use of digital and other media in authority areas where there is no longer a newspaper in circulation. This would resolve any current issue where authorities cannot comply with legislation in areas where there is no local newspaper, and they would benefit immediately from this change.

- To help address some of the issues identified with current publicity arrangements, as part of this option, we could clarify in guidance that, for example, the 7-day or 21-day or other notice periods would begin on the date the proposed TRO first appeared in the newspaper or in alternative media where no local newspaper is in circulation.
- It is worth noting that there is nothing to prevent authorities from taking additional, voluntary action to publicise proposed TROs. Newspapers are also taking action to improve their digital offering, for example, via the on-line portal is being developed by the News Media Association <sup>17</sup> that, once it is available, would publish statutory notices for the public to view through their mobile phones across the UK.

#### Temporary TROs and Notices of Making: secondary legislation

- The TRO Policy Alpha project<sup>18</sup> recommended that the requirement to publish the Notice of Making for Temporary TROs should be removed – this is the notice published 14 days after the initial notice period for Temporary TROs and is often no different to the initial Notice of Intent. The works can sometimes have taken place during this 14-day period. We propose, therefore, to remove this requirement unless the Notice of Making is different to the Notice of Intent as a result, for example, of a change that had been made following any objections that had been received during the 7-day notice period between the Notice of Making and the Notice of Intent. This would deliver additional benefits in terms of time and cost to Temporary TRO applicants and to authorities and it would remove an unnecessary regulatory burden. This change could, however, affect local newspapers' revenue stream in cases where they charge an additional amount for the Notice of Making. Option 2 in the options for publicity requirements would be dependent on keeping the requirement to publish a Notice of Making for every Temporary TRO.

#### Inspection and communication arrangements: secondary legislation

- We would like to make permanent one of the changes made temporarily as part of the emergency 2020 regulations<sup>19</sup>. Regulations require that proposed Permanent TROs and made Experimental Orders are made available for public inspection at an authority's office. Bearing in mind the difficulties caused by Covid-19 and the need for information to be provided to some people in more accessible formats, we propose to allow copies of proposed Permanent TROs and made Experimental Orders to also be sent, on request, by post or by email. We would retain the existing inspection requirement, but an alternative would be available in case this was needed.
- For Permanent TROs, Regulations 8, 10, 17 of the 1996 Regulations require objections to be sent in writing and sent to the address listed in the notice of proposals. We would like to amend regulations to make it clear that objections can also be submitted using electronic means specified by the authority in the notice of proposals, such as via email or via a digital consultation app or website being used by that authority. This would support greater use of on-line consultations which should increase people's ability to engage in and respond to consultations.

#### Statutory consultees: secondary legislation

<sup>17</sup> News Media Association (2021). 'Local News Media Sector to Launch Digital Public Notices Portal.' Available from: <http://www.newsmediak.org/latest/local-news-media-sector-to-launch-digital-public-notices-portal>

<sup>18</sup> PA Consulting/Department for Transport. (2020). 'Traffic Regulation Orders: identifying improvements to the legislative process in England'. Available from: <https://www.gov.uk/government/publications/traffic-regulation-orders-identifying-improvements-to-the-legislative-process-in-england>

<sup>19</sup>Legislation. Gov. (2020). 'The Traffic Orders Procedure (Coronavirus) (Amendment) (England) Regulations 2020.' Available from: <https://www.legislation.gov.uk/uksi/2020/536/contents/made>

- As well as updating some of the references to certain organisations who have changed their name and, in the case of London, Transport for London is now the relevant body, we would like to review the list of statutory consultees in the three sets of regulations that apply to TRO procedures and to clarify or add:
  - The Chief Officers of Police, NHS Trusts, and fire brigades to both Permanent and Temporary TROs. Ambulances and fire-fighting vehicles can also be affected by road works lasting less than 18 months.
  - Local bus operators likely to be affected by Permanent or Temporary TROs, not just the ones in Greater London.
  - As recommended by the TRO Policy Alpha, relevant, town or district councils.
  - The freight organisations to the list for Temporary TROs.

#### Fees for TRO applicants, response times and service levels: primary (service levels) & secondary (fees)

- We propose to amend the Local Authorities (Transport Charges) Regulations and add a requirement that authorities should:
  - Publish their fee rates for different types of TROs on their websites.
  - Make it clear that charges for TROs should be on a cost recovery basis.
  - Include a breakdown of how the fee is made up to demonstrate the fees are based on cost recovery only.
- We propose to amend primary legislation to add a requirement that authorities should provide a maximum response time for different types of TROs so those paying for them can receive a guaranteed service level. Service levels could cover, for example, the maximum time it will take between receipt of the application to giving the applicant an answer about whether or not their application has been accepted, and then the maximum time it will take to publishing the Notice of Intent (in the case of a Temporary TRO) or issuing them with a Special Event Order.

#### Special Event Orders: primary legislation

- We propose to amend the 1984 Act to be amended to include filming in the reasons for which Special Event Orders can be used. We propose that filming orders can last up to 7 days can be made by TAs without the need for any Secretary of State consent.
- We propose to amend the 1984 Act to remove the need for the Secretary of State's approval for Special Event Orders that last more than 3 days or that affect the same length of road on more than one occasion in a calendar year. This is a de-regulatory measure and should deliver time and administrative savings to applicants, organisers of Special Events and TAs.

## **2.0 Costs and Benefits**

- This section sets out the costs and benefits of the policy options. The impacts of policy options are compared to the do nothing where there is no change to the digitalisation of the TROs processes, nor any change to publicity requirements.
- As this proposal is not time-bound, the costs and benefits of the options have been assessed over a 10-year appraisal period, the default period specified in the Better Regulation Framework<sup>20</sup>.

<sup>20</sup> Department for Business, Energy & Industrial Strategy (BEIS). (2021). 'Reforming the Framework for Better Regulation'. Available from: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1005119/reforming-the-framework-for-better-regulation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005119/reforming-the-framework-for-better-regulation.pdf)



- All values are presented in 2021 prices and, where costs and benefits are expressed in present value terms, they have been discounted to their present value in 2022 using a discount factor of 3.5% as set by the HM Treasury Green Book<sup>21</sup>.
- A summary of the costs and benefits of each option is outlined in the following table:

Click here to enter text.Costs	Familiarisation Costs	Costs to build and operate digital system
PO1 - publicity digitalisation where no local newspaper is in circulation	X	
PO2 - process digitalisation and publicity digitalisation where no local newspaper is in circulation	X	X

Benefits	Improved Public Engagement (non-monetary)	Reduction in publicity costs to TAs	Development of TRO Dataset (non-monetary)	Supports the Future of Mobility (non-monetary)	Increase Efficiency in TRO application process
PO1 - publicity digitalisation where no local newspaper is in circulation	X	X			
PO2 - process digitalisation and publicity digitalisation where no local newspaper is in circulation	X	X	X	X	X

## Baseline – Do Nothing

- The baseline is the current situation and is used as a counterfactual to compare with policy options. In the status quo, there are requirements for all TROs to be published in local newspapers, both at the proposal stage and at the stage where they are implemented or signed. The regulations also include requirements for other types of notices to be published in newspapers, for example, notices of public inquiries or if any TROs are being revoked. However, there may be some Traffic Authorities (TAs) without access to a local newspaper and, as the legislation does not include any alternative arrangements for cases where a local newspaper is no longer in circulation, they would have to publicise them in neighbouring area’s newspapers, despite this being inefficient and ineffective in informing local communities to changes in TROs.
- There is no current legislation either preventing or addressing digitalisation of TROs. However, it is assumed that, in the baseline, there would not be an increase in digitalisation nor the associated benefits of efficiency or data to organisations. It is also assumed that without a central digital system, any that did choose to digitalise the TRO system would do so using their own formatting and structure, meaning that some of the benefits such as a database would be difficult to achieve. It is also expected that the current barriers and unnecessary bureaucracy that currently exists in the TRO processes would remain.

## Option 1 – Publicity digitalisation where no local newspaper is in circulation

- In this option, legislation would be amended so that TAs that do not have access to local newspapers can use alternative media sources. Currently, any TAs without access to local newspapers must find

<sup>21</sup> HM Treasury. (2020). ‘The Green Book: Central Government Guidance on Appraisal and Evaluation’. Available from: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/938046/The\\_Green\\_Book\\_2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/938046/The_Green_Book_2020.pdf)

other ways to publicise TROs and some may be publishing TROs in the closest local newspaper that is available but which does not cover the area of the proposed TRO. By amending legislation, those TAs without access to local newspapers would be able to publicise information about TROs to road users and local communities and residents using alternative media sources such as digital media. However, TAs with access to local newspapers must continue to use this source for publication.

- All other measures, such as digitalisation of TRO processes and changes to special event TROs, would remain as in the baseline. This means that there would not be an increase in digitalisation nor the associated benefits of efficiency or data to organisations. It is also expected that the current barriers and unnecessary bureaucracy that currently exists in the TRO processes would remain.

## Summary

### *Monetised Costs*

- Familiarisation costs (direct)

### *Monetised Benefits*

- Reduction in publicity costs to TAs

### *Unmonetised Benefits*

- Improved public engagement (direct)

## Costs

### *Transition Costs*

#### *Familiarisation Costs*

- In this option, TAs without access to local newspapers would be able to publicise TROs using digital media sources. With this change, there are expected to be familiarisation costs to TAs without access to local newspapers. This is expected to have familiarisation costs associated with identifying and publishing using alternative publicity methods for TROs. These familiarisation costs are expected to be faced in year 1 as the changes will be implemented immediately.
- There are 106,222 in England and it is assumed that 10% of these will not have access to local newspapers. This estimate is based on policy judgement and further information will be sought through the consultation. Sensitivities of 20% have also been applied to this estimate as outlined in annex 1. It is also assumed that all TAs without access to a local newspaper will choose to publicise on digital media sources. Therefore, it is expected there will be 15.5 TAs facing familiarisation costs in the central scenario. It is assumed that at each TA there will be 5 admin staff that will take 4 hours each to familiarise with the changes in publicity opportunities, however, this is an assumption based on time estimated and will be questioned further in the consultation. Including the non-wage uplift as

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<sup>22</sup> Department for Transport (DfT). (2021). 'Street and Road Works Further Reforms'. Impact Assessment No. DfT00427. Available from: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/989915/street-and-road-works-further-reforms-impact-assessment.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/989915/street-and-road-works-further-reforms-impact-assessment.pdf) <sup>23</sup> Department for Transport (DfT). (2021). 'Transport Analysis Guidance (TAG) Unit A4.1: Social Impact Appraisal'. Available from: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1007447/tag-unit-a-4-1.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1007447/tag-unit-a-4-1.pdf)

outlined in web TAG<sup>23</sup>, the hourly wage of admin staff at TAs is £17.51<sup>24</sup> in the central scenario. Therefore, the total estimated familiarisation costs from option 1 is estimated to be £5.4 thousand

Are you representing a Traffic Authority? If yes, how many staff do you expect will face costs of familiarising with changing publicity requirements to allow using alternative media sources? How long do you expect it to take each of these staff to familiarise (in hours)?

Are you representing a Traffic Authority? If yes, do you have access to a local newspaper to publicise TROs?

## Benefits

### *Monetised Benefits*

#### *Reduction in publicity costs to TAs*

- By allowing TAs that do not have access to local newspapers to use alternative media sources, such as digital media, it is expected that the publicity costs to these TAs will fall.
- For this analysis, it is assumed that all TAs without access to local newspapers will move to using digital media as the source of publicising TROs, however, this assumption will be questioned in the consultation. The cost of publicising a TRO in local newspapers is estimated at £1,115<sup>25,26</sup> (The estimated publicity costs are based on previous research, though this may be an overestimate. We are asking as part of the IA for further data to help us update these figures) while the estimated cost of publicising TROs using alternative media sources is estimated at £355. Therefore, there is estimated to be a saving of £760 per TRO.
- As previously outlined, there are estimated to be 155 TAs in England, and it is assumed that 10% do not have access to local newspapers with 20% sensitivity applied to this assumption shown in annex 1. Based on these assumptions, there are 15.5 TAs that would face a reduction in publicity costs from this option. It is estimated that each of these TAs will produce an average of 363 TROs annually<sup>27,28</sup>. Therefore, the total saving in publicity costs from this option is expected to be up to

<sup>23</sup> Department for Transport (DfT). (2021). 'Transport Analysis Guidance (TAG) Unit A4.1: Social Impact Appraisal'. Available from: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1007447/tag-unit-a-4-1.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1007447/tag-unit-a-4-1.pdf)

<sup>24</sup> Office for National Statistics (ONS). (2019). 'Annual Survey of Hours and Earnings (ASHE): Local Government Administrative Occupations'. Available from: <https://www.ons.gov.uk/surveys/informationforbusinesses/businesssurveys/annualsurveyofhoursandearningsashe>

<sup>24</sup> Office for National Statistics (ONS). (2019). 'Annual Survey of Hours and Earnings (ASHE): Local Government Administrative Occupations'. Available from: <https://www.ons.gov.uk/surveys/informationforbusinesses/businesssurveys/annualsurveyofhoursandearningsashe>

<sup>25</sup> PA Consulting/Department for Transport (DfT). (2020). 'Traffic Regulation Orders and Associated Data'. Policy Alpha Report. Available from: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/915957/traffic-regulation-orders-and-associated-data-policy-alpha-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/915957/traffic-regulation-orders-and-associated-data-policy-alpha-report.pdf)

<sup>25</sup> PA Consulting/Department for Transport (DfT). (2020). 'Traffic Regulation Orders and Associated Data'. Policy Alpha Report. Available from: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/915957/traffic-regulation-orders-and-associated-data-policy-alpha-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/915957/traffic-regulation-orders-and-associated-data-policy-alpha-report.pdf)

<sup>26</sup> GeoPlace/Ordnance Survey/British Parking Association/Department for Transport (DfT). (2020). 'TRO Discovery Summary Report'. Available from: <https://static.geoplace.co.uk/downloads/TRO-Discovery-Summary-Report.pdf>

<sup>27</sup> PA Consulting/Department for Transport (DfT). (2020). 'Traffic Regulation Orders and Associated Data'. Policy Alpha Report. Available from: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/915957/traffic-regulation-orders-and-associated-data-policy-alpha-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/915957/traffic-regulation-orders-and-associated-data-policy-alpha-report.pdf)

<sup>28</sup> GeoPlace/Ordnance Survey/British Parking Association/Department for Transport (DfT). (2020). 'TRO Discovery Summary Report'. Available from: <https://static.geoplace.co.uk/downloads/TRO-Discovery-Summary-Report.pdf>

£4.3<sup>29</sup> million per year. Due to the time expected for implementation of policies and arranging alternative publicity, it is expected that these cost savings will occur from year 2 (2023) onwards.

- It is estimated that 49% of TROs are public TROs requested for by local authorities. The reduction in publicity costs from these TROs will allow for the money saved to be used alternative way within the TA to benefit road users. Therefore, it is estimated that there will be savings of £2.1 million that will be used across TAs to benefit road users. It is estimated that the other 51% of TROs are applied for by external applicants such as utility and construction companies who pay a fee to TAs to make the TROs. As TAs have cost recovery structures, the reduction in publicity costs to TROs that are externally applied for of £2.2 million are expected to be passed on from TAs to TRO applicants such as utility and construction companies.
- In the proposed changes of this option, the publicity of TROs is expected to move from local newspapers to digital media sources. It is assumed that newspapers that were previously publicising TROs would be receiving the publicity space back and mitigate revenue losses with other advertising. These assumptions may not hold in reality and to find out more information on the backfill of advertising from other sources, a question is being asked in the consultation.

To what extent do you think advertising space currently used for TROs could be filled through alternative advertisements?

### **Unmonetised Benefits**

#### *Improved public engagement and awareness of TROs*

- Through the change in publicity requirements in this option, there is expected to be an increase in engagement in local communities where no local newspaper is currently in circulation. In this option, those without access to local newspapers in the area of the intended TRO will be able to publish TROs using an alternative media source such as digital media. Within affected communities, there is expected to be a greater awareness of changes to TROs amongst road users within the local community where the TRO will be implemented who may currently be dependent upon newspapers from neighbouring areas. This will help local communities to be better aware of and more able to raise any issues with proposed TROs.
- It is also expected to help road users within affected communities plan journeys considering diversions when TROs are implemented which could have indirect benefits such as improved journey reliability and reducing congestion around where TROs may be affecting traffic. These road users benefit that may be a result of improved engagement is difficult to quantify due to high uncertainty about many inputs.

### **Option 2 – Process digitalisation and publicity digitalisation where no local newspaper is in circulation**

- In this option, legislation would be amended so that cases that do not have access to local newspapers can use alternative media sources. Currently, any TAs without access to local newspapers may be publishing TROs in the closest local newspaper that is available but which does not cover the area of the proposed TRO. By amending legislation, such TAs would be able to choose how to publicise information about TROs to road users and local communities and residents. Those TAs with access to local newspapers must continue to use this source for publication.

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<sup>29</sup> The estimated publicity costs are based on previous research, though this may be an overestimate. We are asking as part of the IA for further data to help us update these figures

- In this option, in addition to allowing TAs without access to local newspapers to publicise TROs using alternative media sources, there would be an introduction of primary legislation to make TROs and their processes digital. This would allow TROs to be processed using digital software systems and would enable online applications. Using such systems would allow TROs and the data contained in them to be in a consistent, open format and contribute to a dataset that can be used by various organisations.
- The primary legislation would also include measures to simplify and speed up the process of making TROs. The amendments to legislation would remove barriers and unnecessary bureaucracy to streamline processes.

## Summary

### *Monetised Costs*

- Familiarisation costs (direct)

### *Unmonetised Costs*

- Costs to build and operate digital system (direct)

### *Monetised Benefits*

- Increased efficiency in TRO application process (direct)
- Reduction in publicity costs to TAs (direct)

### *Unmonetised Benefits*

- Development of TRO dataset (direct)
- Supports the Future of Mobility
- Improve public engagement (direct)

## Costs

### *Transition Costs*

#### *Familiarisation Costs*

- In both creating a digital system and changing the publicity requirements, there are expected to be familiarisation costs. TAs are expected to face most of the familiarisation costs in both creating a digital system that will be implemented by TAs and through identifying and publicising alternative publicity methods for TROs. Applicants of TROs are also expected to face familiarisation costs as users of the new digital system. Familiarisation costs from digitisation are expected to be faced in year 2 due to time required to build the system in year 1 of implementation, resulting in roll-out expected in year 2 and familiarisation costs faced at this time. However, publicity familiarisation costs are expected to be faced in year 1 as the changes will be implemented immediately.

#### Digitalisation of TROs

- TAs who will implement the digital TRO system are expected to face familiarisation costs from understanding how to use the digital system and supporting applicants. It is expected that the system will be efficient and simple and therefore, it is assumed that the amount of time each TA staff member will need to familiarise with the digitalisation is low at 3 hours per employee in the central scenario. Given that there are 155 TAs<sup>30</sup> and that is assumed that each will have 5 employees that will need to familiarise with the digitalisation, there are estimated to be a total of 775 TA employees

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<sup>30</sup> Department for Transport (DfT). (2021). 'Street and Road Works: Further Reforms'. Impact Assessment No. DfT00427. Available from: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/989915/street-and-road-works-further-reforms-impact-assessment.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/989915/street-and-road-works-further-reforms-impact-assessment.pdf)

facing familiarisation costs. The average salary of TA employees is £17.50<sup>31</sup> including a non-wage uplift<sup>32</sup>. Therefore, the total expected familiarisation costs to TAs for the digital system is £40.7 thousand in the central scenario.

- There are some end users who apply for TROs, but these are primarily utility companies (UCs) and construction companies. These users of TROs are also expected to face familiarisation costs of moving from paper-based applications to digital applications. As the same information would be required, and the digital system is expected to be easy to use, the time and costs of familiarisation to each applicant is expected to be low. There are estimated to be 200 applicants of TROs that would face familiarisation costs with a digital system. It is assumed that an average of 3 employees at each utility or construction company would need to familiarise with guidance, resulting in a total of 600 employees across companies that would need to familiarise with changes. The average wage of admin staff, including a non-wage uplift according to green book guidance<sup>33</sup>, is £16.88 per hour<sup>34</sup>. It is expected that the number of hours that each admin employee at utility and construction companies is 1 hour. This results in total familiarisation costs of £10.1 thousand to applicants of TROs.

Will your organisation make any applications for TROs? If yes, how many staff do you expect will face familiarisation costs to use a digital system?

### Change in Publicity Requirements

- The familiarisation costs associated with the change in publicity requirements are expected to be faced by the TAs without access to local newspapers and are expected to be the same as option 1. Therefore, the familiarisation costs across TAs without access to local newspaper is expected to be £5.4 thousand and is expected to be faced in year 1.
- In the above analysis, proxy figures have been used to allow an estimate of familiarisation costs to be used. However, to increase to quality of the analysis and reduce the dependency on underlying assumptions, questions are being asked in the consultation.

### **Unmonetised Costs**

#### *Costs to build and operate digital systems*

- To digitalise the application system and processes of TROs, DfT would procure contractors to build and maintain a new digital platform for publication of TROs. The design for such a system has been suggested in the Valtech Alpha project<sup>35</sup>. However, actual design and costs would be subject to procurement, final designs being agreed as part of a Beta build and testing project and agreement about the level of ongoing support and maintenance of the platform.
- Once the TRO publication platform is built, there would be ongoing costs for DfT to cover support and maintenance of the service and continuous improvement in line with the Government Digital

<sup>31</sup> Office for National Statistics (ONS). (2019). 'Annual Survey of Hours and Earnings (ASHE): Local Government Administrative Occupations'. Available from: <https://www.ons.gov.uk/surveys/informationforbusinesses/businesssurveys/annualsurveyofhoursandearningsashe>

<sup>32</sup> Department for Transport (DfT). (2021). 'Transport Analysis Guidance (TAG) Unit A4.1: Social Impact Appraisal'. Available from: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1007447/tag-unit-a-4-1.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1007447/tag-unit-a-4-1.pdf)

<sup>33</sup> Department for Transport (DfT). (2021). 'Transport Analysis Guidance (TAG) Unit A4.1: Social Impact Appraisal'. Available from: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1007447/tag-unit-a-4-1.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1007447/tag-unit-a-4-1.pdf)

<sup>34</sup> Office for National Statistics (ONS). (2019). 'Annual Survey of Hours and Earnings (ASHE): Other Administrative Occupations'. Available from: <https://www.ons.gov.uk/surveys/informationforbusinesses/businesssurveys/annualsurveyofhoursandearningsashe>

<sup>35</sup> Available on the DfT website: [www.gov.uk/dft](http://www.gov.uk/dft)

Service's Service Standard. The operational costs of the digital service would be agreed as part of the Beta build project and are subject to a commercial procurement exercise.

## Benefits

### **Monetised Benefits**

#### *Increased efficiency in TRO application process*

- Through the proposed legislation, it is expected that there will be an increase in efficiency to various groups including DfT, TAs and applicants for TROs such as utility and construction companies.

#### Department for Transport (DfT)

- DfT is expected to face efficiency savings by removing the need for approval from the Secretary of State (SoS) for some special event TROs which are processed by a TRO casework team. The SoS needs to ensure that the Department's aims are being met using the powers available. The DfT casework team exercises these powers on behalf of the SoS. However, it is not clear that the current approvals requirement is always helpful in ensuring the SoS and DfT achieve their objectives and having this requirement uses staff resource that could be used elsewhere. By removing the SoS approval requirement, there are expected to be efficiency benefits of £200 thousand from year 2 of implementation onwards<sup>36</sup>.

#### Traffic Authorities (TAs)

- TAs who process TROs are also expected to face efficiency savings through a digital system. The digital system is expected to reduce the time it takes to process TRO application and complaints, therefore allowing TA admin staff to use their time in an alternative way. The efficiency savings to TAs from the proposed changes to legislation are expected to be £1 million in year 2 of implementation and £1.5 million per annum from year 3 onwards.

#### Applicants of TROs

- Finally, TRO applicants, such as utility and construction companies, are expected to face efficiency savings from a digital system. The efficiency benefits from moving from a paper-based application to a digital application are expected to reduce the time it takes to receive the TROs they need by 2 weeks<sup>37</sup>.
- Furthermore, making the costs of TROs transparent and published is expected to reduce the time it takes for applicants of TROs to liaise with TAs to query or find out the costs for TROs and, instead, can use the published costs to plan and budget for TROs needed.
- By removing the SoS approval requirement, the application period for TROs from special event organiser is expected to reduce. By reducing the length of the application period, it is expected that there will be a reduction to the time taken to receive a TRO and hold the event.
- With the above factors reducing the application period for TROs, there are expected to be savings to TRO applicants of £500 thousand in year 2, £1 million in year 3 and £1.5 million from year 4 onwards.

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<sup>36</sup> PA Consulting/Department for Transport (DfT). (2020). 'Traffic Regulation Orders and Associated Data'. Policy Alpha Report. Available from: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/915957/traffic-regulation-orders-and-associated-data-policy-alpha-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/915957/traffic-regulation-orders-and-associated-data-policy-alpha-report.pdf)

<sup>37</sup> See the DfT website: [www.gov.uk/dft](http://www.gov.uk/dft)

- Therefore, the total efficiency savings expected for DfT, TAs and applicants of TROs from the digitalisation of TROs is expected to be £1.7 million in year 2, £2.7 million in year 3 and £3.2 million from year 4 onwards.

#### *Reduction in publicity costs to TAs*

- By allowing TAs that do not have access to local newspapers to use alternative media sources, such as digital media, it is expected that the publicity costs to these TAs will fall, resulting in gained revenue to TAs. These costs and assumptions of the reduction in publicity costs are expected to be the same as option 1, therefore, the total saving in publicity costs from this option is expected to be £4.3<sup>38</sup> million per year from year 2 onwards. £2.1 million of these savings are expected to be from public TROs with the savings used in alternative ways in TAs to benefit road users. The other £2.2 million is estimated to be from externally applied for TROs and due to the cost recovery structure of TROs, the savings are expected to be passed onto applicants through a reduction in fees.

#### **Unmonetised Benefits**

##### *Development of TRO dataset*

- Data on TROs could support the creation of a quality data set on the road network that supports a range of individuals and organisations. However, currently not all TAs publish data on TROs in a digital format and, for those that do, the formatting is inconsistent. Data on TROs is currently published through many sources, including public inspection in Council offices where information on TROs is paper-based, local government websites, or third-party websites. The range of sources causes complexity when trying to collate information into a single source.
- There is no existing legislation, data models or standards that specify or mandate how any information should be published digitally. This results in a lack of consistency in the technical approach. By introducing legislation requiring the digitalisation of TROs in line with a single data model and standards, this will enable a TRO dataset that is consistent, accurate, available for every area, open and of high quality, allowing users to make effective use of the data. Groups that would benefit from such a dataset includes:
  - TRO applicants - creating a high-quality and reliable dataset could allow applicants of TROs such as utility and construction companies to use TRO and TTRO data to effectively plan their works
  - Navigational companies - the processing of information is largely automated and relies on data that can be processed digitally. However, with inconsistencies and a lack of standard format for any TRO data, navigation systems are often not updated to reflect TROs. With a high-quality dataset, this could improve the reliability of navigational companies.
  - Connected and Automated Vehicles (CAVs) - With the introduction of autonomous vehicles and systems where a computer is increasingly responsible for decisions, data needs to be up-to-date and available in a standardised, digitally processable format. Therefore, the creation of high-quality and updated data is an enabler of CAVs.
  - Police and Traffic officers - Having access to up-to-date data on TROs could support Police in enforcement and emergency services in accessing places quickly. Police enforce speed limits and other road traffic rules, so high quality and up-to-date data could enable enforcement of current TROs and TTROs and prevent inaccurate enforcement of historic regulation orders.
  - Road user benefits – through improved data to navigational companies, enforcement agencies and TRO applicants, it is expected that there will be benefits to road users. By these

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<sup>38</sup> The estimated publicity costs are based on previous research, though this may be an overestimate. We are asking as part of the IA for further data to help us update these figures



groups having updated information, this can help road users plan their journeys, avoid congestion, and increase the reliability of journey times.

- Data organisation - Such a dataset could also result in potential time savings from searching and/or cleaning data in attempt to form a TRO dataset.
- However, quantifying the benefits of a high-quality TRO database to each group is difficult. This is due to high uncertainties about the information the dataset could provide and lack of information regarding the extent of the benefit this would bring to each group.

### *Supports the Future of Mobility*<sup>39</sup>

- While implementing a digital TRO system is expected to have a range of benefits that could be achieved soon after implementation, having a digital system is also expected to support the Government and TAs in achieving their longer-term goals, as set out below.

#### Dynamic TROs

- TAs need to make the best use of the limited space on the road network to keep traffic moving. Therefore, TAs want to be flexible with space, altering the restrictions that apply to roads on a dynamic basis according to factors such as volume of cars, parking bay supply and demand or air quality. If the restriction can change dynamically, this information needs to be clearly conveyed to road users, including HGVs with respect to updated loading and unloading times. Creating dynamic TROs to support dynamic kerbside management would enable further work and research to be carried out on this concept.

#### Fibre network rollout

- The UK Government has the ambition to deliver full-fibre broadband to all premises by 2033. This goal is set to meet the needs of UK citizens and businesses by providing ultrafast broadband services. To achieve the network rollout ambitions, broadband companies will need many Temporary TROs (TTROs) during some of the street works they need to carry out. However, utility companies delivering these roll outs experience inconsistencies in the timing and cost to apply for TTROs, making such a large-scale operation difficult to plan for.

#### Net Zero emission cars and vans

- The UK Government has set out the ambition that all new cars and vans must be net zero by 2040. To achieve this, there is expected to be mass adoption of ultra-low or zero emission vehicles, which will require an increase in on-street electric vehicle charging facilities. TROs and TTROs will be needed for some of these installation works and to designate the parking bays alongside them. Digitalisation of TROs and TTROs is expected to reduce the time and cost of applying for them, making delivery of these easier and quicker to achieve.

### *Improved public engagement and awareness of TROs*

- Through the change in publicity requirements in this option, there is expected to be an increase in engagement in local communities where no local newspaper is in circulation. In this option, those without access to local newspapers around the intended TRO will be able to publish TROs using an alternative media source, such as digital media. Within affected communities, there is expected to be a greater awareness of changes to TROs amongst road users within the local community where the TRO will be implemented who may currently be dependent upon newspapers from neighbouring

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<sup>39</sup> Government Office for Science. (2019). 'The Future of Mobility: A time of unprecedented change in the transport system.' Available from: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/780868/future\\_of\\_mobility\\_final.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/780868/future_of_mobility_final.pdf)

areas. This will help local communities to be better aware of and more able to raise any issues with proposed TROs.

- It is also expected to help road users within affected communities plan journeys considering diversions when TROs are implemented which could have indirect benefits such as improved journey reliability and reducing congestion around where TROs may be affecting traffic. These road users benefit that may be a result of improved engagement is difficult to quantify due to high uncertainty about many inputs.

### Business Impact Target Calculations

- While many of the costs and benefits outlined above are expected to be faced by non-businesses such as DfT and TAs, there are other impacts that are expected to be faced by TRO applicants which are businesses such as utility and construction companies. The following table outlines which impacts are experienced by these businesses and which are experienced by non-businesses.

Impact	Building and operating Digital TRO system	Familiarisation Costs (publicity)	Familiarisation Costs (digital TRO system)	Efficiency Benefits	Reduction in publicity costs	Engagement impacts with local community	TRO dataset	Supports the future of mobility
To Business (TRO applicants such as utility and construction companies)			X	X	X		X	
To non-business (DfT and TAs, general public)	X	X	X	X	X	X	X	X

- As outlined above, the reduction in publicity costs is expected to be faced by both non-business and business. Public TROs as requested by local authorities are estimated to make up 49% of TROs. The savings from these TAs are expected to be used in an alternative way within the TA to benefit road users. The remaining 51% of TROs are expected to be from external applications from utility and construction companies. The savings from the reduction in publicity costs from these TROs are expected to be passed back to applicants through a reduction in TRO fees charged by TAs. This is due to the cost recovery structure of TAs.
- Therefore, the familiarisation costs of creating a digital TRO system, efficiency benefits to TRO applicants and the reduction in publicity costs are in scope of the Business Impact Target and the Equivalent Annual Net Direct Cost to Business (EANDCB). While the development of a TRO dataset is also an impact to businesses, this is a non-monetary impact so is not included in the EANDCB calculations.
- Using these impacts, the Business Impact Target, Net present Business value and EANDCB value for each option is outlined in the table below:

	Business Impact Target Score	Net Present Business Value	EANDCB
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PO1 – publicity digitalisation where no local newspaper is in circulation	-8.5	14.6	-1.9
PO2 - process digitalisation and publicity digitalisation where no local newspaper is in circulation	-13.5	23.3	-3.1

### 3.0 Risks and unintended consequences

- The potential risks from these policy changes are expected to be minimal, since they are improvements to a regime/process that has been in use for several decades. The main risks would materialise from the build of a new digital service/platform for publication of all TROs and transition to using this system. These risks include over or underspending on the design and development, ensuring that the system is designed and meets user needs, delivery and testing to ensure it works as intended, and roll out amongst all TAs in England. These risks will be mitigated by using Agile project management techniques, assurance from finance and commercial colleagues and the Government Digital Service, stakeholder engagement and management and by developing and implementing a business change support plan.
- There may be potentially significant unintended consequences for some local newspapers as a result of the policy on publicity in areas where there is no local newspaper in circulation. As set out above, the estimated cost to local newspapers is £4.3m<sup>40</sup> per annum, and we would expect this cost to be borne by a very limited number of titles. This cost is further amplified by the financially vulnerable state of the sector. Local news publishers face an existential challenge to their sustainability, which has been further exacerbated by the pandemic. Revenues for local and national newspapers combined have fallen by up to 50%, or £2.8bn pa, between 2007-2017 alone.<sup>41</sup> COVID-19 has led to an estimated further £1bn reduction in revenue since spring 2020.<sup>42</sup>
- The local newspaper sector provides significant and far reaching social and economic benefits. They remain uniquely placed to undertake the investigative journalism and scrutiny of public institutions that is vital to helping ensure a healthy democracy.
- Local news coverage has a significant impact on the efficiency of public services and the management of local finances. Local newspapers act as a ‘watchdog’, auditing local authority spending and improving accountability and transparency in local institutions and services<sup>43</sup> - and covering stories that might not be picked up by the national press. More broadly, the continuation of local news provision brings social, economic and democratic benefits, including through increased local election turnout,<sup>44</sup> community engagement,<sup>45</sup> and by fostering a sense of cohesion and pride in local communities.<sup>46</sup> These benefits may be at risk in any areas where local newspapers no longer receive TRO advertising revenue.

<sup>40</sup> The estimated publicity costs are based on previous research, though this may be an overestimate. We are asking as part of the IA for further data to help us update these figures

<sup>41</sup> Mediatique - [Overview of recent dynamics in the UK press market](#). 2018

<sup>42</sup> Enders. [Publishing in the pandemic: print squeeze, digital boost](#). 2021

<sup>43</sup> [Source: Ramsey and Moore \(2016\) ‘Monopolising Local News’, Kings College London Centre for the Study of Media, Communication and Power](#)

<sup>44</sup> Plum Consulting (2020) [Research into recent dynamics of the press sector in the UK and globally](#)

<sup>45</sup> Yamamoto, Masahiro (2011) [‘Community Newspaper Use Promotes Social Cohesion,’](#) Newspaper Research Journal, 32:1, pp.19-33

<sup>46</sup> Buchanan, Carrie (2009) [‘Sense of Place in the Daily Newspaper,’](#) Aether: The Journal of Media Geography, IV, pp.62-84

- Regulations/secondary legislation will be needed to support delivery of this change and the risks will be further assessed at this time and as part of the Impact Assessment that would accompany secondary legislation.
- There is some uncertainty regarding specific assumptions made in this Impact Assessment as fully outlined in annex 1, particularly around:
  - The assumption that 10% of TAs do not have access to a local newspaper.
  - The amount of time it would take TA staff to familiarise with changes in legislation to digitisation and publicity requirements.
- To gain further information on these points and improve the robustness of the analysis for the final stage IA, we are asking questions where we have made assumptions as part of this consultation Impact Assessment.

## 4.0 Wider impacts

### *Innovation Test*

- Through the proposal to legislate the digitalisation of the TRO system as outlined in option 2, there is expected to be an increase in innovation both directly to the TRO process operated by DfT and TAs and indirectly to businesses and the public who are expected to use the valuable dataset that could be produced from digital TROs. Legislating the digitalisation requirement would mean that all TAs would need to ensure they have a system that could supply the TRO data needed in the required format. It would force those currently in the type-written, text-based and partly digital categories mentioned in the consultation to digitalise their systems for processing TROs and accelerate the changes all those who interact with the TRO regime have told us they would like to see.
- While there are other interventions that could be introduced to encourage digitalisation without using legislation, for example, incentive-based interventions such as subsidies for buying or building digital systems, it is expected that these interventions would not be as effective in achieving a consistent, complete and fast uptake of digitalisation.
- The proposed reforms would address an existing issue with the regulations which require use of one form of media only and which is becoming out of date. The reforms would mean that any current and future forms of media and digital technology can be used.

### *Small and Micro Business Assessment*

- The main costs to business outlined in the Business Impact Target are familiarisation costs from digitalisation of the TRO system, efficiency benefits, reduction in publicity costs, the costs to local newspapers and the development of a TRO dataset. The impact that each of these may have on small and micro-sized is outlined below:
  - **Familiarisation costs to TRO applicants** – while the size of the familiarisation costs is expected to be proportionate to the size of the business, for example, a smaller business with fewer staff is expected to have less staff that will face familiarisation costs than a larger company, the admin time is still expected to be disproportionately difficult for smaller businesses. Larger applicants of TROs, such as utility companies like Cadent Gas or Openreach, may have staff whose job is to apply for TROs, whereas smaller utility and construction may not have the resource. Therefore, smaller businesses may feel the familiarisation costs greater than larger businesses.
  - **Efficiency benefits** – there are expected to be efficiency benefits to TRO applicants as the time it will take to receive a TRO will be shortened through a digital system. By improving the system that processes TROs, all applicants, regardless of size are expected to receive these

efficiency benefits. However, a reduction in costs may have a disproportionate benefit to small businesses.

- **Reduction in publicity costs** – TAs without access to local newspapers are expected to face a reduction in publicity costs through changes in the publicity requirements of TROs. Since TAs operate on a cost-recovery structure, the cost savings of publicity is expected to be passed on to TRO applicants through the costs of TRO applications. While it will be a standard reduction in the cost of TRO applications, this is expected to disproportionately benefit small businesses.
- **Cost to local newspapers** - The vast majority of local newspapers which may be in scope would be small or micro businesses, and there could be a significant cost to the sustainability of these organisations.
- **Creation of TRO dataset** – this is expected to benefit a range of businesses from TRO applicants to navigational companies. While there are many unknowns about the dataset and its outputs, it is intended that the dataset will be carefully designed to ensure that there are no barriers for SMBs and that it will be accessible to all.
- To gain further information about the size of businesses in the TRO sector and any disproportionate impact on SMBs, the following question will be asked in the consultation. This will help understand the proportion of the industry that is a SMB.

Are you a TRO applicant? If yes, how many employees are there at your organisation?

*Equalities Impact Assessment*

- There will be minimal negative impact on those with "protected characteristics" under The Equality Act 2010 and some positive.
- These reforms are aimed at improving a regime that has been in place since the 1990s and should make information on TROs and proposed changes to the road network more accessible, especially for people with, for example, visual impairments or learning difficulties since the information could be provided in more accessible formats that would meet the needs of these groups.

*Greenhouse Gases Impact Test/Wider Environmental*

- There is expected to be an indirect impact on congestion through the policy options considered in this Impact Assessment. By creating a digital TRO system in option 2, this is expected to support the creation of a valuable dataset that informs road users of diversions and helps them plan journeys, which is expected to reduce congestion and greenhouse gas emissions. Due to lack of information to the scope of changes to planned journeys as a result of improved public engagement and the impact that this would have on journey reliability and congestion, this impact is not measured. It would also be disproportionate to measure this at consultation with impact on emissions being very uncertain.

**5.0 Post implementation review**

1. **Review status:** Please classify with an 'x' and provide any explanations below.

	Sunset clause		Other review clause	x	Political commitment		Other reason		No plan to review
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Regulations to be reviewed every five years to ensure continued suitability.

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**2. Expected review date** (month and year, xx/xx):

01	09	/	2	8	Five years from when the Regulations come into force
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**3. Rationale for PIR approach:**

These policies will need both primary and secondary legislation to be implemented and a digital service platform to be built. The earliest the legislation would be completed is 2023 so a date of 5 years after any regulations would be in force has been chosen for the PIR.

● **Will the level of evidence and resourcing be low, medium, or high? (See Guidance for Conducting PIRs)**

Low – estimate based on assessment of research needed to assess the impact of any improvements made to an existing regime

● **What forms of monitoring data will be collected?**

● **What evaluation approaches will be used? (e.g. impact, process, economic)**

● **How will stakeholder views be collected? (e.g. feedback mechanisms, consultations, research)**

Once the digital platform has been created and is in use, we will be able to use that as a source of data for how many TROs are made each year etc. We will need to supplement research with wider user surveys of Traffic Authorities and others who interact with the TRO regime. As part of these surveys, we intend to gather information about use of different forms of publicity if there is a change to the existing requirements and associated impacts on costs and benefits, including any time savings. We can also survey TRO applicants to assess the effect on them, and organisations that take the TRO data to see what use they are making of it.

We will initially be able to use the consultation responses and information submitted as part of that process to update this IA and prepare a final version.

As part of building the digital platform, continuous user research of stakeholders will be carried out to support the build and ensure a successful roll-out. This research will provide more evidence for the PIR.

<b>Key objectives of the regulation(s)</b>	<b>Key research questions to measure success of objective</b>	<b>Existing evidence/data</b>	<b>Any plans to collect primary data to answer questions?</b>
Speed up the time it takes to make TROs	Gather data on average time from application through to completion for different types of TROs	Surveys	The new digital TRO platform will be able to provide some new data sets
Create digital TROs	Number of TAs using digital systems to process TROs. Number of TAs offering on-line applications. Number of customers taking open data feed from new digital platform.	Surveys/use cases	The new digital TRO platform will be able to provide some new data sets
Transform engagement and communication with local communities	Number and types of publicity used. Number of responses to consultations. Reach of residents and business who see proposed TROs. Number of TAs offering on-line consultation services.	Surveys/use cases	The new digital TRO platform will be able to provide some new data sets

## Summary of consultation questions

### Questions for Traffic Authorities

<b>Question</b>	<b>Answer</b>
<b>Q1:</b> do you have access to a local newspaper to publicise TROs?	
<b>Q2:</b> If no, What alternative method do you use to publicise TROs?	
<b>Q3:</b> If no, How many staff, in your opinion, do you expect will face costs of familiarising with changing publicity requirements to allow using alternative media sources? How long do you expect it to take each of these staff to familiarise (in hours)?	
<b>Q4:</b> what is your average spend per temporary and permanent TRO?	

### Questions for TRO Applicants

<b>Question</b>	<b>Answer</b>
<b>Q5:</b> Will your organisation make any applications for TROs? If yes, how many staff do you expect will face familiarisation costs to use a digital system?	
<b>Q6:</b> Are you a TRO applicant? If yes, how many employees are there at your organisation?	

## Questions for local newspapers

Question	Answer
<b>Q6:</b> What is your average charge for a TRO in your print newspaper, and on your website(s)? How much profit do you make on average from a TRO?	
<b>Q7:</b> How would you occupy the additional space made available in your newspaper by the absence of TROs?	
<b>Q8:</b> To what extent do you think advertising space currently used for TROs could be filled through alternative advertisements?	

## Annex 1 – Sensitivity and Assumptions Tables

Assumption	Source	Further information	Scenario		
			Low	Central	High
Number of TROs issued each year	TRO Discovery Summary Report – Geoplace, DfT Traffic Regulation Orders and Associated Data – Policy Alpha, DfT	The total number of TROs is summed from the number of special event orders, TTROs and permanent TROs issued each year. The figures given in the sources were used as the central estimate with +-25% sensitivity applied	Permanent TROs pa: 10,725 TTROs pa: 29,250 Special event TROs pa: 2,250 Total TROs: 42,225	Permanent TROs pa: 14,300 TTROs pa: 39,000 Special event TROs pa: 3,000 Total TROs: 56,300	Permanent TROs pa: 17,875 TTROs pa: 48,750 Special event TROs pa: 3,750 Total TROs: 70,375
Efficiency benefits from digital system	Traffic Regulation Orders and Associated Data – Policy Alpha, DfT Figures from Consulting firm	Sensitivity of +-20% is applied to a central estimate. Sensitivity is applied due to some uncertainty to the monetary value of efficiency benefits achieved through digitalisation. Benefits are expected from year 2 onwards.	To DfT: £0.16 m pa To TAs: £0.8 m (year 2), £1.2 m (year 3 onwards) To TRO applicants: £0.4 m (year 2), £0.8 m (year 3), £1.2 m (year 4 onwards)	To DfT: £0.2 m pa To TAs: £1m (year 2), £1.5 m (year 3 onwards) To TRO applicants: £0.5 m (year 2), £1 m (year 3), £1.5 m (year 4 onwards)	To DfT: £0.24 m pa To TAs: £1.2 m (year 2), £1.8 m (year 3 onwards) To TRO applicants: £0.6 m (year 2), £1.2 m (year 3), £1.8 m (year 4 onwards)
Number of TAs	Street Works IA – DfT Assumptions	It is assumed there is +-20% sensitivity applied to central estimate.  It is assumed that 10% of TAs do not have access to local newspapers  It is assumed that 75% of TROs with access to local newspapers published TTROs using Covid-19 legislation	Number of TAs: 124  Number of TAs with no local newspaper: 12.4  TAs that published TTROs: 83	Number of TAs: 155  Number of TAs with no local newspaper: 15.5  TAs that published TTROs: 105	Number of TAs: 186  Number of TAs with no local newspaper: 18.6  TAs that published TTROs: 126
Familiarisation Costs to TAs	Assumptions  ONS ASHE database – local government administrative occupations.  Web TAG	Average number of hours required per staff facing familiarisation. Assumption for central scenario and +- 20% sensitivity applied for low and high.  Average number of Staff facing familiarisation costs at each TA.  Average salary of TA employees that would face familiarisation. Based on the ASHE database with the mean for the central estimate, 10 <sup>th</sup> and 90 <sup>th</sup> percentile for the low and high estimates respectively.	Digitalisation: 2.4 hours per staff f Publicity: 3.2 hours per staff  Digitalisation: 3 Publicity: 3  Average salary: £9.91 p/h	Digitalisation: 3 hours per staff Publicity: 4 hours per staff  Digitalisation: 5 Publicity: 5  Average salary: £13.84 p/h	Digitalisation: 3.6 hours per staff Publicity: 4.8 hours per staff  Digitalisation: 10 Publicity: 10  Average salary: £17.73



		Non-wage uplift – no sensitivity is applied due to the robustness of the web TAG source.	1.265	1.265	1.265
Familiarisation Costs to TRO applicants	Assumptions	Number of employees that will need to familiarise with the digital system at each applicant of TROs. Based on the number of staff that DfT estimates to work on TROs at small, medium, and large sized organisations that apply for TROs.	Number of staff facing familiarisation per TRO applicant: 1	Number of staff facing familiarisation per TRO applicant: 3	Number of staff facing familiarisation per TRO applicant: 5
	ONS ASHE database – local government administrative occupations.	Average number of hours each staff will take to familiarise with a digital TRO system. Low estimate based on the expected ease of use for applicants. +20% sensitivity.	Time to familiarise per TRO applicant: 0.8 hours	Time to familiarise per TRO applicant: 1 hours	Time to familiarise per TRO applicant: 1.2 hours
	Web TAG	Average salary of TRO applicants that would face familiarisation. the mean for the central estimate, 10 <sup>th</sup> and 90 <sup>th</sup> percentile for the low and high estimates, respectively. Non-wage uplift – no sensitivity is applied due to the robustness of the web TAG source.	Average Salary: £8.50 p/h	Average salary: £13.34 p/h	Average salary: £23.12 p/h
			1.265	1.265	1.265

## Annex 2 – change in costs and revenues from proposed legislation on digital publicity

