

Traffic regulation orders: changes to publishing requirements and special events order approvals

Introduction

Thank you for responding, your views will help to make the policy for traffic regulation orders (TROs) and inform possible changes to legislation.

Closing date 18 April 2022.

View all questions

The survey provides questions based on user choice, [all questions are available \(opens in a new window\)](#).

Print or save

At the end, you may either print or save your response after submitting.

Save and continue

You may save and continue anytime. If you do you'll get a link via email allowing you to continue, providing your email is correct.

Accessibility statement

Read our [SmartSurvey forms accessibility statement \(opens in a new window\)](#).

Confidentiality and data protection

The Department for Transport (DfT) is gathering your views on proposals relating to TROs and the process for making them.

We are asking for your name and email, in case we need to ask you follow-up questions about your responses (you do not have to give us this personal information, but if you do provide it, we will use it only for this purpose)

If an organisation we are asking the type of organisation you are, to understand your relationship with the topic.

If a traffic authority we are asking:

- if your local area has a local newspaper to publicise TROs and, if not, any alternative publication methods you use, to understand how the regulations may affect your work
- the number of staff who's training in changes to regulations may bring cost to you as well as the amount of hours training, to better understand any financial implications for your organisation
- the cost of various TRO publicity, to better understand any financial implications for your organisation

For local newspaper organisations we are asking the advertising charges on print and digital, the profit and percentage of advertising TROs amounts and how they would use the additional advertising space if the system changed, to better understand the business effect.

For other organisations we are asking:

- if you apply for, and will continue to apply for, TROs, to understand your relationship to the topic
- your number of employees and the number of staff who apply for TROs, to assess impacts in our analysis on businesses
- the number of staff who's training in the regulations may bring cost or financial implications for your organisation

Your consultation response and the processing of personal data that it entails is necessary for the exercise of our functions as a government department. DfT will, under data protection law, be the controller for this information. [DfT's privacy policy \(opens in new window\)](#) has more information about your rights in relation to your personal data, how to complain and how to contact the Data Protection Officer.

Your personal data is processed on behalf of DfT by Smartsurvey, with respect that they run the survey collection software only, your personal data will not be shared with any other third parties, even those employed for the purpose of analysis.

Any information you provide will be kept securely and destroyed within 12 months after the closing date. Any information provided through the online questionnaire will be moved to our internal systems within 2 months of the consultation period end date.

Personal details

1. Your (used for contact purposes only):

name

email

2. Are you responding: *

- as an individual? (Go to 'Proposals')
- on behalf of an organisation?

Organisation details

3. Your organisation is:

- a local newspaper organisation? (Go to 'Local newspaper organisations')
- a traffic authority?
- a utility company? (Go to 'Traffic regulation orders applicants')
- a construction company? (Go to 'Traffic regulation orders applicants')
- an organiser of special events? (Go to 'Traffic regulation orders applicants')
- a transport technology company? (Go to 'Traffic regulation orders applicants')
- a representative organisation? (Go to 'Traffic regulation orders applicants')
- another type of organisation? (Go to 'Proposals')

Traffic authorities

4. Does your area have a local newspaper to publicise TROs?

- Yes (Go to 'Traffic authorities')
- No
- Don't know? (Go to 'Traffic authorities')

No local paper access

5. What alternative method do you use to publicise TROs?

Traffic authorities

6. How many staff, in your opinion, do you expect will face costs of familiarising with changing publicity requirements to allow using alternative media sources?

- 0 (Go to 'Traffic authorities')
- Between 1 and 5 people
- Between 6 and 10 people
- Between 11 and 20 people
- Another amount above 20 people:

Staff hours

7. How long do you expect it to take each of these staff to familiarise (in hours)?

Traffic authorities

8. What is your average spend, in pounds, for publicising each:

temporary
TRO?

permanent
TRO?

[After answering go to 'Proposals']

Traffic regulation orders applicants

9. Does your organisation ever apply for TROs?

- Yes
- No (Go to 'Proposals')
- Don't know (Go to 'Proposals')

Applying for TROs the future

10. Do you think your organisation will continue to apply for TROs?

- Yes
- No (Go to 'Proposals')
- Don't know? (Go to 'Proposals')

Traffic Regulation Orders applicants

11. How many employees in your organisation?

- Between 1 and 9
- Between 10 and 49 employees
- 50 or more employees:

12. How many of your staff make TRO applications?

[After answering go to 'Proposals']

Local newspaper organisations

13. What is your average charge for a TRO:

in your print newspaper?

on your website?

14. How much profit do you make on average from a TRO?

[]

15. What percentage of your advertising space currently used for TROs could be filled through alternative advertisements?

[]

[If percentage is 0 go to 'Proposals']

Advertising space in local newspapers

16. How would you occupy the additional space made available in your newspaper by the absence of TROs?

[]

Proposals

We are consulting on altering the procedures that traffic authorities must follow when making different types of traffic regulation orders (TROs). This alteration of TRO procedure would mean amending the [Road Traffic Regulation Act 1984 \[opens in a new window\]](#) and:

- [The Secretary of State's Traffic Orders \(Procedure\) \(England and Wales\) Regulations 1990 \(the 1990 Regulations\) \[open is new window\]](#)

- [The Road Traffic \(Temporary Restrictions\) Procedure Regulations 1992 \(the 1992 Regulations\) \[opens in a new window\]](#)
- [The Local Authorities' Traffic Orders \(Procedure\) \(England and Wales\) Regulations 1996 \(The 1996 Regulations\) \[opens in a new window\]](#)

The proposals would modernise and reform the TRO system in a way that meets today's needs, but should also meet the needs we foresee are needed over the next 10 to 20 years. We are consulting on:

- creating digital TROs
- transforming the engagement with local communities using alternative forms of media for contact
- removing the regulatory requirement to publish a "Notice of Making"
- speeding up and simplifying the time it takes to make TROs by allowing TROs to be sent by modern means such as email and web applications
- updating the statutory consultee list with various services and other types of local authority
- the publication of TRO charges and service standards by traffic authorities
- adding filming to the definition of relevant events and removing the need for Secretary of State approval of these events
- your views on streamlining the process for electric vehicle chargepoints

Data publication requirement

We are proposing a new requirement is added to the Road Traffic Regulation 1984 requiring traffic authorities to send all data from TROs created in their areas to a single, government owned, digital data publication platform. Data will be published as open data in line with a data model and standards that will be updated from time to time.

17. Do you think we should amend the Road Traffic Regulation 1984 to require traffic authorities to share all data from their TROs to a single, centrally government owned digital data publication platform?

- Yes
- No
- Don't know (Go to 'TRO publicity requirement')

Comment on data requirement

18. Why?

- The proposals will increase transparency and make it significantly easier for members of the public to access information on existing TROs.
- It is anticipated that in the long run this will reduce administrative costs for Local Highway Authorities (LHAs) in responding to requests for information on existing TROs.
- The proposals will create consistency between LHAs on the publication of existing TROs.
- In the short term, the creation of a central platform is likely to place additional resource and cost constraints on LHAs (e.g., time to get existing TROs into the new system).
- Where newspaper publicity is removed, a standardized online publication location would be necessary to ensure notices are effectively communicated.
- A platform of this nature could allow users to set up alerts, for their road for example, which would ensure those directly affected by a proposal or closure are notified.

TRO publicity requirement

We are proposing to keep current regulatory requirements for publicity of TROs in local newspapers but allow use of:

- digital
- or
- other media

communication in local authority areas where there is no longer a local newspaper in circulation.

19. Do you agree that we should allow use of digital and other media communication in local authority areas where there is no longer a local newspaper in circulation?

- Yes
- No
- Don't know (Go to 'Notice of making')

Comment on alternative media reasoning

20. Why?

- Digital media communication should be the default standard used in all areas, not just areas where there is not a local paper.
- LHAs should have the autonomy to decide whether it is appropriate or not to advertise a TRO in local newspapers (e.g. a LHA may opt to advertise a TRO in areas with larger older population who are less likely to get their news through digital services).
- Not having to advertising TROs in local newspapers will provide cost savings to LHAs. A paper by DfT in 2011 titled Traffic Orders – Deregulating Publicity Requirements estimated £16.5 million was spent by Local Authorities on public notices. This money could be better spent.
- The use of digital and other media will help LHAs make more people aware of the proposals (as a relatively small proportion of people read local newspapers).
- The TRO consultation process should reflect how society gets their local news / information on local services.
- The use of digital and other media may increase engagement from “hard to reach” demographics (e.g., younger people who do not read local newspapers).

21. How do you think we should oversee any decision by a local authority when there is no longer a local newspaper in circulation in their area?

- There should be a requirement for TROs to be advertised on the new central TRO platform and LHAs' own websites.
- The government should provide LHAs with recommendations of other alternative digital platforms where information on TROs should be publicised (e.g., local news group's website). However, there should be no formal requirement to publicise information on other digital platforms as the availability, relevance and use of these services could vary by geography.

Notice of making

We propose removing the regulatory requirement to publish a "Notice of Making" for temporary TROs, unless it is different to the "Notice of Intent"?

The:

- "Notice of Intent" is the proposed TRO
- "Notice of Making" is the final version of the TRO

If implemented this would mean only a "Notice of Intent" would be required to be published in local newspapers or, if agreed, other forms of media for most temporary TROs.

22. Do you think we should remove the regulatory requirement to publish a "Notice of Making" for temporary TROs, unless different to the "Notice of Intent"?

- Yes
- No
- Don't know (Go to 'TROs posted or emailed')

Comment on "Notice of Making"

23. Why?

- The change will reduce administrative costs for LHAs (time and resource).
- The change is unlikely to have any significant impact on public awareness of the proposals – particularly if advertised online.

TROs posted or emailed

We propose amending regulations to allow copies of TROs to be sent to individuals on request via:

- email
- posted document

The TROs will also, where needed, be made available for inspection at an authority's office.

24. Do you agree that we should amend regulations to allow copies of TROs to be emailed or posted to individuals, as well as being made available at an authority's office?

- Yes
- No
- Don't know (Go to 'TRO correspondence')

Comment on TRO emailing and posting

25. Why?

- Improve access to information on existing TROs.
- Enable individuals unable to access the new digital platform to access information on TROs (e.g., via post).
- The functionality to email individuals copies of TROs could be built into the new central TRO platform.

TRO correspondence

We propose amending regulations to allow correspondence, including consultation responses or objections to proposed TROs, to be sent:

- via email
- through apps
- via websites

This could mean that more people respond as it would be easier and quicker.

26. Do you agree that we should amend regulations to allow correspondence, including consultation responses or objections to proposed TROs, to be sent:

	Yes	No	Don't know?
via email?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
through apps?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
via websites?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Why?

- Reflects societal changes in how individuals interact with local government services (i.e., users expect to be able to communicate via email / webforms on a website).
- The submissions of consultation responses via an app would require an organisation to build / maintain a dedicated app. Unless this can be built into an existing app, it is considered that a dedicated app would be expensive to operate / maintain and have low levels of use.

Statutory consultees for permanent and temporary TROs

The regulations include a list of organisations that the traffic authority should contact as statutory consultees in proposed TROs.

We propose amending this list to add:

- the emergency services of the chief officers of police, NHS Trusts and fire brigades to both permanent and temporary TROs
- local bus operators likely to be affected by permanent or temporary TROs, not just those in Greater London
- relevant town or district councils
- freight organisations to the list for temporary TROs

27. Do you agree we should add:

	to the list of statutory consultees for permanent TROs?	to the list of statutory consultees for temporary TROs?
all emergency services	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
local bus operators	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
relevant town and district councils	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
freight organisations	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Why?

- Emergency services, local bus operators and relevant town and district councils should be listed as statutory consultees for permanent and temporary TROs as they are likely to

be directly affected by changes to TROs / have greater knowledge of the wider implications of proposals on the local community.

- Listing these stakeholders as statutory consultees should help improve engagement from these stakeholders during the consultation process. This should ensure adverse impacts on these stakeholders are identified during the consultation process. This may prevent schemes from having to be amended later.
- Consultation with freight organisations may provide LHAs with useful feedback / information on how the TRO will affect delivery and servicing vehicles / organisation (e.g. introduction of loading, weight and height restrictions).

Fees

Traffic authorities can charge fees TO applicants for temporary TROs and for special event orders, which include utility and construction companies and organisers of special events.

We propose amending regulations and adding a requirement that authorities should:

1. Publish their fee rates for different types of TROs on their websites.
2. Make it clear that charges for TROs should be on a cost recovery basis.
3. Include a breakdown of how the fee is made up to demonstrate the fees are based on cost recovery only.

We also propose amending the Road Traffic Regulation Act 1984 to add a requirement that authorities should provide a maximum response time for dealing with 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
- 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.

28. Do you agree with:

	Yes	No	Don't know?
the requirement for authorities to publish their fee rates for different types of TROs on their websites?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
regulations being amended to make it clear the fees should be	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No	Don't know?
charged on a cost recovery basis?			

the requirement for authorities to include a breakdown of how the fee costing is produced, in order to demonstrate that fees are based on cost recovery only?

the requirement for authorities to provide a maximum response time for different types of TROs, so those paying them can have a guaranteed service level?

Why?

- The proposals will provide applicants with greater transparency on the costs of submitting a TRO / TTRO application and may encourage greater pricing consistency between LHA.
- LHAs should not be required to provide a cost breakdown as processes vary between LHAs and it could result in applicants challenging LHAs on their costs. For example, in some authorities, it may be dealt with by a person in their legal service as a small part of their job and in others it may be done wholly within the highways service. This could result in very different person costs of handling TROs. Also, differing internal processes may mean that some authorities have more steps to go through than others.
- Providing a cost breakdown will result in additional administrative costs for the LHA.
- Charging fees on a “cost recovery basis” would result in complex charging arrangements as the actual costs associated with TROs and TTROs vary between projects. A simpler charging approach where LHAs adopt standardised costs is much simpler for applicants for understand. It is recognised there will be instances where the actual costs are lower and higher than the standardised cost, but it should work out that the total of all charges equates to the total costs incurred by the LHA. The fees charged by LHAs for TROs and TTROs should not be used to generate revenue.
- The proposals may reduce response times.
- LHAs must be provided with the resources and funding to implement the changes (e.g., it may increase the administrative costs on LHAs, for instance if they have to provide a cost breakdown).
- The maximum response times should be waived in exceptional circumstances.

Adding filming

We are proposing adding filming to the [definition of relevant events \[opens in a new window\]](#). This would mean that those filming could apply for a [Special Event Order \[opens in a new window\]](#) that could be used to:

- close roads for up to 7 days
- introduce restrictions on roads for up to 7 days

29. Do you think we should add filming to the definition of relevant events?

- Yes
- No
- Don't know (Go to '[Special event orders: removing Secretary of State approval](#)')

Film reasoning

30. Why?

- Currently s16A is the best fit for this type of closure.
- The changes remove the need for individual LHAs to promote similar legislation through parliament to allow filming on roads.

Special event orders: removing Secretary of State approval

We are proposing removing the requirement for Secretary of State approval for Special Event Orders that:

- last more than 3 days
- would affect the same road on more than one occasion in a calendar year

This would mean that traffic authorities would be able to deal with all special event orders and it would remove what we believe is an unnecessary regulatory burden.

31. Do you think we should remove the need for Secretary of State approval for Special Event Orders that:

	Yes	No	Don't know?
last more than three days?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
would affect the same road on more than one occasion in a calendar year?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Why?

- LHAs have a better working knowledge of the local transport network.
- LHA are in a better position to assess the likely impacts of a special event order and whether or not to approve it.

Electric vehicle charge points

We are seeking views about streamlining permissions for installing electric vehicle (EV) chargepoints and would like to explore options for introducing a unified consent process including consideration of both permitted development rights and through this consultation on traffic regulation orders.

32. Do you agree with should streamline the process for installing EV chargepoints and introduce a unified consent process?

- Yes
- No (Go to 'Final comments')
- Don't know (Go to 'Final comments')

Streamlining EV chargepoint process

33. How do you think the process should be streamlined?

- There must be a clear definition of circumstances this would apply. This is to ensure that EV chargepoints are not installed in inappropriate locations (e.g. on narrow footways).
- There must be clarity around the detail for ownership of this type of infrastructure, rights for placing apparatus, ongoing records and ownership, maintenance etc.

Final comments

34. Any other comments?

- It is important that LHAs are provided with the resources to implement the proposed changes set out in this consultation, as particularly in the short term, the changes are likely to result in additional administrative costs.