

# Managing the Impact of Street Works – Call for Evidence

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### **About ADEPT**

The Association of Directors of Environment, Economy, Planning and Transport (ADEPT) represents directors of place who are responsible for providing day-to-day services including local highways, recycling, waste and planning as well as the strategic long-term planning and delivery of sustainable places. ADEPT members are at the very heart of delivering clean sustainable growth, tackling climate change at a local level. We manage the projects that are fundamental to creating more resilient, inclusive and safe communities, economies and infrastructure.

ADEPT is a membership based professional organisation with:

- 100+ county, unitary and combined authority members
- 5 sub-national transport bodies
- 9 local enterprise partnerships (LEPs)
- 21 Corporate Partner members across England.

This document outlines ADEPT's response to the call for evidence on managing the impact of street works. It is based on qualitative and quantitative analysis conducted by Causeway and ADEPT, published in 2024, and ADEPT's response to the DfT's consultation on Street Works: Fines and Lane Rental Surplus Fund in March 2024.

### **Rapid rise in street work activity**

In recent years, there has been a surge in utility works on the local highway network due to fibre rollouts, the installation of new electric vehicle infrastructure, and improvements to water infrastructure. Data from Causeway's one.network shows that between 2019 and 2023, there was a 42% increase in the number of road works across the UK. This is largely associated with a significant rise in telecommunication street works, which have increased by 126% over the last six years.

The demand for street works is expected to rise in the future due to government decarbonisation goals (e.g. the phasing out of petrol and diesel vehicles and need for new electric vehicle infrastructure), to address historic underinvestment in essential utilities such as water, and support the potential transition to alternative energy sources like hydrogen.

The increased demand for street works is putting increased pressure on Local Highway Authorities. Research undertaken by Causeway and ADEPT (2024) found that for 50% of Local Highway Authorities, extreme demand for road access prevents road works planning and management from becoming more efficient.

While the increase in street works is a positive sign of economic growth and improvement to the UK's aging infrastructure, the sheer volume of works required by utility companies,

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highway authorities, and new developments often means communities are constantly experiencing delays and diversions. This is a significant source of frustration for road users and a direct cost to businesses due to delayed deliveries and workers.

It is recognised that street works will inevitably cause some level of delay and disruption; however, the scale of such disruption is currently compounded by inefficient planning, delayed approval processes, and uncoordinated communication. These factors create greater friction, slowing down the speed and success rates of works across sectors. This situation can be exacerbated by street work offences (e.g., companies breaching permit conditions) and companies undertaking poor-quality reinstatement that requires additional repair or results in long-term maintenance issues for the local highway authority.

To address this, there is a need to review how street works are managed. It is considered that a wholesale change in how the sector behaves, collaborates, and communicates is necessary.

### **The need for improved collaboration and communication between utilities companies and Local Highway Authorities**

To minimise the impact of street works on users of the local highway network (e.g. delay and congestion) there is a need for improved collaboration and communication between utility companies and local highway authorities.

In survey undertaken by Causeway and ADEPT, collaboration and communication was identified as a key barrier to efficiency by 50% of utility companies and 50% of local highway authorities. This is despite the existing presence of regulation and statutory guidance.

At present the current process of booking road space often sits outside of the core process of planning and execution of construction activities and largely revolves around box ticking exercise with limited consideration of the bigger picture and how it could be better joined up. There is also a need for greater insight and participation from senior leaders to support the change in behaviours required.

To address this, there needs to be better lines of communication between utility companies and local highway authorities, including tools, processes, and strategies. New partnerships are needed to connect utility companies, contractors, local highway authorities, and community stakeholders to plan, deliver, and reduce impacts.

A fundamental part of this must be the collaborative sharing of information and data. Existing digital platforms that aim to facilitate this are not delivering, so there needs to be a rethink of how this information can be shared between key stakeholders as simply and easily as possible. This needs to cut through the complexities of existing permitting systems and regulation to focus on communicating and the coordinating of work and putting the public and the heart of decisions that ultimately affects their lives.

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However, to achieve this, local highway authorities would likely need to take on more responsibility for coordinating street works, which would require additional funding and resources.

### **Impact of street works on highway infrastructure**

Street works can have a detrimental impact on highway infrastructure and the lives of our communities. Poor quality reinstatement can, at best, be unattractive (e.g. repair work that does not match the existing highway, such as different coloured tarmac or incomplete block paving) and at worst, it can lead to the more rapid deterioration creating potholes and additional maintenance costs for the Local Highway Authority and further disruption to people's lives.

The 2024 Annual Local Highway Authority Road Maintenance survey found that more than half of the road network in England and Wales is said to have less than 15 years of structural life remaining. Local Highway Authorities do not currently have the funding to bring carriageways to an acceptable standard (estimated at £16 billion). As such there is a significant risk that poor quality utility work will reduce the lifespan of many roads that are already approaching their end of life. This will not only result in initial disruption and congestion from the initial utility works but could also lead to longer-term disruption and congestion due to the need for more significant structural work to upgrade and resurface large parts of the road network.

Local Highway Authorities currently face significant resource and funding constraints. This makes it difficult for Local Highway Authorities to monitor and penalise companies that undertake poor-quality work or break the conditions of their permit. This results in poor-quality street works going unchallenged, leading to long-term maintenance issues for Local Highway Authorities.

In an attempt to address this new performance-based inspection regulations came into effect in April 2023. These regulations provide local highway authorities with more power to issue financial penalties and focus resources on inspecting the work of the worst-performing companies. However, while this is a step in the right direction, funding and resourcing challenges make it difficult for local highway authorities to implement these regulations effectively. Even if the works can be inspected, additional resources are required to ensure poor-quality work is rectified to an acceptable standard.

### **Effectiveness of financial penalties as a deterrent to poor practice**

Fines are not a sufficient deterrent to poor practice. For most parties the scale of the current fines is insignificant and some organisations work on the premise that the fine is only a very small on-cost to their works. For example, permit conditions that relate to manual control of signals, longer working hours and out of hours working would cost substantially more than the cost of paying a Fixed Penalty Notice (FPN) for noncompliance.

Stronger fines would act as a deterrent, but it is likely that these would need to be significant to fully deter poor practice.

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To enforce poor practice significant resources are required to implement and manage street works offences within Local Highway Authorities. At present, where a breach of conditions has occurred, Local Highway Authorities often lack the necessary resources to commence legal proceedings. If Local Highway Authorities are provided with greater resources to investigate, enforce, and prosecute breaches of conditions, it could serve as a stronger deterrent than any increase in the level of FPN's

ADEPT member's experience is that existing FPN amounts for street work offences do not cover costs of inspections. If FPN cannot cover Local Highway Authorities costs in monitoring and enforcing street works offences, this could lead to low levels of monitoring and enforcement. This in turn could discourage utility companies from fully complying with any permit conditions. There is also a need for strengthening the role of regulators as it relates to street works and the adverse impact on the public.

### **References**

Causeway and ADEPT (2024) The Road Ahead. Causeway and ADEPT. Available at: [https://www.causeway.com/hubfs/Causeway\\_The%20Road%20Ahead%20Report\\_FINAL\\_AW.pdf](https://www.causeway.com/hubfs/Causeway_The%20Road%20Ahead%20Report_FINAL_AW.pdf)