

EXPLANATORY MEMORANDUM TO
THE OLYMPIC ROUTE NETWORK DESIGNATION (AMENDMENT) ORDER
2011

2011 No. 1656

1. This explanatory memorandum has been prepared by the Olympic Delivery Authority and is laid before Parliament by Command of Her Majesty.

2. **Purpose of the instrument**
 - 2.1 The purpose of this instrument is to amend the network of roads in England designated as forming the Olympic Route Network ('ORN') in the Olympic Route Network Designation Order 2009, SI 2009/1573 ('2009 Designation Order'). The roads in the ORN will be used to transport the athletes, officials, accredited media representatives and marketing partners (hereafter referred to as the 'Games Family') between key competition and non-competition venues during the London 2012 Olympic Games and Paralympic Games ('the London Olympics').
 - 2.2 Designation of the ORN confers on various bodies duties of co-operation with the Olympic Delivery Authority ('ODA') in implementing the Olympic Transport Plan, which includes the ORN, and an obligation to seek ODA's approval to exercise their statutory functions as local highway authority, street authority or local traffic authority, in so far as they might reasonably be expected to affect any part of the ORN. It also confers on the ODA certain powers to make traffic regulation orders under the Road Traffic Regulation Act 1984 in relation to roads forming part of the ORN.
 - 2.3 The proposed changes to the ORN aim to secure more effectively safe and reliable transport for the Games Family and reduce the impacts of the operation of the ORN on normal business during the Games.

3. **Matters of special interest to the Joint Committee on Statutory Instruments**
 - 3.1 None.

4. **Legislative Context**
 - 4.1 Section 10 of the London Olympic Games and Paralympic Games Act 2006 ('the Act') places an obligation on the ODA to prepare and keep under review a plan (the 'Olympic Transport Plan') for addressing transport matters relating

to the London Olympics. The plan must, amongst other things, make provision for the creation and maintenance of the ORN. Section 11 of the Act confers on the Secretary of State the power, by order, to designate roads for the purpose of facilitating travel to and from London Olympic events or for other purposes connected with the London Olympics. The roads thus designated are to be known as the ORN. Once one or more roads have been so designated, the ODA may - with the consent of the Secretary of State - by order designate additional roads for the same purposes. In both cases, designation may only take place following consultation with the relevant highway, traffic or street authority for each road. It is the amendment by ODA to the roads designated as the ORN by the Secretary of State in the 2009 Designation Order, that is the subject of this Order. This is the first use of this power. The Secretary of State gave consent to the proposed changes on 30 June 2011.

4.2 Section 12 of the Act requires certain specified persons to co-operate with the ODA for the purpose of implementing the Olympic Transport Plan (and hence including the creation and maintenance of the ORN). The specified persons are the Mayor of London, Transport for London, the Secretary of State (in relation to certain functions relating to parks) and the local highway authority, street authority and local traffic authority for any road. If a relevant authority does not cooperate, section 12(3) of the Act enables the Secretary of State to direct the authority to take appropriate action and, if it fails to do so, to exercise the relevant functions himself or have another body do so on the Secretary of State's behalf.

4.3 Section 13 provides that where a local highway authority, traffic authority or street authority exercises a function which might reasonably be expected to affect, amongst other things, any part of the Olympic Route Network, that authority may not exercise its function unless—

(a) it has notified the ODA, and

(b) either—

(i) the ODA has approved the exercise of the function, or

ii) the period of thirty days beginning with the date on which the notification is sent to the ODA expires without the ODA sending an objection in writing to the authority, or

iii) any objection sent under sub-paragraph (ii) has been withdrawn in writing, or

(iv) the Secretary of State, having considered any objection sent under sub-paragraph (ii), has approved the exercise of the function.

4.4 This power is similar to the reserve powers that Transport for London has in relation to the TfL Road Network (TLRN) and Strategic Route Network (SRN). In addition, the ODA may take steps to reverse or change the effect of anything done in contravention of this and may recover the reasonable costs of doing so.

4.5 Under section 14 of the Act the ODA may, with the consent of the Secretary of State, make Traffic Regulation Orders under section 1, 6, 9 or 14 of the Road Traffic Regulation Act 1984 (c. 27) (traffic control) in relation to a road forming part of the ORN as if it were a traffic authority in respect of that road. The ODA may only do this for the purposes of implementing the Olympic Transport Plan or facilitating transport services in connection with the London Olympics. Traffic Regulation Orders will normally be enforced by the traffic authority for the road concerned but section 15(4) of the Act enables the Secretary of State to direct a local traffic authority in relation to enforcement if the authority is not carrying out enforcement appropriately, and failing that for the Secretary of State, or the ODA on their behalf, to take over the enforcement themselves.

4.6 All the abovementioned sections of the 2006 Act (sections 10 to 15) cease to have effect at the end of the London Olympics period (as defined in the 2006 Act) - ie on 14 September 2012.

5. Territorial Extent and Application

5.1 This instrument applies to England.

5.2 This instrument does not replicate existing legislation in any part of the UK.

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

- What is being done and why

7.1 The policy context for the legislative provisions in the 2006 Act regarding the Olympic Transport Plan and an ORN is the scale of the transport challenge posed by hosting of the Games. The Olympic Games and Paralympic Games are two of the largest sports events that can take place in a country: the equivalent of staging 26 world championships at the same time for the Olympic Games, and then 20 more for the Paralympic Games. On each of the

16 days of the Olympic Games up to 55,000 members of the Games Family will need transport, with 16,500 on each of the 11 days of the Paralympic Games. The Games Family are at the heart of any Games. For the Games to be a success, they and their equipment must be moved safely and reliably between the competition venues, accommodation and other facilities. At the same time, the impact of the Games on residents, businesses and visitors to London, and around other venues, must be kept to a minimum. The ORN is an essential measure to help manage the significant demands that will be placed on the whole transport network during the Games.

- 7.2 In response to the lessons from the 1996 Atlanta Games, which suffered a number of problems in respect of transport, every Games since Sydney in 2000 has had its own version of an ORN - each tailored to the specific circumstances of that city - to ensure safe, reliable transport for the Games Family. The key features of an ORN are bespoke time-limited arrangements for integrated control over works to the ORN roads, and the implementation and enforcement during Games-time of traffic management measures including dedicated Games lanes to facilitate the movement of Games Family vehicles. In the light of this experience London committed in its Bid, and in the host city contract, to the provision of an ORN, and Parliament has made legislative provision for an ORN in the 2006 Act.
- 7.3 Following the award of the 2012 Games to London, the ODA worked with key delivery partners such as Transport for London (TfL), the London Organising Committee for the Olympic Games and Paralympic Games, the Highways Agency and a number of local highway authorities to develop the initial ORN, which was designated by the Secretary of State in the Olympic Route Network Designation Order 2009, SI 2009/1573.
- 7.4 Since the 2009 Designation Order work has been continuing to develop plans for staging the Games and for implementing the ORN, with TfL now leading the ORN work in London, working with the Boroughs, and ODA leading it outside, in conjunction with the Highways Agency and relevant local authorities. One of the outcomes of that work has been the identification of a number of changes to the ORN so that it better meets the needs of the Games while minimising the impacts on normal activities. Details of the plans for implementing the ORN were published by the ODA in July 2010 in "*On Time*" *London 2012 Olympic Route Network and Paralympic Route Network*.
- 7.5 The changes to the ORN, following consultation, are implemented by this Order. They arise for a number of reasons, including: further investigations and detailed design work which identified better or additional routes in some instances; changes in the road network where new roads were now open and others closed; and changes in the training venues. As a proportion of the original ORN the changes are small, adding a net 1.3% to the length of road covered, but each of the changes reflects particular local circumstances.

- Consolidation

7.6 This Order amends the initial Designation Order SI 2009/1573. It is not intended to create a consolidated order as the ORN is a temporary time-limited measure for the London Olympics. However, the ODA will publish on its website (www.london2012.com/orn) maps showing the amended ORN and the changes made.

8. Consultation outcome

8.1 The ODA undertook a public consultation between 29 July and 31 October 2010: *Olympic Route Network and Paralympic Route Network Designation Amendment Order Consultation July 2010*. The consultation document set out the proposed changes and their rationale. The ODA sought views on the proposed changes and also sought views on a draft Impact Assessment. The document was sent to the statutory consultees, the relevant highway authorities, and to a wide range of stakeholders and interested parties and was available on the London 2012 website.

8.2 A total of 43 responses were received to the consultation. Of these, 25 commented on specific roads to include or remove from the ORN. A report on the responses to consultation has been prepared by ODA and will be published on the ODA website (www.london2012.com). Most of the proposals put forward by the ODA were supported by the relevant highway authorities, and by other respondents, and ODA has taken these forward. There were some instances where the ODA's proposals were not supported or where fresh suggestions were made by respondents. In some cases the ODA has taken forward alternative suggestions made by the respondents, in particular by highway authorities, or has maintained the status quo pending further clarification of plans for the ORN and venues. The final version of this Order therefore includes a small number of differences from the consultation draft order to the roads to be designated or deleted from the ORN, in the light of the comments received. The basis for the ODA's decisions, taking into account the consultation responses, is set out in the consultation report.

8.3 A number of respondents raised wider issues regarding the ORN. These included:

- concerns about the impact on residents and businesses of the temporary traffic management measures that would be introduced on the ORN, the operation of those measures (especially Games lanes) and the consultation processes associated with the measures; and

- underlining the importance of providing information to people likely to be affected by the ORN and the measures.

The ODA's consultation report also addresses these wider concerns raised by respondents and describes how those concerns will be dealt with as the plans for the Games are finalised, in particular through engagement with residents, businesses, local authorities and other stakeholders by ODA, TfL and other partners.

9. Guidance

9.1 The formal amendment of the designated ORN will be communicated by the ODA. All those who responded to the consultation will be advised by the ODA. Building on engagement processes already in place, the ODA and its partners will follow this up with detailed engagement with the bodies and individuals who may be affected by the changes to the ORN designation. This will include bodies such as utility companies who may be intending to carry out works on the roads added to the ORN; and where traffic management measures are proposed on the ORN, the ODA and its delivery partners will engage with the appropriate wider set of stakeholders. These could include residents and businesses along the roads concerned, as well as bodies such as local authorities, emergency services, bus operators and representative organisations. Nearer the Games, once the traffic regulation orders have been made for any measures, the ODA, TfL and other partners will engage in communication about the measures in order to secure maximum compliance.

10. Impact

10.1 The impact of the Order itself, in amending the designated ORN, on business, charities or voluntary bodies is nil as it is an enabling measure removing from, or granting to, ODA certain temporary powers in relation to those roads. Impacts will result from any subsequent use of those powers for temporary traffic measures introduced on the roads added to the network. The introduction of these measures is subject to separate statutory processes under the Road Traffic Regulation Act 1984.

10.2 The impact on the public sector of the amendments to the ORN is expected to be negligible. As above, any impacts will arise as a result of the proposed introduction of temporary traffic measures on the relevant roads.

10.3 An Impact Assessment is attached to this memorandum and will be published alongside the Explanatory Memorandum on www.legislation.gov.uk.

11. Regulating small business

11.1 The legislation does not apply to small business.

12. Monitoring & review

12.1 The objectives of the ORN are to enable safe, secure and reliable transportation of the Games Family between venues and accommodation, while minimising the impact of the Games on residents, businesses and visitors to London and other venues. The effect of designation is to provide the ODA with visibility of works and powers of approval on the ORN routes and powers to make traffic regulation orders for the purposes of the Games and to keep the rest of the country moving.

12.2 The amendments to the ORN in this Order are designed better to achieve the above objectives.

12.3 No specific review is planned on the amendments to the designated ORN but the implementation and operation of the ORN will be reviewed as part of a wide ranging debriefing and lessons learned exercise on the 2012 Games, to be lead by the International Olympic Committee.

13. Contact

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