



**CIHT Response to
ORR's Holding National Highways to account:
policy consultation**

September 2024

For any inquiries, please email technical@ciht.org.uk

1. Is there anything that our review of our holding to account policy should include beyond the application of principles, clarification of our approach and improving transparency on our relationship with National Highways?

The Chartered Institution of Highways & Transportation (CIHT) recommend the Office of Road and Rail (ORR) to include in its review whether (Key Performance Indicators) KPI's currently set for National Highways (NH) are fit for purpose. It was stated in the latest [Annual Assessment of National Highways performance April 2023- March 2024](#) that NH will not be able to deliver some KPIs and they will therefore be reviewed and changed to ensure they are still challenging but achievable. We call for transparency in that review and clarity on how the new ones have been set and for the review to also include whether all the current KPIs are fit for purpose.

We recommend:

- ORR clearly indicate in the annual assessment of National Highways performance reports the actions ORR will be taking when NH fail to meet a KPI as there are instances in the report of ORR flagging a problem and NH acknowledging it but there are no steps identified to resolve it
- It would be useful to clarify the types of issues which would be classed as a contravention and be liable for a fine.
- ORR incorporate feedback from a wider range of stakeholders including local communities, industry experts, and environmental groups, to provide a more holistic view.
- clearer, more simple measurable performance metrics for National Highways to enhance accountability.
- NH be asked to explain and address how emerging technologies (e.g., Artificial Intelligence (AI), Internet of Things (IoT)) can be leveraged for better monitoring and reporting.

2. How useful is the explanation in the current version of holding to account of how we apply the regulatory principles set out in the Infrastructure Act 2015 as a framework to hold to account? Is anything unclear and if so, what?

The current explanation of how regulatory principles from the Infrastructure Act 2015 are applied seems comprehensive and clear. However, it could benefit from more real-world examples to illustrate the application of these principles in practice.

If there are any legal or technical terms that might be unclear to non-specialists, a glossary or simplified explanations could be helpful.

3. Is our policy sufficiently clear as to how we approach matters such as safety or environmental issues and how we work with other agencies, regulatory bodies and government departments?

CIHT believes these areas could be improved, specifically the policy should explicitly outline the processes and criteria used to address safety and environmental concerns. Moreover, clearer descriptions of how ORR collaborates with other agencies, regulatory bodies, and government departments on these issues would enhance understanding.

4. Do you have views on whether ORR’s outcomes-based, forward-looking approach delivers the right level of sight for stakeholders of National Highways’ performance and delivery? In your experience, do we provide sufficient opportunities for external engagement in this approach? How could we make our wider engagement more transparent?

CIHT believes that the ORR could improve the processes and transparency of external engagement activities. CIHT also notes that the framing of this consultation did not really allow stakeholders to comment on what is being measured and whether stakeholders think the monitoring is leading to better outcomes.

Specifically, we recommend:

- improve clarity on what actions are being taken when problems are identified. It is important to not only report issues but also ensure that stakeholders and the public understand the steps being taken to resolve them.
- increase engagement with key users of the network, such as the Freight Transport Association (FTA), Road Haulage Association (RHA), and other regular users to assess whether the ORR’s monitoring is leading to better outcomes. This can be done through meaningful consultations, workshops, and forums where their input is valued and acted upon.
- regularly review and adapt consistent processes. While consistency in handling similar issues is important, processes and outcomes should be periodically reviewed and adapted. This is particularly crucial for evolving challenges, such as those related to climate change and net-zero goals, where bolder actions may be required

5. Is our role, as set out in our holding to account policy, clear to stakeholders, including the extent and limits of our legal powers including the line between or overlap with that of the Department for Transport?

CIHT believes that overall, the role of ORR is clear, however, we question the premise of the monitoring process (see response to Q4), i.e. is the monitoring leading to better outcomes for users.

To improve transparency we think that clear communication channels and regular updates on ORR’s activities and decisions can help stakeholders understand the extent and limits of ORR’s authority.

6. Is there any other feedback you would like to provide on our holding to account policy proposals?

ORR holds National Highways to account for the experience of the end user. There is a skills shortage in the logistics sector and road delay makes driving as a career less enjoyable. There is also the knock-on impact of increased pollution from congestion. However, the outcomes for the end user appear to be lost in the holding to account policy and KPIs measured. For example, it is unclear how unnecessary speed restrictions (i.e. speed restrictions which have not been lifted after an incident has been cleared) or lane closures which appear to be in place for no reason (or the reason given is no longer there) or insufficient notice of upcoming lane closures are captured in the current KPIs being monitored. We recommend that the KPI “percentage of time that roadside technology services are available and functioning” should be amended to the “percentage of time that roadside technology services are available and functioning **and displaying accurate information**” as equipment may be working but providing false and misleading information.

It is also unclear how many road users know that they can complain to Transport Focus about National Highway related delays. It would be useful if ORR carried out an annual public survey seeking views.

The monitoring of the retrofitting of Emergency Areas motorways to make them a maximum of one mile apart decreasing to 0.75 miles wherever possible should be given greater prominence in the annual assessment of national highways performance report¹ as this is an area of significant concern for the travelling public.

It would be useful to have a link in the holding National Highways to Account Policy document to where the last annual holding to account report is stored and to also include an appendix which lists the issues investigated and the outcome of those investigation in the annual assessment of national highways performance report so it is clearer what the key issues for that year were.

¹ [annual-assessment-of-national-highways-performance-2024-print-version.pdf \(orr.gov.uk\)](#)