

Rail and Urban Transport Review: Call for evidence questions
Submission by Environmental Transport Organisations grouping

'The core focus of this review is to examine how to accelerate the delivery of better intra- and inter-city connectivity to support a strong, sustainable economy with rail and urban transport networks and infrastructure fit for the century ahead. The questions seek to explore this challenge from a variety of angles and perspectives.'

Summary of submission: i) the work and recommendations of this review must be developed within a policy framework that also delivers decarbonisation pathways and targets; ii) similarly proposals for infrastructure investment should allow for the prior testing of demand management scenarios; and iii) be developed within an overarching national transport strategy that overcomes modal silos, and selects for sustainable locational choices, which the existing frameworks do not. iv) Best practice examples are available in the approaches of the Scottish and Welsh governments, but v) the principles of the Green Book need to be fully and properly applied to appraisal of schemes. vi) In England a new governance approach which devolves a strong mediating role to the subnational transport bodies (upwards to national policy, downwards to subsidiary authorities) is essential.

This is a submission on behalf of the environmental transport organisations (ETOs) grouping, a coming together of transport campaigners from across the North of England, covering every mode and region but particularly focused upon accelerating transport decarbonisation. Our previous activity is principally been focused on engaging with Transport for the North (TfN) around their initial strategic transport plan (STP), where we suggested that its initial failure to include a 2008 Climate Change Act-compatible commitment to decarbonise transport was a major failing, possibly even rendering the STP unlawful. To its credit TfN eventually accepted these arguments, paving the way for their ground-breaking Decarbonisation Strategy in 2021. That engagement with TfN continues to this day.

Consequently and because of the ETOs focus around decarbonisation - which is referenced in the consultation questionnaire at S2 Q1 - our submission has maybe an indirect but nonetheless important relationship to the thrust of the Commission's work, centred as that is on the relationship between economic activity and infrastructure investment, and focused on rail and urban transport. Nonetheless our analyses have always encompassed those wider perspectives so in this contribution we wish in particular to draw your attention to the issue of how the Commission's principal concern of economic regeneration/infrastructure investment needs to be strongly located within a strong decarbonisation policy framework. In order to establish that decarbonisation framing we have addressed a selection of the questions out of sequence.

Clarity and certainty of policy and funding 1 - What are the key tenets of a successful, strategic long-term policy for the delivery of rail and urban transport networks, taking into account wider decarbonisation and transport integration goals?

The Commission will already be aware that transport is the single largest emissions sector, and also has the largest 'policy gap' because there are insufficient policies available to meet the requirements of the Climate Change Committee (CCC) pathway to Net Zero (NZ).¹ Therefore our shortlist of 'key tenets of a successful strategic long-term policy for delivering transport investment and increased economic activity necessarily as to require that these other important objectives are compliant with NZ.

The Commission needs to locate proposals in relation to rail and urban transport networks within an analysis of 'total transport emissions', and the decarbonisation pathway for transport that needs to be achieved not just by 2050, or the carbon budget 6 deadline of 2037, but by the much more stringent pathway/deadline of the government's adopted 2020 NDC target of -68% reduction (against 1990) by 2030. Transport activity and decarbonisation cannot continue to be advanced within the modal silos. Consequently the contribution that rail and urban transport networks can make to decarbonisation cannot be artificially separated from parallel policy frameworks for roads infrastructure/demand and aviation capacity/demand - as is the usual practice. This is for a number of reasons. Both of those frameworks - i.e the National Networks NPS and the Jet Zero Strategy, which in turn are embedded within the Transport

Decarbonisation Plan (TDP) - are currently set towards allowing/promoting increased traffic or passenger levels, and planning/permitting increased infrastructure capacity. If that policy stance continues then any emissions reductions achieved by increased rail/urban transport ridership will be more than offset by increases (relative to the transport reduction pathway)

There is a second aspect of these 'crosscurrents pulling against each other'. It will be understood that the context and background for this commission from Labour will be variously: a need to bring some order to the political commitments the party has already given to major capital investment in relation to rail (about which you will have developed a quantified understanding); a need also to provide solutions to the overrunning costs which precipitated successive cancellations of HS2's northern legs (which presumably the parallel Labour major capital projects review is also considering); the likely extreme constraints on public expenditure across the next Parliament, within which transport investment will need to compete with competing demands from other priority departmental areas; the need to make good shortfalls in transport provision of which Leeds' absence of a transit network is just the most glaring; and so on. If this review is to be constructive, it cannot ignore such cross currents and must instead seek to reduce their power with other counterbalancing solutions.

Contributory to these will be the need to make a realistic appraisal of what improvements to ridership on rail/urban transport networks - following their improvement, which if this were to be dependent on prior capital investment programmes inevitably adds multiple years delay to subsequent emissions reductions - will be able to contribute to the transport decarbonisation pathway by set deadlines i.e 2030 and those for CBs 5/6/7. If national/regional/local transport decision processes are focused on delivering new and additional infrastructure investment, how at the same time will they be able to prioritise transport decarbonisation; will there be sufficient policy/decision-makers capacity to undertake both at the same time? In this situation the role of demand management, which reduces the quantity of new infrastructure investment required at the start of the planning/policy 'queue' becomes critical. The Commission will easily be able to source analyses supporting this perspective from the likes of Prof Greg Marsden of Leeds ITS and Decarbon8. It should also interrogate the scenario analyses of TfN's decarbonisation strategy in order to assess the comparative ability to deliver decarbonisation pathways. On that last point: we strongly recommend that the Commission bases its work within travel and decarbonisation scenarios which will allow both political policymakers and independent to stakeholders to transparently scrutinise the Commission's recommendations in relation to overarching decarbonisation targets.

Finally the Commission will need to locate its work within a realistic assessment of what Labour's current policy priorities for transport are and what might be achieved over the period of the next Parliament. Labour's 'headline' prioritisation of rail renationalisation and bus reregulation can be understood to make sense electorally (as well as in their own right) but the party has been silent about its positions relating to the major road and aviation emissions sectors. That Rachel Reeves' announcement on 9th October that all NPSs will be subject to revision within the first 6 months of a Labour government, but with no indication provided then that those revised NPSs would also have to be NZ compliant, is another indication that Labour has not yet begun to think through the policy tensions within of both infrastructure investment and decarbonisation. It is imperative therefore that the Commission provides constructive advice as to how that tension can be overcome for example recommending that in the current access talks with civil servants where Labour will be seeking advice on the proposed NPS revisions, that the requirement for these to be NZ compliant is also specified.

Growth & opportunity through unlocking potential 1 - What do you view as the current key challenges hindering the delivery of rail and urban transport networks and infrastructure?

The most important fundamental failing of transport policy in the UK is the lack of a single, over-arching strategy which sets out a vision and objectives for integrated transport across all modes. Instead there are separate strategies for buses, cycling, rail improvements and strategic roads, all of which may or may not meet wider national objectives such as decarbonisation. Thus there are National Policy Statements for national networks (rail and strategic road networks) and for ports; the Jet Zero strategy for aviation; the TDP for decarbonisation; and national policies for cycling and walking (Gear Change), and another public transport mode (Bus Back Better) - all working in relative isolation from each other. The TDP may encompass all modes but they are not integrated into a holistic system; so e.g the clear strategic objective -

in urban areas 50% of all journeys would be by walking and cycling by 2030 – conflicts with a strong message about continuing to travel by car.

In order to address priority policy issues - in our case decarbonisation, and for the Commission 'accelerating the delivery of better intra- and inter-city connectivity to support a strong, sustainable economy', as well as achieving other wider goals for health and wellbeing, for the environment, and for a sustainable economy - policy and implementation integration needs to be applied at the national level, with all Government departments contributing towards a holistic integrated national transport strategy. The strategy needs to be outcome focused, place based and user centred. The top objective would be an integration of sustainable and spatially balanced economic regeneration with transport decarbonisation towards net zero by 2050 or sooner.

2 - What spatial planning and associated policy and legislative changes would help unlock the delivery of rail and urban transport projects?

It is essential that land use and transport planning are integrated. The National Planning Policy Framework has been, and is still, ineffective in ensuring that new developments, such as housing estates, business parks and retail parks go to locations where sustainable transport is a genuine choice. A high proportion is going into suburban/rural locations with few facilities and poor or no public transport, creating a desire for new or wider roads.² Such developments generate large numbers of vehicle movements, cause serious congestion, and many would be better located in a town centre, where they would be accessible by public transport, cycling and walking - as the Commission is seeking to secure. This pattern of development is leading to a semi-industrial / urban landscape in the countryside, and the erosion of Green Belt or other separation policies that were originally designated to prevent sprawl.

Access to new development should be considered *before* sites are allocated, and ideally centred on the ability to be supported by effective and attractive public transport - trains, light rail, high quality sustainably fuelled buses, and walking & cycling. Renewing cities is therefore preferable to out-of-town development. 25% of all journeys are under a mile and 71% are under 5 miles. It is therefore essential that walking and cycling are fully integrated through place making and the creation of attractive and safe routes forming part of a wider network. In rural areas development should be focused on local service centres which act as hubs for transport provision.³ Low traffic and 15-minute neighbourhoods that improve the quality of life within urban areas and, if feasible, in rural areas are welcome. People should be encouraged to 'live locally' by good planning rather than feeling they are being constrained to do so. A good example of integration of landuse transport planning can be found in The London Plan 2021, the Spatial Development Strategy for Greater London⁴.

3 - Are there best practice or wider international examples that could be adopted to support growth through unlocking transport network and infrastructure delivery?

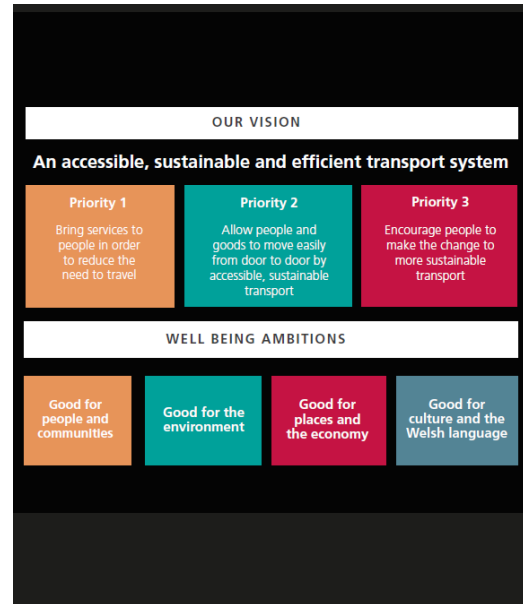
It's suggested that 'best practice' is already available within the confines of the UK. The Scottish⁵ and Welsh⁶ Governments provide examples of national transport strategies that balance wider national goals and use transport as the means to deliver those goals.

PTO

Scottish National Transport Strategy Vision



Welsh National Transport Vision



The Scottish National Transport Strategy 'sets out the vision for Scotland's transport system for the next 20 years. The vision is underpinned by four interconnected priorities: Reduces Inequalities, Takes Climate Action, Helps Deliver Inclusive Economic Growth and Improves our Health and Wellbeing. It signals the future direction of transport and provides the context within which decisions, in and beyond government, continue to be made. The Strategy does not identify or present specific projects, schemes, initiatives or interventions, but sets out the strategic framework within which future decisions on investment will be made. This Strategy is for all of Scotland, recognising the different needs of our cities, towns, remote and rural areas and islands. It considers why we travel and how those trips are made, by walking, wheeling, cycling, and travelling by bus, train, ferry, car, lorry and aeroplane.'

The Welsh Government has taken a similar approach in its 2016 (revised 2021) Transport Strategy which aims to deliver a transport system fit for future generations. This built on the Welsh 2015 Well-being of Future Generations Act which defines sustainable development in Wales as 'The process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle, aimed at achieving the well-being goals.' The Act sets out five ways of working needed for public bodies to achieve the seven wellbeing goals (a globally responsible Wales; a prosperous Wales; a resilient Wales; a healthier Wales; a more equal Wales; a Wales of cohesive communities; and a Wales of vibrant culture and thriving Welsh language.)

This approach provides an opportunity for innovative thinking, reflecting the way people live their lives and what to expect of Welsh public services. Having such strategic objectives informing and directing the Transport Strategy was fundamental to adopting a different approach towards addressing congestion on the M4. Alternatives to building the M4 Relief Road⁷ were examined in the context of these wider goals and showed the best solution, for the same amount of funding and that made a better contribution to Wales' well-being goals, was a package of integrated transport measures.

In order to meet the challenging climate change targets the Welsh Government ordered a review of the future of road schemes in Wales. 'The Future of Road Investment' Feb 2023 was undertaken by a panel of experts and chaired by Dr Lynn Sloman⁸. It heralded a fundamental change in approach to highway investment by the Welsh Government. It set four purposes for investment – supporting modal shift, reducing casualties through small changes, climate change adaptation and supporting prosperity through access to development sites which support sustainable transport. But conditioned all investment to minimise carbon emissions and provide no increased capacity for cars. Embedding the new approach is proving culturally and organisationally challenging but at least the Welsh Government has faced the issues of transport

decarbonisation head-on. It preceded the Climate Change Committee's recommendation to the UK Government to undertake a similar review of the English Road Investment Strategy.

Clarity and certainty of policy and funding 2 - *What reforms to current transport funding approaches would support the safeguarding and expansion of rail and urban transport networks and infrastructure? Does the Green Book allow for sufficient factors to be taken into consideration and what should any additional factors/considerations be regarding infrastructure?*

We believe that recent reviews to the Green Book have started to address failings in the appraisal system for infrastructure projects. We wish to emphasise that if the Green Book guidance is followed properly greatly improved appraisals based on policy outcomes would follow. We show this using the example of the A66 North Pennines project.⁹

The Government Green Book provides overarching guidance on the appraisal of policies, programmes and projects. This was revised in 2020 and again in 2022 to place greater emphasis on wider strategic priorities, such as the levelling up and decarbonisation. It describes the process of appraising solutions for problems in a series of steps.

1. Preparation of the Strategic case which identifies the SMART objectives that are essential to drive the process of appraisal.
2. Preparation of a longlist of options in order to best achieve the SMART objectives. A wide range of possibilities should be considered, and a viable shortlist is selected including a preferred way forward. These are carried forward for further detailed appraisal. This process is where all complex issues are taken into account and is the key to development of optimum Value for Money proposals likely to deliver reasonably close to expectations.
3. Shortlist appraisal follows where expected costs and benefits are estimated, and trade-offs are considered.
4. Identification of the preferred option based on the detailed analysis at the shortlist appraisal stage. It involves determining which option provides the best balance of costs, benefits, risks and unmonetisable factors thus optimising value for money.
5. Monitoring ie the collection of data, both during and after implementation to improve current and future decision making.
6. Evaluation - assessment of an intervention's design, implementation and outcomes. Both monitoring and evaluation should be considered before, during and after implementation.

At stage 4 above, before the Preferred Route is announced, the 2022 Green Book and its accompanying 2018 'Guide to developing the Project Business Case' require a review of the Strategic Outline Case (SOC) when a scheme's Outline Business Case (OBC) is prepared. This is essential to confirm that the chosen option remains the best one to solve the issues in their entirety and give value for money. The key purpose of the OBC is to revisit the SOC assumptions and main findings; establish the preferred option; and put in place the arrangements for the procurement of the scheme. The Treasury Green Book Guide lists fourteen criteria against which the SOC should be reviewed. These include:

- *'Are the SOC spending objectives and planning assumptions still valid?*
- *Have any outstanding differences at SOC stage between stakeholders and customers been satisfactorily resolved?*
- *Has the assessment of likely benefits, risks, constraints and dependencies in the SOC been revisited and examined in further detail?*
- *Were the long-listed options in the SOC revisited and subjected to further scrutiny?*
- *Were the short-listed options in the SOC revisited and subjected to robust analysis?*
- *Does the preferred option provide best public value?*
- *Is there a clear understanding of the business change agenda?*
- *Is the solution still likely to be affordable?*

The A66 case study of the importance of the Strategic Outline Case and its objectives

The 2020 Green Book found that business cases frequently failed at Step 1 to show how they contributed to strategic goals (such as net zero, levelling up, protection of designated landscapes). They also failed to have strong objectives which drive the process of appraisal. Instead objectives are often generic or set with a specific solution in mind. This then leads to

failure to consider appropriate options that might solve the problem. The A66 North Pennines Project for dualling the whole of the A66 is a good example of these failures, particularly with respect to decarbonisation. It is currently with the Secretary of State for a decision on whether or not the Development Consent Order should be granted.

The A66 dualling began with the 2016 North TransPennine study, the purpose of which was the creation of a new strategic road corridor in the North. This is made clear in the terms of reference for the study and the study itself. The study quoted DfT's objectives for 2015-2020

- Boosting economic growth and opportunity;
- Building a One Nation Britain;
- Improving journeys; and
- Safe, secure and sustainable transport.

It also quoted Transport for the North's vision for '*improved east-west major road links to ensure more reliable journey times between major cities within the North*' and '*effective road connections to the country's major ports in the North of England*'. There is no mention of decarbonisation in those objectives or the wider environment. This is despite that between 2015 and 2020 climate change was gathering momentum with the Paris Agreement in 2015, the announcement of the climate crisis in 2019 and the strengthening of the Climate Change Act in 2019 to reach net zero by 2050. Instead narrow economic and road based objectives were set.

During the study a set of intervention specific objectives were drawn up against which to test a long list of options. These objectives had four themes economic growth, connectivity, network performance and environmental performance – all of them related to the A66 itself; there was not a single reference to decarbonisation. Indeed the study paid little attention to environmental impacts or opportunities and was based on a desk top study of environmental constraints. The impacts of the A66 dualling on GHG emissions were unknown.

Once the study was completed, the Government announced its intention to dual the A66 (rather than improve the A69). From this point forward only variations on dualling were considered and GHG emissions were given cursory attention. For example in the 2018 'Technical Appraisal Report' GHG emissions were expected to increase (*although?* no figures *were?* given) but their monetary value was redacted; in the 2020 'Options Consultation Report' there was no mention of carbon emissions or GHG; and in the 2022 'Case for the Project' GHG emissions were reported as '*no likely significant effects*'. The net GHG emissions from the scheme were not presented in full until the Environmental Statement was presented for the DCO application in July 2022. This revealed net GHG emissions from the scheme over the 60 yr appraisal of **2,709,014tCO₂e**.¹⁰

The failure to address the most significant strategic objective for the UK – decarbonisation – should have been picked up when the Strategic Case was reviewed, as required by the Green Book and described above. But there was no review of the Strategic Case (2022 A66 Northern Trans-Pennine project TR010062 4.1 Project Development Overview Report Appendix 6 Highways England Business Case A66 Schemes). There were a number of design/alignment reviews but not the fundamental review required by the 2018 Treasury Green Book Guidance (pages 99-100). This critical review is not about alternative design and alignments but about rigorous testing of the project at a strategic level on many fronts. Particularly important for the A66 scheme are reconsideration of the long and short lists in the context of the environmental constraints posed by climate change, the extremely poor value for money and the failure to understand the business change agenda, specifically the climate change emergency recognised in 2019.

This case study provides a powerful example of the great importance of incorporating and integrating decarbonisation objectives with other ones, in this case as set by the terms of reference for the Commission's review.

Devolution and sustainable partnerships 1- What role does devolution have in supporting and accelerating the delivery of rail and urban transport networks and infrastructure fit for the future?

2 - How can effective relationships be facilitated between all tiers of government, to help accelerate growth and deliver rail and urban transport networks and infrastructure?

In addressing these two questions we will begin by first considering the issues within Q2 concerning the relationships required between all tiers of government in order to accelerate transport decarbonisation and networks improvement. The process of organising strategic transport improvements - whether future decarbonisation or future infrastructure investment or future economic/social regeneration - is uniquely complicated because travel crosses jurisdictional boundaries, within and external to the UK. So if action across all levels isn't coordinated within an implementation framework specifically designed to align strategies and programmes, then it can be predicted that the improvement processes will be delayed or fail.

We strongly emphasise the role to be played by subnational transport bodies (STBs) where, as noted in the introduction, we began more than 5 years ago by identifying the role of Transport for the North as the then (and still only) statutorily established STB under the 2016 Cities & Local Government Devolution Act. Our engagement with TfN concerning the needs to encompass decarbonisation within their strategic transport plan - and also their willingness to engage with us - convinced the ETOs of the significance of this particular tier of transport governance in organising to undertake a number of strategic objectives: not just decarbonisation but also the integration between economic and spatial dimensions which are essential for levelling up, and their proven ability to work across political and geographical boundaries to create a more unified agenda for transport improvement.

It follows therefore that a task for Labour would be to formally establish the English STBs which the current Conservative government has apparently chosen not to. Consequently when the TDP was published in July 2021, it seemed to be a positive when it stated: 'We also want to facilitate collaboration between areas ... and cross regional work led by Sub-National Transport Bodies' and that 'STBs can support the Government's decarbonisation objectives by joining up local plans across a wider geography, to capitalise on economies of scale and ensure coherence across local authority borders.' That's a start but such a general understanding then needs to be translated into an actual delivery framework. The TDP did at least appear to recognise the existence of this critical implementation question: 'Having quantified plans in place will ensure that every place understands the level of ambition required to reduce emissions and ensure that this ambition can be translated into action'.

In fact the TDP lacked a redesigned implementation and monitoring framework. An academic analysis of the existing framework has concluded that it's dysfunctional: 'In the absence of a clear framework beneath the national level, the response is piecemeal and incoherent.'¹¹ We believe that the urgency of all the top level objectives for transport improvement required the TDP process beginning in 2021 to quickly think through what might be the new 'wiring diagram' that would get all the levels of transport planning - UK government, the governments of Scotland & Wales, the 7 English subnational transport bodies, combined authorities and counties, and finally local councils - working together in via coordination and funding mechanisms. In that the governance hierarchy the STBs are **crucially located in the transport governance hierarchy to mediate upwards to national policy frameworks and downwards to city region/combined authority/counties/local authorities**. That role applies equally to policy formation, the organisation of funding and also implementation delivery.

More than two and a half years later, that new wiring diagram isn't yet on the draughtsman's table - in the same way that Local Transport Plan guidance focused on decarbonisation still hasn't been produced even for consultation - means that it will fall to Labour to begin comprehensive governance redesign. Fortunately the process and practice of Transport for the North provides a positive case study for this role but it can only take effect within a redesigned and devolved governance framework for transport decarbonisation.

In response to Q1, asking about the role of devolution in accelerating delivery, therefore we only need cite the evidence of Transport for the North to Transport Committee's inquiry into the strategic transport objectives, which does indeed propose a devolved hierarchy which mirrors the ETO one described above.¹²

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This submission was prepared for the ETOs by Anthony Rae and Anne Robinson. It is very much a distillation of our previous work in the broad area being considered by the Commission and we

would welcome a further dialogue should that be how the Commission intends to proceed.

2nd February 2024

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<sup>1</sup> And see also Green Alliance *NZ Policy Tracker* <https://green-alliance.org.uk/wp-content/uploads/2023/06/Net-Zero-Policy-Tracker-June-2023.pdf>

<sup>2</sup> Building Car Dependency 2022 Transport for New Homes

<sup>3</sup> Garden City Standards – 13 Sustainable Transport TCPA 2020; Garden Village Visions and Reality Transport for New Homes, 2020

<sup>4</sup> <https://www.london.gov.uk/programmes-strategies/planning/london-plan/new-london-plan/london-plan-2021>

<sup>5</sup> <https://www.transport.gov.scot/our-approach/national-transport-strategy/>

<sup>6</sup> <https://www.gov.wales/llwybr-newydd-wales-transport-strategy-2021>; <https://www.gov.wales/transport-system-fit-future-generations-welsh-government-sets-out-bold-targets-new-transport-vision>

<sup>7</sup> ‘Transport Fit for Future Generations’ 2018, UWE/Sustrans for the Welsh Future Generations Commissioner <https://www.futuregenerations.wales/news/future-generations-Commissioner-for-wales-calls-on-welsh-government-to-be-brave-in-its-investment-on-transport-as-new-report-shows-lack-of-ambition-in-m4-black-route-proposal/>

<sup>8</sup> <https://www.gov.wales/roads-review-panel>

<sup>9</sup> <https://infrastructure.planninginspectorate.gov.uk/projects/north-west/a66-northern-trans-pennine-project/?ipcsection=docs>

<sup>10</sup> A66 North Pennines Project environmental statement Ch 14 Table 7-24

<sup>11</sup> Marsden G. and Anable J. (2021) [Behind the Targets?](#) The Case for Coherence in a Multi-Scalar Approach to Carbon Action Plans in the Transport Sector. This paper identifies 3 categories where coherence is required but is not present: ‘budget’ - are the carbon budgets aligned across authorities and scales?; ‘accounting’ - what gets counted where?; and ‘policy’ - how are budgets aligned with the capacity to act?

<sup>12</sup> <https://committees.parliament.uk/writtenevidence/123669/pdf/> pages 9-11