

Active transport measures to address impact of COVID-19 - why they're needed and how local authorities can implement them quickly, safely, and affordably.

This guide is primarily intended for local authorities.. Please don't hesitate to contact campaigns@cyclingu.org if we can provide any further assistance.

Why should local authorities take any action?

While the country is in lockdown, many more people are walking and cycling, both for essential trips and for exercise. It's important to make sure they can do this safely, to help reduce the burden on the NHS. It will also help ensure that people can keep 2m apart, especially when queueing. Also, maintaining the improved local air quality will make it easier for people with breathing problems – recent air pollution has been shown to have a [correlation with COVID-19](#).

Why don't people just use public transport?

Many people, especially health staff and key workers, are avoiding the increased risk on public transport, where it's difficult to maintain 2m Social Distancing. Service frequency has been reduced on most routes to save costs. Lowering the risk for public transport staff is also important, and sadly several bus drivers have died.

Why don't local authorities just restrict walking and cycling?

Some authorities have dealt with this by restricting walking and cycling, particularly in busy locations such as parks. But this just forces people to use other unsuitable options such as narrow pavements and public transport with limited space. Switching to cars might help individuals but makes it more difficult – and indeed hazardous – for everyone else.

It's also important to appreciate that closing public parks and green spaces has the biggest impact on the most disadvantaged groups. These have less access to their own outdoor space but still need to get out for essential trips and exercise. The government has confirmed that they would like to see parks remain open and that they encourage exercise to maintain physical and mental health.

Is anywhere else doing anything?

Many cities across the world have already put in place measures to address the transport implications of the pandemic. NACTO (National Association of City Transportation Officials) in North America has been compiling a list of actions taken by local administrations (see <https://nacto.org/program/covid19/>). There is a full list managed by a researcher at University of North Carolina at http://pedbikeinfo.org/resources/resources_details.cfm?id=5209

Examples include:

- New York, Washington DC, Vancouver and many other cities in North American have created emergency cycle lanes or footpaths. In Montreal a 2.7km stretch of parking on a main road has been converted to a footway;
- Berlin has closed many roads to motor vehicles and also published a guide on temporary cycle provision;

- Oakland has closed 10% of its public highways to through traffic and other major cities such as Denver, Philadelphia, Budapest and Stuttgart have closed key roads to through motor traffic;
- Brussels has restricted access across four central bridges to people on foot and cycle only;
- Dublin has closed a number of streets and removed motor vehicle access to a central park.

What about the UK?

The first official closure of a road by a UK highway authority was implemented by Brighton & Hove City Council on 20 April. Madeira Drive and Dukes Mound, on Brighton seafront, have been restricted to walking and cycling (with access for essential motor vehicles only). The Royal Parks in London have also restricted access to people walking and cycling.

In other places, such as Barnes, traders and community groups have informally coned off areas for people to queue for shops.

What can local authorities do quickly?

There is a wide range of actions that local authorities can take to support front-line efforts to deal with the impact of COVID-19. As with other areas such as providing food to vulnerable people, this should be a partnership between councils, stakeholders and community groups. Working together in a clear framework will help reduce pressure on hard pressed council officers.

Things that can be done quickly include:

- Encourage deliveries by cargo bikes to help vulnerable people and support health services;
- Promote responsible behaviour with banners and footway markings to show 2m spacing;
- Encourage and enforce speed limits in areas where there are more people walking and cycling.

What physical changes can be introduced for people walking?

Most problems for walking are due to narrow footways, especially where there's a queue outside a shop selling food or other essentials. People passing a queue, or each other, find it difficult to maintain 2m distance. In some places people are walking in the carriageway to avoid each other. Councils can provide safe areas in two ways:

- Providing safe space on the carriageway for protect people queuing, using cones or barriers. In England and Wales, this can be done without a Traffic Regulation Order (TRO) - or a Traffic Management Order (TMO) in London. [Section 75 of the Highways Act 1980](#) gives English and Welsh highway authorities powers to “vary the relative widths of the carriageway and of any footway”, while [Section 66](#) allows them to introduce safety measures (footways, guardrails, barriers etc) which could be used to create temporary footway space. [Section 28 of the Roads \(Scotland\) Act 1984](#) creates similar powers in Scotland to erect barriers etc (e.g. between the carriageway and the footway alongside it), however any change to the rights of passage on any part of a Road (e.g. converting part of the carriageway to a footway) requires a Redetermination Order (which may be Temporary or Experimental – see below). It would be advisable to have a formal decision to install temporary infrastructure noted by a responsible officer, with an audit trail (e.g. to show that consideration has been given to possible safety hazards, impacts on disabled users etc) and also some sort of consultation in the spirit of traffic orders. If parking spaces are lost, then these will need to be formally suspended through a TRO.
- Closing roads and streets to motor traffic – this will need some form of TRO or TMO (see below).

What physical changes can be introduced for people cycling?

Although the volume of motor traffic has dropped, there is still risk for people cycling due to high speed vehicles. There are also problems where existing cycle infrastructure is not wide enough for more usage and doesn't allow people to keep 2m apart. These issues can be addressed in the following ways:

- Introducing new mandatory cycle lanes (MCLs), potentially on a temporary or experimental basis (see below). MCLs are marked with solid white lines, whose meaning is to prohibit other types of vehicle from being driven or ridden in them during their hours of operation (in this respect, they are like bus lanes, which are also marked with solid white lines). Since 2016 it has become possible to introduce MCLs without a TRO. Strictly speaking it is no longer an offence to park in these new MCLs, hence councils may prefer to make a TRO to introduce parking restrictions (using double yellow lines), if these are not already in place. TRO will be needed in any event if any existing parking bays are to be removed. In practice, [subsection 66\(2\) of the Highways Act 1980](#) would enable English or Welsh highway authorities to introduce temporary infrastructure (e.g. cones, wands, planters or water-filled barriers) to prevent drivers from illegally entering these lanes. It is advisable though to have a documented risk assessment to ensure (and be able to demonstrate) that due consideration has been given to the safety and access needs of all road users, including disabled people.
- Closing roads and streets to motor traffic – this will need a TRO of some form (see below).

What about junctions – won't they need more work?

Normally junctions cause more risk to people walking and especially cycling than links. However, the reduced level of traffic (and thus the reduced demands on drivers' attention) means that many junctions will not require specific measures, while the increase in speed has made the road links between junctions more hazardous. Hence a focus on these links is reasonable.

Won't these measures slow down emergency service vehicles?

The reduced level of traffic means that most measures will have little or no impact on those people making essential trips in motor vehicles, including emergency services. Physical closures will generally not be as restrictive as those used in a permanent scheme, and it is likely that they could be bypassed if necessary. However, as usual it will be advisable to discuss proposed measures with the emergency services, especially the police.

What legal powers do local authorities need to use?

Most measures will require a Traffic Regulation Order (TRO) or, in London, a Traffic Management Order (TMO) of some form. Section 1 of the [Road Traffic Regulation Act 1984](#) (RTRA) states that councils in Britain outside London can make TROs for roads for which they are the traffic authority, for a range of purposes including "avoiding danger to persons or other traffic using the road or any other road or for preventing the likelihood of any such danger arising", and "facilitating the passage on the road or any other road of any class of traffic (including pedestrians)". RTRA Section 6 gives councils in London similar powers to make Traffic Management Orders (TMOs).

For both TMOs (in London) and TROs (elsewhere in Britain), two main options are available for authorities wishing to introduce temporary infrastructure:

Temporary Traffic Orders (TTOs). [Section 14 of the RTRA](#) allows traffic authorities to make TTOs in various situations, including where the authority is satisfied that traffic should be restricted or prohibited “because of the likelihood of danger to the public”. TTOs normally require 7 days’ notice plus a further 14 days after making the Order before work can be done. However, an Emergency TRO can be implemented using on-site Notices with immediate effect.

- (under subsection RTRA subsection 14(2)). These can only be in place for 21 days. Otherwise, TTOs have a maximum time limit of 18 months.

It is not stated whether this is due to road defects or to general danger. It is therefore unclear whether TTOs are suitable to address potential risk arising from COVID-19, however authorities could instead apply this clause to the increased risk from speeding traffic in areas where cycling and walking has increased, with more people walking in the road (to maintain social distancing) and cyclists moving out into the centre of the road to stay clear of pedestrians (likewise). This approach has been taken by Brighton & Hove City Council.

TTOs are not intended to be used as the precursor to a permanent Order. Therefore if the council considers that that the measure to be introduced might become permanent, it may be preferable to use an Experimental Traffic Order (ETO, see below), as a TTO would have to be withdrawn and a new, permanent TRO or TMO drawn up before the measure could be made permanent.

- **Experimental Traffic Orders (ETO).** Under [RTRA section 9](#), these can be made for the same reasons as permanent TROs or TMOs, but no prior consultation is needed. ETOs are intended for measures which a council considers might be made permanent, without the need for a full TRO or TMO –with consultation then being conducted while the experimental scheme is in place.

The authority applies an ETO by publishing a notice and then after 7 days implementing the measures, which do not have to be the full intended permanent measures (e.g. a closure could be done simply by a barrier when the final design would be more elaborate using better quality materials).

Following implementation of an ETO there is a 6 month "objections period". This serves as the consultation period and the council should use standard engagement processes to seek views from the public. A decision on making the scheme permanent must be made within 18 months of starting work.

But we have to put a notice on site and in the local paper – this isn't now safe or possible

Following requests from Cycling UK and others, the Department for Transport has temporarily [relaxed the advertisement requirements](#) for TROs and TMOs in England – and we will be pressing the Scottish and Welsh Governments to take similar measures. This will make them easier to implement, by removing the requirement for on-site notices if putting these up is deemed to be unsafe for council officers.

In addition, printed notices are now not required, especially where a local paper has closed or is online only.

In all cases, the authority must take sufficient steps to publicise the TRO. This could include an online press release, announcements on social media etc.

How much will it cost?

The cost of work will of course depend on its scale. However, many measures can be implemented quickly and cheaply using available equipment such as cones, barriers, planters and baulks. It is not necessary to deliver a fully designed scheme using high quality materials. Office time may be an issue as many will be working on other emergency projects. However, it may be possible to collaborate with community groups and stakeholders to deliver measures under the supervision of an appropriate officer. Note there is guidance on delivery of highway measures while observing social distancing and other appropriate measures to reduce the risk from COVID-19.

Advertising and other costs of the notice will be reduced due to the DfT guidance.

Overall the cost of legal and other officer time to draw up a feasible scheme is expected to be of the order of £5,000.

Our officers are too over-stretched dealing with wider issues arising from the pandemic

It is fully appreciated that staff are very over-stretched. In many areas, such as food distribution and protecting vulnerable people, councils are working collaboratively with the voluntary and community sector. Volunteers are given appropriate training to work under the supervision of officers to deliver services where this can be done safely.

The same could apply to transport schemes. Stakeholders from local groups would be happy to assist councils where this is appropriate. They could provide valuable feedback on proposed measures, help install temporary infrastructure (under supervision), and distribute information.

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Disclaimer.

Cycling UK has prepared this guide to enable supporters and members of the public to engage with local authorities, identifying the powers which Cycling UK believe local authorities have to implement temporary cycling and walking infrastructure. The guide is based on Cycling UK's understanding of the legal position. The guide will hopefully be a helpful document for Councillors and Local Authorities, but Cycling UK provides no warranty, undertaking or guarantee in relation to the contents of this guide.