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[Department
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Consultation outcome

Traffic regulation orders – government response part 1

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This publication is available at <https://www.gov.uk/government/consultations/traffic-regulation-orders-changes-to-publishing-requirements-and-special-events-order-approvals/outcome/traffic-regulation-orders-government-response-part-1>

This report should be read in conjunction with the corresponding consultation, reform of traffic regulation orders (TROs). It presents part 1 of the government's response to the proposed amendments to primary legislation the Road Traffic Regulation Act 1984 (the 1984 Act).

Part 2 – a response to the proposed changes to secondary legislation and regulations – will be published separately.

On 2 October 2023, government announced its [plan for drivers](https://www.gov.uk/government/publications/plan-for-drivers) (<https://www.gov.uk/government/publications/plan-for-drivers>). In support of smoother journeys for drivers, measures were included to help fix roads faster and encourage efficient street works.

The government has also included a clause the achieves digital traffic regulation orders in the Automated Vehicles Bill, currently in Parliament.

Between 7 March and 17 April 2022, Department for Transport (DfT) carried out a consultation that set out a vision to:

Create digital TROs

This would mean that applicants could apply for TROs online. They would be processed using digital, software systems and published in an open, digital format so the information contained can be accessed easily by the range of organisations and people who have an interest, at consultation stage and when TROs 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. And changes, as soon as they are made, can be made available in, for example, sat navs, 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, paper-based and time-consuming process and improve services and transparency for TRO applicants.

The proposals would involve changes to the 1984 Act through primary legislation and to the 3 sets of regulations through secondary legislation. The main proposals presented to the 1984 Act were:

- to add a new requirement for traffic authorities 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 that will be updated from time to time. DfT would build the publication platform, which would also be available on 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 traffic authorities and to data customers
- to add a regulation-making power to any bill to allow DfT to specify a set of mandatory information that must be published. We would also make a power to issue statutory guidance to traffic authorities
- whether traffic authorities should publish on their websites the maximum response time for them 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
- to allow special event orders to be used to close roads for filming
- 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

In total, we received 306 responses to the consultation. Not all respondents answered all questions.

The breakdown of those respondents is as follows:

Organisation	Number of responses
Construction company	1

Organisation	Number of responses
Representative organisation	19
Traffic authority	46
Transport technology company	5
Utility company	15
Advertising and communications agency	1
Emergency service	1
EV chargepoint company	1
Filming representative organisation	3
Highway or traffic engineering consultancy	1
Individual	211
Newspaper representative	1
Delivery organisation	1
Grand total	306

This report summarises the overall responses to the consultation questions relating to amendments to primary legislation and sets out the government's response.

Response to consultation questions

Question 1: digitising TROs

The question was: 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?

This section of the consultation asked for views on a proposal to seek an amendment to the Road Traffic Regulation Act 1984 (the 1984 Act) that would require traffic authorities 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 Transport Secretary to issue statutory guidance.

This requirement would mean that all traffic authorities would need to ensure they have a system that could supply the TRO data needed in the required format. It would force those that currently use a paper-based system or who make limited use of products such as Microsoft Word or Excel to digitalise their systems for processing TROs.

Those authorities using other systems or products to process TROs would be 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.

Table of responses is as follows:

Organisation	Answer: Don't know	Answer: No	Answer: Yes	Total
Construction company	N/A	N/A	1	1
Representative organisations	N/A	1	17	18
Traffic authority	1	13	31	45
Transport technology company	N/A	1	4	5
Utility company	N/A	N/A	15	15
Advertising and communications agency	N/A	N/A	1	1
EV chargepoint company	N/A	N/A	1	1

Organisation	Answer: Don't know	Answer: No	Answer: Yes	Total
Filming representative organisation	N/A	N/A	3	3
Government owned company	N/A	N/A	1	1
Highway or traffic engineering consultancy	N/A	N/A	1	1
Individual	10	10	189	209
Newspaper representative	N/A	1	N/A	1
Delivery organisation	N/A	N/A	1	1
Total	11	26	265	302

The vast majority of respondents from all groups who responded supported this proposal. The main comments given in support included:

- one source of open data would empower decision-making
- it would ensure consistency of approach across authorities for TRO creation and use
- it would make all authorities digitalise data that is valuable for a range of transport needs and technologies
- accessing the data would be much easier and simpler. As well as helping road users, it would also help utility companies to plan and manage works
- standardisation would help the general public to understand the content and to know when proposals are being made. Digitalisation would also help them to, for example, search by area or across networks and to express their views
- one publication platform would lead to efficiencies for authorities who would not have to create their own websites or data stores
- changes to existing TROs or applications for temporary TROs and special event orders would be much easier to do digitally
- it would lead to greater transparency of proposed and made TROs

- there would, in time, be a better and more accurate data archive
- there would be a single point for sat navs to access data
- it would allow application developers to provide data for a range of road users
- it would be easier and quicker to search for details of TROs
- automated data exchange should enable faster deployment of initiatives being developed as part of intelligent transport systems that will be used by heavy goods vehicles (HGVs) and cars in the future
- a requirement would ensure all authorities and all TROs are digitalised, delivering maximum benefits

Respondents made these other points that they thought should be noted:

- it would be helpful if TROs could have a uniform indexing system to assist national searches
- one suggested the publication platform should have a reporting function
- one authority believed the requirement should only apply to permanent and experimental TROs
- it is important for map makers that TROs are accurate
- some utility companies already using the street manager digital service for planning and managing roadworks thought that could be used for or integrated with the TRO digital publication platform, especially for temporary TROs
- some members of the public would be interested in the location of green lanes, public rights of way and byways and thought it would be helpful to include these – to note, the proposal in the consultation related to TROs on the public road network rather than private land
- a small number of respondents did not see the need for a single, central publication platform

DfT response

DfT has decided to proceed with this change and to amend primary legislation in England to include a requirement for traffic authorities to share all data about the TROs they make. This data will then be published and made open to those who want to access the data for a range of purposes.

Regulations will follow which will include details of the mandatory information that should be shared, along with associated guidance.

DfT is continuing with work to design and agree the best solution for publishing the data, and the government will proceed with the recommendations that result from that alpha design work. This work will continue alongside the legislation so that the solution is tested and ready to go once the legislation is in place.

The legislation has been included in the [Automated Vehicles Bill](https://www.gov.uk/government/publications/automated-vehicles-bill-2023) (<https://www.gov.uk/government/publications/automated-vehicles-bill-2023>).

It should be noted that the requirement will apply to any TROs made by traffic authorities on the public road network.

Question 8: service levels

Question 8 asked: Do you agree that we should add the following requirements to legislation? Authorities should provide a maximum response time for different types of TROs so those paying for them can receive a guaranteed service level.

The remaining parts of question 8 related to fees for TROs and whether amendments should be made to regulations/secondary legislation.

We proposed amending 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.

It could also include providing the maximum time it will take to publish the notice of intent – in the case of a temporary TRO – or issuing applicants with a special event order.

This proposal was intended to deal with issues that previous research had found. Most authorities currently state that they need between 6 and 12 weeks' notice to deal with an application for a temporary TRO. Researchers found examples of them taking up to 6 months.

We were not aware of any authority that has linked the payment of a fee to a service standard, for example, promising a response within a certain time in return for the payment.

We found one authority website asking applicants for a special event order to submit them 6 months in advance, and 12 months

if it was for a new event, so early discussions and planning could take place.

Table of responses is as follows:

Organisation	Answer: Don't know	Answer: No	Answer: Yes	Total
Construction company	N/A	N/A	1	1
Representative organisations	1	N/A	13	14
Traffic authority	1	19	24	44
Transport technology company	2	N/A	1	3
Utility company	N/A	N/A	15	15
Advertising and communications agency	N/A	N/A	1	1
Emergency service	N/A	N/A	N/A	N/A
EV chargepoint company	N/A	N/A	1	1
Filming representative organisation	N/A	N/A	3	3
Highway or traffic engineering consultancy	N/A	N/A	1	1
Individual	14	9	183	206
Total	18	28	243	289

The vast majority of respondents from all groups who responded supported this proposal. The main comments given in support included:

- it would mean the process is transparent and open

- information on service levels would greatly assist the planning and management of street and road works
- it would drive consistency across all authorities as there is currently wide variation between authority areas
- it would lead to improvements in service levels and for which applicants are being charged
- it would improve accountability
- it would help communication between the authority and applicants

Traffic authorities were the main opponents to this change, although a majority did support it. Comments made against this proposal included:

- some thought the service level commitment should be to a target they would aim to meet rather than a promise to meet it
- clarity was needed around what is meant by a response. Is it when the application has been approved or the TRO sealed?
- the time it takes to deal with TROs can vary according to size and complexity authorities would post worst-case scenarios
- service levels could also include information on minimum response times, as well as maximum response times to help manage applicants' expectations

DfT response

We have decided to proceed with this change and amend primary legislation in England to include a requirement for traffic authorities to provide a maximum response time for different types of TROs so those paying for them can receive a guaranteed service level. This information should be published on their websites.

Greater certainty of time and costs, as well as greater transparency, will help TRO applicants when planning their events or works. It should also create higher-quality processes and services.

Applicants will have a clear understanding of how long it will take for the authority to process their application and it will make the authority more accountable for the services it delivers.

Question 9: filming

Question 9 asked: Do you agree that we should add filming to the definition of relevant events so that special event orders can be used to close roads or introduce restrictions for up to 7 days for filming?

The current scope of Section 16A of the 1984 Act defines a relevant event as any sporting event, social event or entertainment that is held on a road. We proposed amending this definition to add filming.

This was to deal with what we believe is a current gap in the legislation since, at present, special event orders cannot be used for filming unless the traffic authority is prepared to apply a loose interpretation of entertainment.

Filming is not covered by the criteria set out in Section 14 of the 1984 Act as one of the reasons for which a temporary TRO can be made.

Table of responses is as follows:

Organisation	Answer: Don't know	Answer: No	Answer: Yes	Total
Construction company	1	N/A	N/A	1
Representative organisations	N/A	1	14	15
Traffic authority	2	N/A	42	44
Transport technology company	3	N/A	1	4
Utility company	7	2	5	14
Advertising and communications agency	N/A	N/A	1	1
Filming representative organisation	N/A	N/A	3	3
Government owned company	N/A	N/A	1	1
Highway or traffic engineering consultancy	N/A	N/A	1	1
Individual	45	35	128	208

Organisation	Answer: Don't know	Answer: No	Answer: Yes	Total
Total	58	38	196	292

The vast majority of respondents from all groups who responded supported this proposal. The main comments given in support included:

- clarifying how a TRO can be offered to allow filming is much needed, as there is an increasing number of requests and no clear way to support them
- it would be less bureaucratic for authorities to allow these via special event orders a national change would negate the need for individual private bills
- 7 days was reasonable and sufficient
- filming can be good for the local economy and should be supported
- the filming industry is a significant part of the national economy and easier ways of booking locations would be beneficial
- it would improve safety for those filming and the general public

Respondents made these other points that they thought should be noted:

- a small number felt that this proposal was not necessary and would lead to more roads being closed
- consultation should still be carried out with local communities to ensure the road closures would not lead to unacceptable issues
- there would need to be clarity about what was meant by filming

DfT response

DfT has decided to proceed with this change and amend primary legislation in England to include filming with the definition of relevant events included in Section 16A of the 1984 Act.

This will mean that roads can be closed using special event orders for filming for up to 7 days without any need for consent from the Secretary of State for Transport.

Question 10: Secretary of State for Transport approval

Question 10 asked: Do you agree that we should remove the need for Secretary of State for Transport approval for special event orders that last more than 3 days or would affect the same road on more than one occasion in a calendar year?

Secretary of State for Transport approval is currently needed for any special event orders for road closures or restrictions lasting more than 3 days or if it will affect the same road on more than one occasion in a calendar year.

We proposed amending the 1984 Act to remove the need for this approval since traffic authorities have a duty to manage their road network and have all the necessary powers to do so.

It seemed an anomaly that the Secretary of State is still being asked to agree minor road closures or restrictions on a public road network that is operated by the authority.

Remove the need for Secretary of State for Transport consent for closures of more than 3 days – table of responses

Organisation	Answer: Don't know	Answer: No	Answer: Yes	Total
Construction company	1	N/A	N/A	1
Representative organisations	N/A	2	13	15
Traffic authority	1	N/A	43	44
Transport technology company	4	N/A	N/A	4
Utility company	7	N/A	6	13
Advertising and communications agency	N/A	1	N/A	1
Filming representative organisation	N/A	N/A	3	3
Highway or traffic engineering	N/A	N/A	1	1

Organisation	Answer: Don't know	Answer: No	Answer: Yes	Total
consultancy				
Individual	31	51	124	206
Total	44	54	190	288

Remove the need for Secretary of State for Transport consent for closures of same road more than once a year – table of responses

Organisation	Answer: Don't know	Answer: No	Answer: Yes	Total
Construction company	1	N/A	N/A	1
Representative organisations	N/A	2	13	15
Traffic authority	1	N/A	43	44
Transport technology company	4	N/A	N/A	4
Utility company	7	1	5	13
Advertising and communications agency	N/A	1	N/A	1
Filming representative organisation	N/A	N/A	3	3
Highway or traffic engineering consultancy	N/A	N/A	1	1
Individual	36	54	115	205
Total	49	58	180	287

The vast majority of respondents from all groups who responded supported this proposal. The main comments given in support included:

- authorities can and should be able to deal with these requests themselves government should not be micro-managing authorities, which have the local knowledge
- it would simplify and speed up the process for making special event orders, reducing bureaucracy
- it is an outdated requirement that is no longer needed
- it would support local decision-making
- network management is the responsibility of the relevant traffic manager

Respondents made these other points that they thought should be noted:

- a small number of respondents thought the current process worked well and acted as a check on some authorities' behaviour. One authority, however, noted that consent had never been refused so they did not see the need

DfT response

We have decided to proceed with this change and amend primary legislation in England to remove the need for approval from the Secretary of State for Transport for special event orders that would close a road for more than 3 days or the same road more than once in a calendar year. This will mean that traffic authorities can make these decisions as the network managers.

Next steps

DfT plans to proceed with the following amendments to the Road Traffic Regulation Act 1984 as soon as Parliamentary time is available and there is a suitable opportunity:

- a requirement for traffic authorities in England to provide and publish TRO data in the format specified by the DfT's data model and to the standards that will change from time to time – a clause to do this has been included in the Automated Vehicles Bill
- alongside this, we will 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 allows the SoS to issue statutory guidance
- a requirement for traffic authorities in England to provide a maximum response time for different types of TROs so that

those paying for them can receive a guaranteed service level. This information should be published on their websites

- adding filming to the list of relevant events for which special event orders can be used to close roads in England. Roads can be closed for up to 7 days for filming
- removing the need for consent from the Secretary of State for Transport for special event orders in England that will close roads for more than 3 days or the same road more than once a year

These amendments will deliver much-needed reforms to the process of making TROs. In particular, the main proposal for digitalising TROs will deliver benefits that are wide-ranging and significant.

These include:

- enabling and supporting the delivery of a number of government initiatives such as more cycle and bus lanes, better facilities for pedestrians, new forms of mobility and the rollout of electric vehicle (EV) chargepoints and broadband
- administration savings – digitalisation has been proven to offer significant benefits when it replaces paper-based processes, offering time savings for authorities, applicants and those wanting to be consulted or informed about new or changed rules
- open digital data on the TRO, for that, for example, the following information could be made available to technology and sat nav companies, and to road users, who could use it to reduce congestion:
 - location of the parking bay
 - road closure
 - restrictions on use of that road
 - rules around use of bus lanes
 - location of the cycle lane
- better data management, record keeping and accuracy of records
- greater accessibility and coverage for all those who interact with the TRO regime, including other authorities – neighbouring and higher or lower tiers – bus operators, freight companies, applicants and local residents or business
- greater flexibility – future changes can be made quickly and easily to digital systems

This consultation forms part of the Smarter Regulation programme of regulatory reform announcements that began in May 2023 with the publication of [Smarter Regulation to grow the economy](https://www.gov.uk/government/publications/smarter-regulation-to-grow-the-economy) ([https://www.gov.uk/government/publications/smarter-regulation-to-grow-](https://www.gov.uk/government/publications/smarter-regulation-to-grow-the-economy)

[the-economy](#)). Through this consultation and further regulatory reform updates, the government will take action to:

- reduce the burdens on business
- reduce the cost of living
- provide choice to consumers
- boost science and innovation
- improve infrastructure development

A response to the proposals included in the consultation relating to amendments to regulations/secondary legislation will be published separately.

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