



House of Commons
Transport Committee

Local Roads and Pathways

Fifth Report of Session 2002–03

Volume I



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Report, together with formal minutes

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The Transport Committee

The Transport Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Transport and its associated public bodies.

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Tom Brake MP (*Liberal Democrat, Carshalton and Wallington*)
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Mr John Randall MP (*Conservative, Uxbridge*)
Mr George Stevenson MP (*Labour, Stoke-on-Trent South*)
Mr Graham Stringer MP (*Labour, Manchester Blackley*)

The following Members were also members of the Committee in the course of the inquiry.

Mr Chris Grayling MP (*Conservative, Epsom and Ewell*)
Helen Jackson MP (*Labour, Sheffield, Hillsborough*)
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The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No 152. These are available on the Internet via www.parliament.uk.

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The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at www.parliament.uk/parliamentary_committees/transport_committee.cfm.

A list of Reports of the Committee in the present Parliament is at the back of this volume.

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The current staff of the Committee are Eve Samson (Clerk), Dr John Patterson (Second Clerk), Dr Greg Marsden (Committee Specialist), Miss Frances Allingham (Committee Assistant) and Lis McCracken (Secretary).

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Summary

Roads and pathways form a part of every single journey we make every day. It is the public service that is used most frequently and used by everyone. Remarkably, successive Governments have failed to invest sufficient funds to adequately maintain the network. Like the railways, the problems of under-investment are coming home to roost. One-third of all funding is spent on temporary patch and mend maintenance. Tens of millions of pounds are spent every year in compensation to people injured as a result.

To its credit, this Government has set out to eliminate the backlog of road maintenance by 2011. It has already provided extra funding to the Highways Agency to maintain its network properly. The extra funding provided since the start of the Ten Year Plan in 2001 has enabled the Department to halt the deterioration in local road surface condition. However, the current programme concentrates on the quality of the road surface. If the funding is to deliver more than a 'makeover', the Government must widen its policy to ensure that the roads are safe, well lit and long lasting. For their part, local authorities must improve their performance if the most is to be made of the extra money. The roads budget must not be used as a regular slush fund for other local services.

The ability of local authorities to tackle the maintenance backlog is further hampered by the enormous volume of road works carried out by private utility companies. Some roads seem to be made up more of patches than original road. There is insufficient co-ordination and co-operation between utilities and local authorities. The Government is developing new legislation to give local authorities more powers to co-ordinate these works and minimise delays. Whilst there is strong evidence that local authorities need some strengthening of their existing powers, the current legislation has been poorly implemented. This is entirely different to the legislation not working at all. We recommend that the Government makes the existing system work before bringing in any new systems.

The Government has also proposed the introduction of "Traffic Managers", so called "congestion czars", who would be responsible for 'keeping traffic moving'. The idea is to bring together all of the other elements that can combine to cause delays in a city including road maintenance, traffic signal control, accidents and parking. The potential complexity of such a role is staggering. We are not sure where the expertise exists to manage all of these and the Government has yet to demonstrate the practical benefits that would be achieved by combining all of these roles. The task of managing our city streets risks being made more complicated by adding a further layer of bureaucracy. The idea of tasking someone with the job of keeping traffic moving may sound politically appealing but it runs the risk of compromising safety and environmental objectives and ignoring the needs of pedestrians, cyclists and indeed, the needs of utility customers – every driver also falls into at least one of these categories.

1 Introduction

1. Every day, buses, taxis, lorries, cars, motorbikes, cycles and pedestrians rely in equal measure on the safe and efficient operation of the network of roads, footpaths and cycleways that cover the country. It is the fabric on which 97 per cent of all journeys are made every year.¹

2. The UK road network is 392,408 kilometres in length. Of this, 9,500 kilometres of motorways and nationally important 'A' roads are managed by the Highways Agency. This part of the network alone is valued at £60 billion, the Government's single largest asset.² Despite the obvious local and national importance of a high quality network of roads and pathways, the UK has not invested enough in their maintenance and renewal. Some parts of the road network resemble a patchwork quilt of temporary repairs which are unsightly, uncomfortable and potentially unsafe. The Government recognised the serious nature of the problem when, in establishing the 10 Year Plan for Transport, it set out the following targets:

- To maintain our strategic road network in optimum condition
- To provide sufficient resources to local authorities to halt the deterioration in the condition of local roads by 2004 and to eliminate the backlog by the end of the Plan period.

3. The Government has met its objective for the strategic road network and has increased overall investment in local authority road networks. However, this may not solve the problems. The local road network has been starved of investment over many years and the Government's target to eliminate the backlog may not be reached. The targets also do not cover the whole street environment. The condition of street lighting, bridges, footpaths and cycleways is less clear, yet equally important to promoting a safe, inclusive and secure integrated transport policy.

4. The problems of improving the condition of the local road network are further compounded by the programmes of maintenance, renewal and new connections carried out by utility companies (known as 'street works'). Several thousand street works are carried out in England every day, often at short notice. The patchwork surface repairs contribute significantly to the deteriorating appearance of the urban street scene. The New Roads and Street Works Act 1991 put in place a number of different measures that could be deployed to improve the co-ordination between utility companies (utilities) and local authorities. However, local authorities and utilities have yet to demonstrate that these are working.

5. Delays and disruption from road works and street works are common place. The Secretary of State made it clear that "One of the main sources of congestion in towns and

¹ DfT Transport Statistics Great Britain 2002, calculated from average distance travelled by mode, Table 1.2, p14 gives 93% of all mileage travelled on roads and pathways. Table 1.3 gives average trips per mode which gives 97% of all trips travelled by these modes.

² HC 431 (2002-03) *Maintaining England's Motorways and Trunk Roads*, Report by the Comptroller and Auditor General, National Audit Office.

cities across the whole country is roadworks”³ Indeed, the Department has recently announced that it will seek time in the legislative programme to bring forward new legislation to manage the issue of delays from road works.⁴

6. In December 2002, the Committee decided to undertake an inquiry to examine the Government’s programme of improvements to road and pathway maintenance. The inquiry built on work undertaken by one of its predecessor sub-Committees on motorway, trunk and principal roads.⁵ In recognition of this, and the Highways Agency’s progress on eliminating its maintenance backlog⁶, this inquiry concentrated on the network of roads managed by local authorities. In particular the inquiry addressed:

- the local road maintenance backlog;
- co-ordination of street works;
- the role and suitability of Best Value indicators in improving cost-effectiveness;
- consequences of inadequate maintenance, particularly with regards to third party liability claims;
- factors influencing the deterioration of roads (such as flooding);
- provision and maintenance of street lighting and its role in road safety;
- the importance and costs of providing high quality pedestrian and cycling environments, including the need to remove otiose street furniture and signage; and
- the applicability of private finance initiatives to local road maintenance.

7. Chapter 2 of the report examines the extent of the maintenance backlog and assesses progress towards the Government’s target to eliminate the backlog by 2010. Chapter 3 discusses the impact of street works on congestion and road quality and the operation of the New Roads and Street Works Act 1991. Chapter 4 draws together the findings and presents our thoughts on the way forward.

8. The inquiry was carried out in February 2003. The Committee received 50 memoranda and took oral evidence at two meetings from 9 organisations and the Minister for Transport. The Committee is grateful to all those who assisted in our inquiry, in particular to Transco and BT for hosting site visits.

³ HC Deb, 1 April 2003, col 775

⁴ Department for Transport, *Annual Report 2003*, p16

⁵ Memoranda laid before the Transport Sub-Committee of the Environment Transport and Regional Affairs Committee, *Maintenance of Motorways, Trunk Roads and Local Authority Principal Roads*, HC 381 (2000-01)

⁶ Report by the Comptroller and Auditor General, *Maintaining England’s Motorways and Trunk Roads*, HC 431 (2002-03), National Audit Office

2 Road Maintenance

9. This chapter sets out the current understanding of the maintenance backlog, its causes, problems and possible solutions. The chapter is divided into discussion on roads, footpaths, street lighting, cycleways and bridges. Common issues such as the use of the Private Finance Initiative and targets are discussed at the end of the chapter.

The Local road network

Investment in the road network

10. There is a clear link between levels of investment in road maintenance and the quality of our local road network as shown in Figure 1. The data reveals a simple fact: when maintenance expenditure is cut, the condition of the road network deteriorates (the defects index line rises).

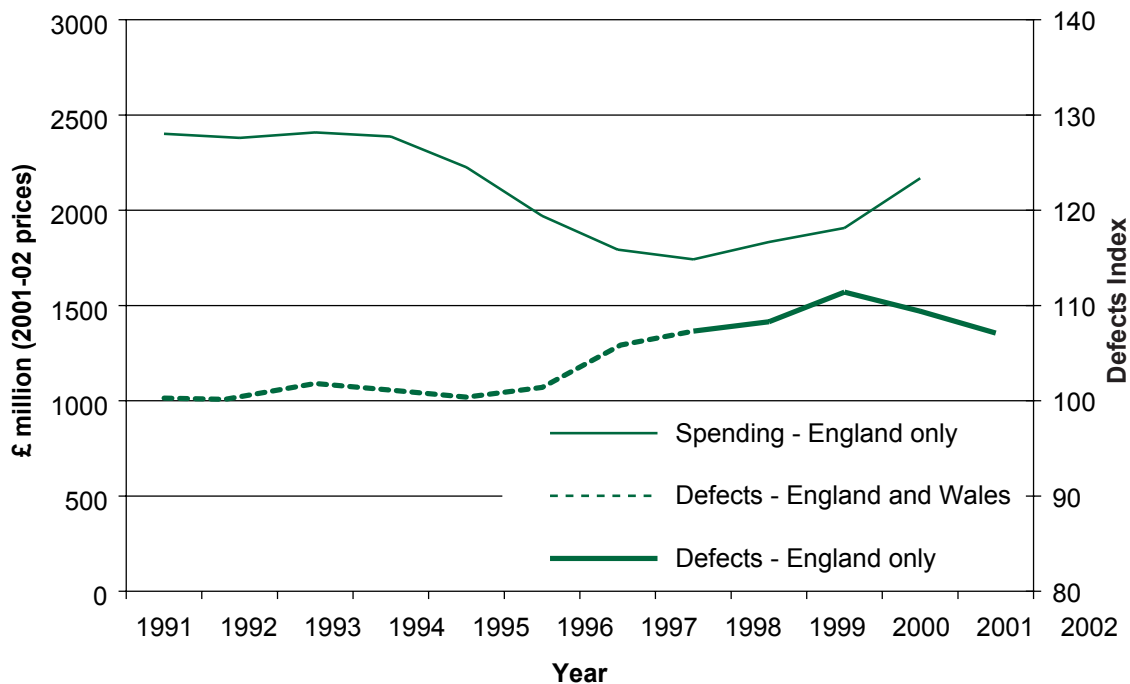


Figure 1: Expenditure and defects on non-trunk roads in England

Source: National Road Maintenance Condition Survey:2002

This is not rocket science, yet the Department for Transport accepts that not enough has been spent on road maintenance over recent decades.⁷ Investment in non-trunk road maintenance fell significantly between 1994 and 2000. Only in 2002 did spending exceed levels in the early 1990s (levels which themselves were unable to halt the increasing maintenance backlog).⁸

⁷ Q331

⁸ Department for Transport, *Delivering Better Transport: Progress Report*, Para 4.61

11. The Department announced in December 2002 that it would be providing £610 million for local highway maintenance in 2003/04 and £651 million in 2004/05, £50 million and £91 million more respectively than in 2002/03. The revenue provision for highway maintenance provided through authorities' Formula Spending Shares will also rise to £2,005 million and £2,055 million in these two years.⁹ This will put spending at just over £2.7 billion in 2004/05, around £0.3 billion per year more than over the period 1991 to 1994.

Local Flexibility

12. Data on national spending alone can be misleading as there is considerable local flexibility on the amount that is spent on road maintenance. Until 2003, local authorities received revenue support as part of a block grant under the Standard Spending Assessment.¹⁰ Local Authorities were given indicative allowances on funding for maintenance but had flexibility to move resource funding across budget areas. Further capital grant was allocated for road maintenance through the local transport plan process. Capital grant for transport had to be spent on transport.

13. There is now a new way of allocating resources, the 'Formula Spending Share', introduced this year.¹¹ Local Authorities are given all resource funding as a lump sum for division at a local level according to priorities. Since 2003, capital funding has also been made flexible at a local level and transport allocations therefore also go into a 'single capital pot'. There is now flexibility to carry resources over from one year to the next.

14. Alongside the greater flexibility of funding provision, the Government has developed new procedures to assess the performance of local authorities. Measures of performance known as Best Value Performance Indicators are set by the central government departments (including the Department for Transport).¹² Local authorities have a duty, set out in the 1999 Local Government Act, to measure and report performance against these indicators. The Audit Commission independently assesses the procedures for collecting the data, its quality and the authorities' performance against the objectives set out by the indicators.¹³

15. The County Surveyor's Society told us that the recent flexibility to spend more one year and less the next was welcome both for revenue and capital funding.¹⁴ It also felt that Best Value Performance Indicators would be sufficient to ensure that local authorities gave sufficient emphasis to road maintenance.¹⁵ Mr Kendrick of the Institution of Highways and Transportation was less convinced of the ability of the current Best Value Performance

⁹ *Ibid.*

¹⁰ The Standard Spending Assessment and Formula Spending Share are described in *Local Government Finance in England: Replacing the Standard Spending Assessment* Research Paper 02/56, House of Commons Library, October 2002

¹¹ *The Formula Grant Support System – Supporting Key Public Services*, Office of the Deputy Prime Minister, www.local.odpm.gov.uk/finance/

¹² The current Best Value Performance Indicators can be found at <http://www.roads.dft.gov.uk/>

¹³ <http://www.bvpi.gov.uk>

¹⁴ Q120

¹⁵ Q128

Indicators to prevent local authorities raiding the maintenance funds.¹⁶ He told us that the Institution had always regarded ring-fencing of funding as a desirable thing “because that provides protection for the budget and the service”.¹⁷ The Minister was reluctant to accept the need to ring-fence funding as this would “run slightly counter to the whole drive from the local government sector”.¹⁸ We took evidence on the extent to which local authorities were under-spending their notionally allocated budgets and therefore, the extent to which this is a major issue.

Evidence of local under-spend?

16. Many organisations acknowledged that cutting road maintenance was a usual response from local authorities faced with budgetary pressures from elsewhere.¹⁹ Yet, although under-spending on road maintenance was commonly seen as a typical response to budget pressures, there is little strong evidence that this is a significant problem nationally. The Department for Transport told us that local authorities had generally spent the amount allocated to them but there were a few local authorities which appeared to systematically under spend.²⁰ A survey of almost half of all local authorities by the Asphalt Industry Alliance found that in 2002/03 80 per cent of local authorities in England (excluding London) spent all of their structural maintenance allocation.²¹ This figure was 91 per cent for local authorities in London. Whilst 20 per cent of local authorities did not spend all their maintenance budgets, 24 per cent of authorities “overspent” their notional budget.²² This would be an expected consequence of increased flexibility of funding allocation.

17. Increased support from central government is key to improving the quality of the local road network. If local roads are to be improved it is essential that this money is not diverted elsewhere at a local level. There is mixed evidence on the extent to which local authorities ‘raid’ road maintenance funds to support other responsibilities. However, with flexibility over both revenue and capital spending, there is greater potential for any such raiding to be detrimental to road maintenance. The Government must monitor local authorities that systematically under-spend. If the under-spend jeopardises the ability of the local authority to eliminate the maintenance backlog then the Government should take action. Ultimately, this may mean ring-fencing road maintenance budgets until the targets are met. As a first step to prioritising local road maintenance, we recommend that the Department publish an annual comparison of the planned and actual expenditure on road maintenance along with details of road quality for each local authority. People need better information about the performance of their local authorities.

¹⁶ Q288-289

¹⁷ Q293

¹⁸ Q364

¹⁹ RPM 02, RPM 17, RPM 27, RPM 28

²⁰ Q361, Q363

²¹ Asphalt Industry Alliance, *Annual Local Authority Road Maintenance (ALARM) Survey 2003*, April 2003

²² *Ibid.*

The condition of the road network

18. The Department for Transport publishes a summary of the condition of the national road network every year, the *National Road Maintenance Condition Survey*. The most recent survey covers 2002.²³ The survey is based on number of measurement techniques. A visual survey is conducted of a sample of all non-motorway roads (excluding the small minority with a concrete surface). In 2002, 132 (out of a possible maximum of 191) local authorities participated in the survey. 12,145 sites were surveyed in 2002 in England and Wales, of which 10,260 were on the non-trunk road network in England. The surveys examine damage to the carriageway from wheel-tracks (cracking and rutting of the road surface), major deterioration of the surface, footpath condition and the conditions of the kerbs and verges. The results of the survey are compared to a 1977 level (which is assigned a value of 100). Surveys are also undertaken of the structural condition of principal roads, trunk roads and motorways and of the skidding resistance of roads.

Road Surface Condition

19. The surface condition of all non-trunk roads was at a peak in 1980. Figure 2 shows that from 1980 to 2000 the overall trend is one of decline, particularly in the early 1980s and again in the late 1990s.

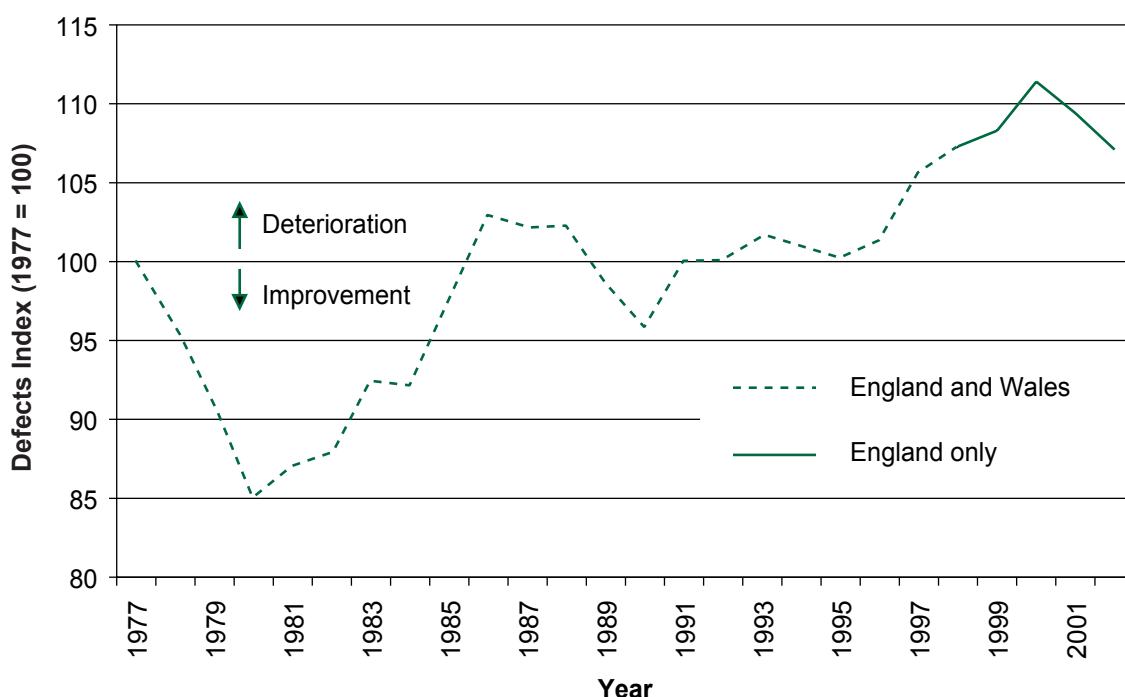


Figure 2: Surface condition of all non-trunk roads 1977-2002

Source: National Road Maintenance Condition Survey:2002

20. The extra investment since the beginning of the 10 Year Transport Plan in 2001 appears to have halted the trend of decline. The Department now believes that

²³ Department for Transport, *National Road Maintenance Condition Survey: 2002*, Transport Statistics Bulletin SB (03) 20

improvements in the 2001 and 2002 surveys are sufficient to be confident that “there has been a significant improvement in local road conditions”.²⁴ This is a matter of interpretation; whilst road surface condition has improved, it is still worse than in 1997 and every year before this since records began in 1977.

21. Most, but not all, categories of roads that are assessed to give the national average figure have also improved over the last two years.²⁵ However, the picture is mixed. The rural principal road network is in the best condition since records began whilst the rural unclassified network continues to deteriorate and is in the worst condition since records began. In urban areas, the condition of principal, classified and unclassified roads all improved in 2002. However, only urban principal roads are in a better condition than in 1997, being in their best condition since 1991.²⁶

22. The trend in improvements across local authorities is also patchy. The Institution of Highways and Transportation reviewed the trends on road condition from three Best Value Performance Indicators. The summary statistics are shown in Table 1. It appears that as many local authorities’ roads are deteriorating as are improving across each of the three Best Value indicators.

Table 1: National Percentage Trends in Road Condition

Indicator	% improving	% deteriorating	% stable	% uncertain
Best Value 96 ²⁷ (deflectograph method)	31	22	32	15
Best Value 96 (coarse visual inspection method)	7	7	1	85
Best Value 97a ²⁸	25	24	10	41

Data Source: RPM 02B. Definitions of Best Value indicators are in the National Road Maintenance Condition Survey: 2002, p37.

Rural Unclassified road network

23. The link between funding and maintenance levels is most clearly demonstrated through the performance of the rural unclassified road network. Devon County Council illustrated the impacts of funding cuts. It told the Committee that over the period from 1992/93 to 1999/2000 it had absorbed a cumulative reduction in funding for maintenance of £37.8 million.²⁹ The implications of this were a reduction in the average frequency of surface dressing for highways from once every eleven years to once every twenty four years.

²⁴ *Ibid*, p9

²⁵ See Annex 2 for a description of the different road classifications

²⁶ *National Road Maintenance Condition Survey: 2002*, p16

²⁷ BV96 is the percentage of the principal roads network where structural maintenance should be considered

²⁸ BV97a is the percentage of the non-principal classified roads network, i.e. classified B and C roads, where structural maintenance should be considered

²⁹ RPM 39

24. Devon County Council was also concerned by the implications of the recent changes to the Formula Spending Share (FSS) for revenue funds. As a result of changes to FSS there has been a further cut of 21 per cent in the funding available for road maintenance.³⁰ Gloucestershire County Council echoed the experiences in Devon. It believes it has an existing backlog of £140 million yet its settlement was cut by 25 per cent last year.³¹ The Institution of Highways and Transportation acknowledged that whilst some Councils had lost out, others had benefited from the changes. However, Mr Dickinson told us “I think for those who have suffered a significant reduction in their budget, they will have a problem”.³²

25. The funding reallocations have led to relative reductions in allocations for some rural or ‘shire’ counties. It is unlikely to be a coincidence that the main deterioration in road conditions continues to be on the rural unclassified road network. Those resources that are available are targeted to the more heavily used rural principal road network. However, this leaves a significant proportion of the network in a poor and worsening state. It would be unreasonable to expect these lesser used roads to be kept in the same condition as the principal road network. However, the deterioration of their condition appears to be going into freefall.

26. Minor rural roads are in an appalling state and continue to decline. This has not been helped by the recent changes to funding allocations between local authorities. The Department should determine if changes to the scheme of revenue allocation mean the decline will continue. It must also develop a strategy to halt this trend.

Structural condition of roads

27. The sub-surface of a road acts like the foundation of a building. One would not refurbish a building if the supports were weak and at risk of collapse. The same applies to roads. A good structure underneath the road surface is essential if resurfacing is to do more than simply paper over the cracks. Accordingly, the Department for Transport carries out a structural survey of roads which measures the extent to which roads perform as they should when tested under load. It is only carried out on principal roads and is an important complementary piece of information to the visual survey. The results of the structural survey show that around 17.4 per cent of local authority principal roads require monitoring to see if maintenance is required. As shown in Figure 3, this is on a continuing upward trend. The Department acknowledges that there has been a “further deterioration in the condition of the English Principal road networks”.³³

³⁰ *Ibid.*

³¹ RPM 37

³² Q291

³³ *National Road Maintenance Condition Survey: 2002*, p32

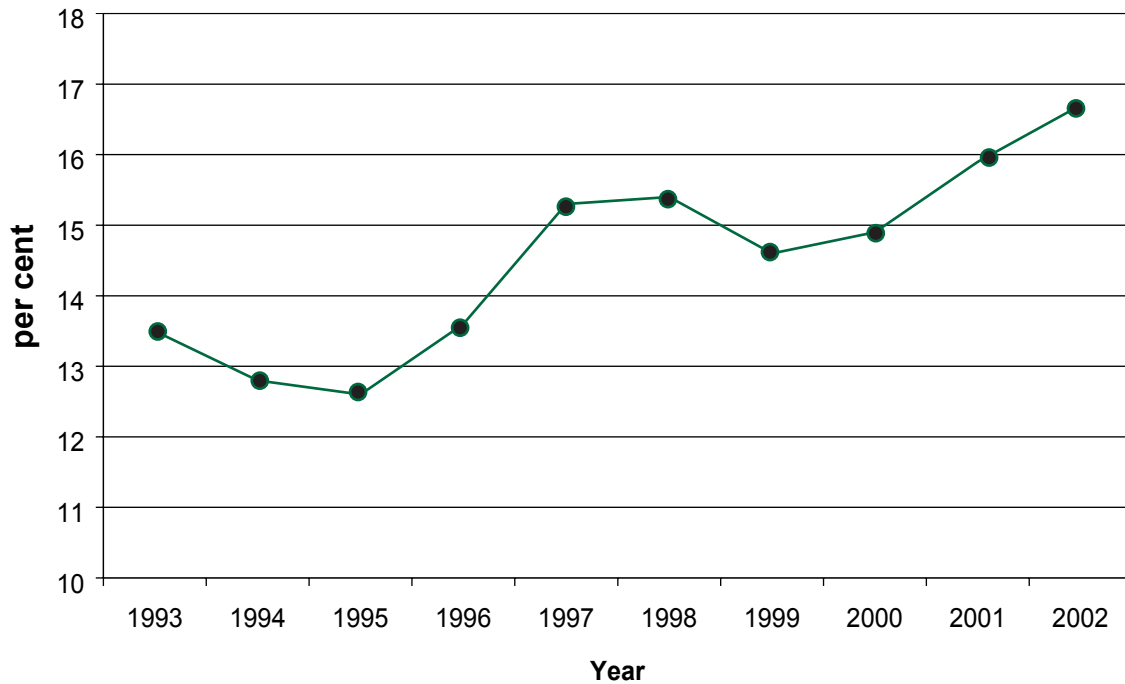


Figure 3: Percentage of English Principal Road Network requiring close monitoring of structural condition

Data Source: National Road Maintenance Condition Survey:2002

Skidding Resistance

28. The Department notes that “one objective of highway maintenance is to increase road safety by ensuring that roads have a satisfactory level of skidding resistance”.³⁴ Surveys of the skidding resistance of roads in wet conditions have been carried out since 2000. The results of the skidding resistance survey also provide considerable cause for concern. Whilst the percentage of the network on motorways and trunk-roads requiring investigation are very low, between 17 and 35 per cent of local authority principal roads require further investigation.

Consequences of inadequate road maintenance

29. The failure to maintain the road network makes roads more dangerous. The Asphalt Industry Association survey estimated that £78 million was spent last year on payments to claimants who suffered damage from poorly repaired roads and pathways.³⁵ In addition, it estimated that in local authorities in Britain, 47,376 workdays were spent per year in processing and dealing with claims. Kirklees Metropolitan Council told us that “The five West Yorkshire Districts spend over £6,750,000 on insurance premiums alone. This is compared with £16,295,000 on Principal Road maintenance”.³⁶ This may be fuelled by an increase in claims under the new “no win, no fee” system. The Minister for Transport was unable to provide a definitive view on the extent to which compensation claims were increasing but he confirmed “we are moving into a situation generally where we are

³⁴ *Ibid.*, p41

³⁵ *Annual Local Authority Road Maintenance (ALARM) Survey 2003*

³⁶ RPM 30

potentially spending more money than we need to on claims”.³⁷ The true extent of the problem could not be identified due to an inconsistent approach to holding records about claims.³⁸

30. Local authorities have now established systems to react to problems with roads such as pot holes since a well managed system of responding to identified problems can reduce the liability to which an authority is exposed.³⁹ The County Surveyor’s Society told us that increased spending on short-term maintenance was to “ensure that we tackle and deal with the insurance claims so that we respond and make safe any defects on the network within prescribed response times”.⁴⁰ Whilst this spending is clearly necessary on safety grounds, small patchwork repairs do not last as long as full resurfacing and do not address the underlying structural problems of the road network. It would therefore be advantageous to keep patch work repairs to a minimum. However, the current extent of such spending is staggering. The Asphalt Industry Alliance estimated that in England in 2002, 32 to 36 per cent of the road maintenance budget is typically used on reactive (rather than planned) maintenance.⁴¹ This problem can only be resolved in the longer-term by more timely replacement of road surfaces. The adage “a stitch in time saves nine” has never been more appropriate.

Estimating the road maintenance backlog

31. In its 10 Year Plan for Transport, the Department set out its aim “to eliminate the road maintenance backlog by 2010”.⁴² The Minister for Transport went further than this, telling us that the Department’s aim was to tackle “all the backlogs in local carriageway, footway, bridge and street lighting maintenance by 2011”.⁴³

32. The true extent of the maintenance backlog for roads is unclear. The Department for Transport estimated the backlog to be £3.75 billion in 2000.⁴⁴ A survey of 30 per cent of local authorities conducted by the Institution of Civil Engineers estimated the backlog of road and bridge maintenance to be £5.5 billion.⁴⁵ A survey of almost half of all local authorities by the Asphalt Industry Alliance found that there had been a shortfall of £1.1 billion per year in road maintenance across Britain.⁴⁶

33. The Chairman of the County Surveyor’s Society, Geoff Allistair, told us that it was not possible to give an accurate figure of the national backlog at this stage due to the number of assumptions involved.⁴⁷ However, based on work in a small sample of four counties, Mr

³⁷ Q367

³⁸ RPM 28A

³⁹ *Ibid.*

⁴⁰ Q125

⁴¹ *Annual Local Authority Road Maintenance (ALARM) Survey 2003*

⁴² Department of the Environment, Transport and the Regions, *Transport 2010: The 10 Year Plan*, July 2000

⁴³ Q329

⁴⁴ *Transport 2010: The 10 Year Plan*

⁴⁵ Institution of Civil Engineers, *Local Transport and Public Realm Survey 2002*, www.ice.org.uk

⁴⁶ *Annual Local Authority Road Maintenance (ALARM) Survey 2003*

⁴⁷ Q115

Allistair told us that he had “serious doubts”⁴⁸ that the current funding levels would clear the backlog and that increases of 50 to 100 per cent may be required.⁴⁹

Inflation of construction costs

34. Recent rises in the cost of road maintenance have exacerbated the problem of identifying the true extent of the maintenance backlog and indeed of tackling the current problems. The Civil Engineering Contractors Association conducts a national survey of the index of prices for construction goods. It estimates that costs of aggregate have risen by 10 per cent and those of blacktop and ready mixed concrete by 9 per cent and 8 per cent respectively. There were increases in costs of disposal to landfill of 7 per cent and staff cost rises of a broadly similar level.⁵⁰

35. The County Surveyor’s Society found that inflation for typical maintenance contracts has jumped from around 3 per cent in 2000 and 2001 to almost 9 per cent in 2002. This was largely made up of increased labour costs (rising 7.3 per cent in 2002) and costs of bituminous products (rising 11.1 per cent in 2002).⁵¹ The Institution of Highways and Transportation provided a further breakdown on the costs of aggregates noting that “The cost of aggregates from 1999 to 2000 went up by 1.8 per cent; the following year by 0.92 per cent. For the year 2001/2, it went up by 3.9 per cent without the aggregate tax and by 18.9 per cent with the aggregate tax, so there has been an almost 20 per cent increase in the price of aggregates that year”.⁵²

36. The Institution of Highways and Transportation believed that the aggregate tax and the landfill levy were a good idea and would encourage more sustainable work practices. However, Mr Kendrick also told us that the theory was that the extra costs would be “recovered through national insurance contributions but it is far from clear how that works through into local authority budgets and contract prices”.⁵³ Mr Roberts from the Department for Transport noted that whilst this was potentially an issue, local authorities were not yet spending all of the money allocated to them for road maintenance on road maintenance.⁵⁴

Tackling the Backlog

37. The County Surveyor’s Society told us that some authorities were switching to a longer-term asset management system where planned maintenance would become the norm. This would reduce the number of liability claims and the amount spent on reactive maintenance. However, it believed that such a move would require additional investment.⁵⁵ The Audit Commission confirmed that such an approach was common amongst local

⁴⁸ Q116

⁴⁹ Q118

⁵⁰ CECA National Survey, 6 December 2002

⁵¹ RPM 28A

⁵² Q282

⁵³ Q283

⁵⁴ Q365

⁵⁵ Q125

authorities that performed well in their inspections.⁵⁶ The Minister also supported this approach.⁵⁷

38. We have serious doubts however over the ability of some local authorities to tackle such significant backlogs, particularly in the short-term. The Audit Commission told us that just 25 per cent of inspected highways maintenance services were classified as good or excellent, the remaining 75 per cent were only fair or poor.⁵⁸ Local authorities are having to contend with rising workloads and a skills shortage which hinders planning.⁵⁹

39. The historic tendency to starve funds for road maintenance has been wasteful in the extreme. We are now in a situation where one-third of budgets are being spent on reactive, patch and mend maintenance and tens of millions of pounds spent on insurance premiums and pay outs to injured third parties. Some local authorities appear to have little grip on the situation with 75 per cent of highways services classed as fair or poor. The slow but steady squeeze on resources for local maintenance over the last decade has taken a heavy toll. This does not have to be the case.

40. The highway departments of many local authorities have been decimated over years of funding cuts. The problems caused by previous short-termism have now come home to roost and only one quarter of local authorities are able to provide good or excellent highway services. The results too often are a lack of information about the scale of the problems, a significant skill shortage and badly managed systems. A local commitment to funding and prioritising highway services and good public information are an essential part of this. Central and local government must ensure that local road maintenance does not slide down the public service agenda.

Summary

41. We welcome the significant increase in funding for local road maintenance provided by the Department since 2001. The extra money provided by the Government will clearly help to improve the condition of the road network. Evidence to date suggests that the rise in the maintenance backlog of road surfaces may have been halted.

42. It is far less obvious that the Government is on-track to meet its target to eliminate the backlog of local road maintenance by 2010. The local road network is still in a much worse state than throughout the 1970s and 1980s and the true extent of the backlog is not yet known. Even the extra money provided has not made up the hole in expenditure between 1994 and 2001, nor has it allowed for recent increases in the costs of construction. In addition, there are almost 25 per cent (5 million) more vehicles on the roads today than in 1991 and 38 billion more miles are travelled by road every year. Our road network is subject to increasing amounts of wear and tear and costs more to maintain. The Government appears to have underestimated the size of the problem.

⁵⁶ Q237

⁵⁷ Q367

⁵⁸ RPM 12

⁵⁹ RPM 28A, Q136, Q137

Pedestrian Facilities

Every journey we undertake involves the use of footpaths of some sort.⁶⁰ 80 per cent of all journeys under one mile in length are undertaken completely on foot.⁶¹ In the UK, 26 per cent of households have no access to a car and 46 per cent of households have access to only one car.⁶² For those people without regular access to a car, the provision of high quality walking facilities is essential. It is also essential in providing access to public transport and to and from parking areas.

43. The Minister has stated that the Department is committed to the elimination of the backlog of footway maintenance.⁶³ We were therefore surprised to find examples of local authorities questioning the benefits of footway maintenance. Surrey County Council have found that the “cost of provision (of high quality pedestrian and cycle environments) in relation to use and benefit is high”.⁶⁴ Devon County Council note that users currently “give carriageway surfaces a higher priority” and that “recognising that an extensive backlog exists in this respect, any additional funding in the short-term will be targeted at carriageway maintenance”.⁶⁵ Mr Kendrick of the Institution of Highways and Transportation believed that local authorities had a duty to maintain footpaths to a higher standard. He told us that:

“transport policy says we should encourage people to walk first, to cycle second, to catch buses third and to drive cars fourth. The maintenance policy is the other way around. Authorities spend more on carriageways than on footways or cycle ways and some authorities are now starting to change that proportion”.⁶⁶

44. To help local authorities to prioritise footway maintenance, the Department for Transport has introduced a new Best Value Performance Indicator to monitor the quality of footways from 2002/03.⁶⁷

Footway Condition

45. The National Road Maintenance Survey monitors the condition of footways. The condition of almost every category of the 281,000 kilometres of footways in England and Wales has deteriorated since 1997 as shown in Table 2. Since 1996, there has also been a significant and consistent increase in the percentage of footways showing deterioration. This is now at the highest level since 1984. The survey also identifies the number of potentially dangerous pedestrian areas per 100m stretch of road (referred to as “footway trips”). These are shown below in Figure 4. Even though there was a reduction in the number of dangerous sites per 100m in 2002, the levels are still significantly higher than the best recorded condition in 1996.

⁶⁰ Pavement, footway and footpath are used interchangeably in this report. They refer to tarmac or paving slab covered paths rather than footpaths in open countryside.

⁶¹ Department for Transport, Transport Statistics Great Britain 2002, October 2002

⁶² *Ibid.*

⁶³ Q329

⁶⁴ RPM 18

⁶⁵ RPM 39

⁶⁶ Q276

⁶⁷ RPM 33

Table 2: Percentage of Footways subject to deterioration

Year	Built-up			Non built-up		All Classes
	Principal	Classified	Unclassified	Principal	Classified	
1997	16.7	18.7	21.1	26.6	23.1	20.6
2002	20.6	20.5	26.1	27.7	18.6	25.0

Data Source: National Road Maintenance condition Survey: 2002, p23.

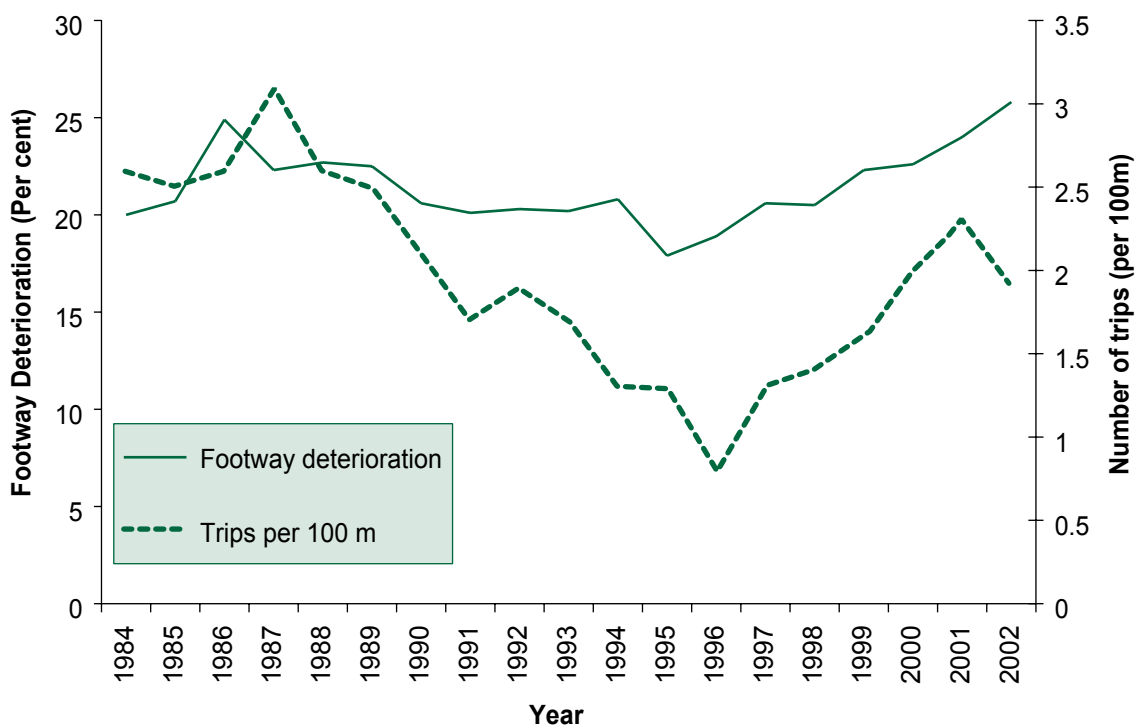


Figure 4: Footways Condition (all roads England and Wales)

Data Source: National Road Maintenance Condition Survey:2002

Consequences of badly maintained footways

46. Badly maintained footways present a trip hazard to everyone. They are a particular problem for mobility impaired travellers. A survey of 1134 older and disabled people showed that the poor condition of pavements affected seven out of ten respondents' ability to move along the streets. Two out of ten described the poor condition of pavements as the most serious problem facing them upon leaving home.⁶⁸ A recent survey of almost 1000 disabled people by the Disabled Persons Transport Advisory Committee found that 86 per cent of respondents thought pavement (footway) maintenance was poor and 67 per cent thought road maintenance was poor. These were the worst performing categories of any transport service by far.⁶⁹ It is no good ensuring that trains and buses are fully accessible to disabled people if the condition of the footway discourages them from leaving home in the

⁶⁸ RPM 41

⁶⁹ Disabled Persons Transport Advisory Committee, *Annual Report 2002*, March 2003

first place. A failure to maintain footways properly goes against the Government's objective to increase social inclusion.

47. Whilst it is not possible to be definitive about the extent to which poor maintenance contributes to pedestrian trips and falls, 61,234 hospital consultant episodes were registered in 2001/02 for falls on the same level from slipping, tripping and stumbling. 2,468 episodes were recorded for falls involving ice and snow over the same period.⁷⁰ This will have a significant, but as yet poorly defined, cost to the Health Service and the wider economy.

Parking on Footways

48. Parking on pavements contributes significantly to their deterioration.⁷¹ Mr Dickinson from the Institution of Highways and Transportation told us that parking on pavements was a problem but was inevitably going to happen. "If you should not allow it at all, you prevent it. You physically put up barriers to preclude it".⁷² Where this was not possible or desirable, he suggested that local authorities design the pavement to a higher standard that could support parking.

Footway Summary

49. **The Minister told us that it is the Department wants to eliminate the footway maintenance backlog. Such a policy is long overdue. Poorly maintained footpaths create constant difficulty for any pedestrian. They are a particular danger for the elderly and disabled. A failure to maintain footpaths also ignores the large costs to the NHS and the national economy from tens of thousands of trips and falls. Footpaths are getting worse. We have little confidence that, taken with an apparent bias towards road maintenance, the backlog will be cleared. In November 2001 the then Department of Environment, Transport and the Regions committed itself to publish a national walking strategy. This has still to be done and is indicative of the continuing mismatch between the rhetoric and action on walking by the Department. The strategy should set out how the footway maintenance target will be met. It must be published without delay.**

Street Lighting

Importance of Street Lighting

Road Safety

50. Street lighting is an essential part of the street environment yet it has not had the same prominence in national transport policy as road condition. Gloucestershire County Council note that:

⁷⁰ RPM 33A

⁷¹ RPM 31, RPM 17A, Q278

⁷² Q279

“although traffic levels tend to drop to about 16 per cent of daytime levels, 23 per cent of accidents occur during the dark hours. Additionally, serious injuries result from 19.7 per cent of night accidents compared with 11.8 per cent of day accidents. TRL research indicates that on average night time accidents are reduced by 30 per cent when new lighting is installed and, by upgrading old below standard lighting, a 25 per cent reduction is likely to be achieved”.⁷³

A review of the evidence base by TRL showed that whilst there is a link between good lighting and improved road safety, less confidence can be attached to the magnitude of the benefits of lighting than implied above.⁷⁴

Improved Security

51. In addition to improving road safety, a Home Office study found that good street lighting has been demonstrated to reduce crime by up to 20 per cent and also to reduce the fear of crime.⁷⁵ It was also found to increase community pride and social interaction. The study concluded that “improvements in street lighting offer a cost-effective crime reduction measure”.⁷⁶

A danger to the public

52. Whilst a failure to maintain street lighting may not present the same image of danger as a pot hole in the road or a cracked paving slab, it is a dangerous and potentially fatal policy. A failure to maintain street lighting, in the same way as a failure to maintain roads, can have serious consequences; in Westminster a woman was seriously injured by a lighting column which collapsed.⁷⁷ The Associate Parliamentary Lighting Group point out that one successful injury accident claim of £1 million could be used to replace 1700 lighting columns.⁷⁸

Monitoring Street Lighting

53. The Associate Parliamentary Lighting Group told us that street lighting has not been given sufficient emphasis in recent years. Indeed, whilst an indicative allocation is made in the local transport plan settlements for road and bridge maintenance, there is no allocation for street lighting.⁷⁹ This, it believes, sends a negative message to local authorities about the relative importance of street lighting. There is also currently no local best value indicator for assessing the quality of the structure of street lighting columns. There used to be Best Value Performance Indicator relating to the average cost of running a street light (BVPI 95). This was discontinued as it combined issues of cost and effectiveness and was not easy

⁷³ RPM 37

⁷⁴ Hargroves, R.A. and Scott, P.P, *Measurements of road lighting and accidents – the results* (Crowthorne, 1979), ISSN 0033-3603

⁷⁵ Farrington, D. and Welsh, C., *Effects of improved street lighting on crime: a systematic review*, Home Office Research Study 251, 2002

⁷⁶ *Ibid.*

⁷⁷ RPM 27

⁷⁸ *Ibid.*

⁷⁹ RPM 27A

to interpret.⁸⁰ The other indicator (BVP98) relates to the percentage of street lights not working as planned. However, neither of these have put pressure on local authorities to prioritise the replacement of unsafe street lighting.

Investment in street lighting

54. There are 4.7 million street lighting columns in the UK with an estimated replacement cost of £4 billion.⁸¹ The Associate Parliamentary Lighting Group estimated that in 2000 £40 million per year was being spent on renewing the network, equating to 100 year life for a typical street lighting column.⁸² The Department told us that investment has increased now to around £130 million per year.⁸³

55. The Associate Parliamentary Lighting Group told us that the design life of street lighting columns was supposed to be 25 years.⁸⁴ Around 32 per cent of the lighting network is over 30 years old and, on current replacement rates, this proportion will increase significantly by 2010.⁸⁵ It estimates that to maintain the lighting stock at its current age would require a replacement rate three and a half times higher than the current rate. The Institution of Civil Engineers estimates the cost of the backlog to be £1.1 billion.⁸⁶ The Department believed it to be slightly lower at around £1 billion.⁸⁷

56. The Department recognised that considerable uncertainty exists over the true extent of the maintenance backlog and has asked local authorities to determine the condition of their lighting by July 2003.⁸⁸ Many of the problems with the safety of street lighting columns relate to their condition below ground level. It is not practical to investigate the condition of all columns below ground and the identification of replacement needs will therefore be based on samples.⁸⁹ Once this has been carried out, the authorities will be able to target those columns most at risk of collapse to be replaced first rather than simply replacing all columns on the basis of their age. The Department noted that this will be a more cost effective approach.⁹⁰ We acknowledge the positive work that is being undertaken by local authorities and the Department to tackle this issue through the 'Lighting Board'.⁹¹

⁸⁰ RPM 12

⁸¹ Q387, RPM 27

⁸² RPM 27

⁸³ Q390

⁸⁴ Q169

⁸⁵ *Ibid.*

⁸⁶ *Local Transport and Public Realm Survey 2002*

⁸⁷ Q389

⁸⁸ RPM 27A

⁸⁹ Q161

⁹⁰ Q390

⁹¹ The Lighting Board is a group convened by the Department for Transport to discuss matters of concern to industry and local authorities with regards street lighting.

Other street lighting issues

Connections to the electricity supply network

57. Under current regulations, street lighting columns have to be connected, or reconnected by one of the electricity supply companies. OFGEM and DTI are currently in negotiations with the companies to open up the market for connections. The Associate Parliamentary Lighting Group estimates that such competition could mean 25 to 30 per cent more street columns could be installed for the same cost.⁹² Connections could also be completed more rapidly. However, negotiations have taken well over a year and have yet to conclude. The Department for Transport told us that DTI and OFGEM lead on this initiative but that it was providing support.⁹³ It is now four months since we took evidence from the Department and as yet, no agreement has been reached. **The dilatory performance of OFGEM and the DTI in addressing the issue of street lighting connections is preventing local authorities from getting more out of their street lighting budgets. The DTI must resolve this issue urgently.**

Light Pollution

58. The Government's Rural White Paper noted that "light pollution of the night sky is an increasing intrusion into the countryside at night, and it is an issue that we want all rural authorities to take into account in their planning and other decisions".⁹⁴ The Council for the Protection of Rural England suggested that better quality lighting that avoids light being emitted upwards should be installed as standard in rural settings where light pollution is a concern.⁹⁵ It told us that it had "not seen tangible evidence of this filtering through into local transport policy or local planning decisions".⁹⁶

59. Mr Elphick of APLG and Durham County Council disagreed. He told us that he tended to avoid the use of lighting to solve accident black spots in rural areas as it was not popular and there were often other solutions.⁹⁷ We support the use of street lighting that reduces light pollution and is more efficient. Local authorities should give due attention to this matter when replacing the large numbers of street lights that are beyond their current design life. We note that the Select Committee on Science and Technology has recently launched an inquiry into Light Pollution and Astronomy. We trust that it will give adequate attention to the need to ensure good road safety and to reduce street crime.⁹⁸

Street Lighting Summary

60. **The Minister for Transport has stated that the backlog in street lighting will be cleared by 2011. It is hard to share his certainty when the extent of the backlog is**

⁹² RPM 27A

⁹³ Q392

⁹⁴ Department of the Environment, Transport and the Regions and Ministry of Agriculture, Fisheries and Food, *Our Countryside – the Future*, Cm 4909, November 2000, para 9.4.4

⁹⁵ The CPRE launched a campaign against light pollution on 9 May 2003 – *Night Blight*.

⁹⁶ RPM 01

⁹⁷ Q167-168

⁹⁸ *Light Pollution and Astronomy*, Press Notice 15, February 2003, Science and Technology Committee

unknown. If this claim is to be credible, we expect a fully costed programme to be developed as part of the review of the 10 Year Plan. The Department should also provide indicative allocations of funding for street lighting as part of any future local transport plan settlements and consider whether further measures are required to ensure progress in this important area. Street lighting should not be the poor relation to road and pathway maintenance – they are all part of a safe and secure street environment.

Two-Wheelers

Cyclists

61. In 1996, the Government established a National Cycling Strategy with a target to quadruple cycling by the end of 2012. To date, progress towards the target has been minimal. The decline in cycling has been stopped but use is only around 8 per cent higher than in 1996.⁹⁹ The Cyclists Touring Club told the Committee that it would like to see the roads made a safer place for cyclists rather than the construction of too many segregated cycle paths. It therefore gave the issue of road maintenance a high priority because it believes cyclists “are disproportionately victims of appallingly maintained road surfaces”.¹⁰⁰ **12 per cent of all of the legal claims processed through the Cyclist Touring Club’s legal aid service relate to road-maintenance related incidents.**¹⁰¹ **If more than one in ten car accidents were as a result of poor maintenance then there would be a national outcry.**

62. Cyclists usually use the strip of road closest to the kerb. Problems frequently encountered by cyclists include pot holes, debris brushed to the side of the road and manholes which are not flush to the road surface.¹⁰² The standards dictate that there should not be more than a six millimetre vertical height difference between the carriageway and a manhole cover or drain but “the theory and the practice do not often match up on this”.¹⁰³ In addition, poor lighting and vegetation that is not trimmed back on off-road cycle paths and inadequate attention to cycle routes during road works were also cited as problems.¹⁰⁴

63. The Department for Transport acknowledges that “verges on built-up unclassified roads, which are generally through residential streets, are in the worst condition”.¹⁰⁵ 11.2 per cent of such verges were measured as deteriorating in 2002, compared to 7.1 per cent in 1998.¹⁰⁶ It is not hard to imagine the difficulties that such conditions cause cyclists. Swerving into the road to avoid potholes, flooded drains and glass is unsafe. Areas resurfaced by utility companies following repairs run along and across cyclists routes and can also cause problems as the joins between the repair and the road decay over time. We return to this issue in Chapter 3.

⁹⁹ Department for Transport, *Transport Statistics Bulletin: Traffic in Great Britain 1 2003*, SB (03) 6, May 2003

¹⁰⁰ Q323

¹⁰¹ RPM 29

¹⁰² RPM 29

¹⁰³ Q300

¹⁰⁴ *Ibid.*, Q298

¹⁰⁵ *National Road Maintenance Condition Survey: 2002*, p25

¹⁰⁶ *Ibid.*

64. The Government has recently established the English Regions Cycling Development Team. As yet, little attention has been given to the issue of road maintenance and cycling facilities. Indeed, CTC pointed out that very few local authorities actually knew where their busiest cycle routes were. Even fewer regularly inspected and maintained them to a high enough standard.¹⁰⁷ Guidance from the English Regions Cycling Development Team may help to improve the attention local authorities give to the condition of busy cycle routes.

65. Local authorities and Government are letting cyclists down by failing to ensure the road network is kept in a condition safe for them to use. This must be a key factor in deterring potential cyclists and in the disappointing levels of cycle use. We recommend that the Department publish a revision of its “Cycle Friendly Infrastructure” advice. This should contain a review of maintenance procedures and techniques.

Powered Two-Wheelers

66. Powered two-wheelers form an increasingly important part of our transport system, with 941,000 vehicles licensed in 2002.¹⁰⁸ The Motorcycle Industry Association also noted that its members also suffered disproportionately from poor road maintenance. The needs of motorcyclists are different from pedal cyclists. The Association proposed a number of measures that should be taken in order to take greater account of the increasing numbers of powered two-wheelers on our streets.¹⁰⁹ These include greater consideration of skidding resistance, the use of higher quality repair materials instead of tar and loose chippings and better road sweeping. The Association note that little attention is given to the needs of motorcyclists in official road guidance notes. **The Department should review its maintenance guidance to ensure the needs of motorcyclists are properly understood.**

Bridges

67. It is not yet apparent that the Government understands the urgency with which we need to upgrade our network of bridges. Recent changes to European legislation allowing 40 tonne trucks to use roads has meant that an increasing number of bridges need to be upgraded to a higher standard.¹¹⁰ The County Surveyor’s Society estimate the maintenance backlog for bridges, largely to upgrade them to allow 40 tonne trucks to use them, stands at over £330 million.¹¹¹ The Department for Transport estimated the backlog to be £750 million in 2000 but has set up a new working group to establish the backlog more accurately.¹¹² Mr Elphick of Durham County Council told us that the true state of knowledge of the maintenance backlog for bridges was even less well known than that for road maintenance and street lighting.¹¹³

¹⁰⁷ Q295, Q297

¹⁰⁸ Department for Transport, *Vehicle Licensing Statistics: 2002*, SB(03) 21. Over 300,000 more powered two-wheelers were registered in 2002 than in 1997.

¹⁰⁹ RPM 26

¹¹⁰ EC Directive 96/53/EEC which came into force in the UK in January 1999.

¹¹¹ RPM 28

¹¹² RPM 33

¹¹³ Q193

68. Mr Lugg of Cambridgeshire County Council told us that local authorities examined the value for money of any bridge upgrade and that:

“there will be a large number of bridges that will need to be brought up to strength. On the other hand, many authorities are taking the view that there are some bridges that do not need money spending on them because they are on minor roads or areas which would not impact on freight traffic. So the balance is being struck between bridges which need to be brought up to strength to support the economy and those which do not”.¹¹⁴

69. The issue of bridge strengthening has been known about for some time yet the requirements to upgrade the network are still unknown. The Government should produce a costed action plan in agreement with local authorities and the freight industry and solve this problem.

Private Finance

70. The Department for Transport has provided £578 million in Private Finance Initiative (PFI) credits to allow local authorities to tackle their street lighting backlogs and has also supported the use of PFI to address the local road maintenance backlog.¹¹⁵ The Minister for Transport noted that the Highways Agency had used PFI very efficiently and that it could also prove suitable at a local level. The Minister told us that PFI was only one of a range of possible options for local authorities.¹¹⁶

Current PFI deals

71. The reaction to the use of PFI for solving the maintenance and street lighting backlogs was mixed. Portsmouth City Council are developing the first PFI for local road maintenance and believe that it is the only way it will be able to meet the Government’s target to eliminate the backlog. However, it noted that setting up a PFI is costly and labour intensive and a lack of Government financial support for this aspect may “deter other Local Authorities from pursuing a similar approach”.¹¹⁷ Birmingham City Council also did not believe it would be able to improve its road condition without the extra resources available through PFI but was concerned about the length of time to develop a deal.¹¹⁸

72. Brent and Walsall Councils are developing PFI solutions to tackle their street lighting backlogs. Mr Webster, a consultant involved in establishing the Brent PFI told us that “no PFI had been met in less than a two year timescale” and that there were “huge costs in tendering”, running to several millions of pounds.¹¹⁹ Most parties agreed that with experience, the cost of developing a PFI should fall but it will be difficult to reduce the timescale to develop a PFI much below two years. Whilst a small number of deals are under development now, other deals are unlikely to be in a position to start before mid

¹¹⁴ Q139

¹¹⁵ Q329

¹¹⁶ Q382

¹¹⁷ RPM 36

¹¹⁸ RPM 16

¹¹⁹ Q171

2005. This only allows five or six years to eliminate the road maintenance backlog if the Government's target is to be met. The scale of disruption that would result from an authority attempting to eliminate the backlog over such a short period may be prohibitive.

Rationale for PFI

73. The Minister believed that PFI would bring greater efficiency from the private sector.¹²⁰ Many Local Authorities doubted this, as their maintenance plans already drew on considerable private sector expertise through new partnership agreements.¹²¹ Barnsley Metropolitan Council believed that there was a lack of information about the performance of PFI projects at a local level on which to base any decisions.¹²²

Size of PFI deals

74. The costs in establishing a PFI run into many millions of pounds. For such a scheme to offer value for money, any agreements must run over many years and offer the potential for savings that will offset this initial outlay. This requires a very significant backlog in either road maintenance or street lighting. Mr Elphick, Chairman of the Associate Parliamentary Lighting Group told us that "With a PFI you tend to go out and replace a large number of columns to make a PFI viable" and that "most authorities will have a reasonably balanced lighting stock and this is exactly why we developed these risk management procedures whereby you could identify the columns most at risk and go and see whether they need to be replaced".¹²³ Mr Blaiklock, a PFI specialist believed that "most experienced PFI/PPP lenders will not contemplate committing funds to a PPP for a loan of less than £30 million, say. The up-front costs do not make funding of lower amounts cost-effective....Hence, any PFI/PPP maintenance project will have to have a value of £40 to £50 million".¹²⁴ Surrey County Council appeared to confirm this after an examination of the potential for introducing a PFI on road maintenance in 2000. Since the road condition was in a reasonable state of repair it decided that "the returns on a PFI and the financial commitment involved were neither satisfactory nor practicable".¹²⁵

75. The Associate Parliamentary Lighting Group also noted that whilst the provision of PFI credits was welcome, it would only cover 10 to 15 out of over 150 Local Authorities. The remainder of the authorities would have to find the resources from Local Transport Plan and FSS revenue allocations which, we noted earlier, are unlikely to be adequate.

Summary

76. The Private Finance Initiative is one way to provide funding to eliminate the maintenance backlog. However, although it has been used extensively by the Highways Agency, its application on a much smaller scale for local authorities is in its infancy. It has

¹²⁰ Q382

¹²¹ RPM 17, RPM 28, RPM 30, RPM 43

¹²² RPM 42

¹²³ Q174

¹²⁴ RPM 08

¹²⁵ RPM 18

yet to be demonstrated that the high bidding and start-up costs will be offset by improved efficiency. This is particularly so given the high degree of private sector involvement and partnership agreements already employed by local authorities in this area. **We agree with the Department that PFI for road and street lighting maintenance will only be applicable in a minority of cases. Greater funding through traditional channels will be necessary to clear the backlog. Good maintenance is the least that the travelling public deserve.**

Targets

77. The Department has found that recent increases in funding have enabled local authorities to improve the surface condition on most roads. The measure of surface condition is a useful headline indicator. If this progress is continued, it will have met its target to halt the deterioration in the condition of local roads by 2004. However, the underlying condition of the roads and the condition of verges and footpaths continues to deteriorate. The quality of all aspects of the road, not just the surface, is important and must be improved. The Minister told us that the backlogs of maintenance for street lighting and footways would be eliminated by 2011 yet there is no official target for either of these. Whilst the proliferation of targets may not be an ideal solution, it appears that targets in one area and not another inevitably leads to a distortion of spending priorities. **The wide range of indicators for measuring road condition do not yet paint a consistent picture of progress. The Government should set out clearly which indicators will be used to measure progress.**

78. Whilst it is clear what is meant by “halt the deterioration” of road condition for the 2004 target, the Department has yet to specify what it believes will constitute an elimination of the maintenance backlog. Until it specifies this, it is difficult to assess progress towards the target. **The Department has not yet set out the criteria that each measure would have to meet for the maintenance backlog to be eliminated. It should do so immediately to allow objective monitoring of progress.**

3 Street Works

79. The Secretary of State has highlighted road works as one of the main causes of urban congestion. Road works comprise highway works (maintenance works carried out by highway authorities, discussed above) and street works (work carried out by statutory undertakers such as Transco, referred to hereafter as ‘utilities’). The New Roads and Street Works Act 1991 (NRSWA) gave highway authorities “a duty to “use their best endeavours” to co-ordinate their own and others’ (such as utilities’) works in their streets, in the interests of safety, and to minimise inconvenience to road users. There is no legal duty on Utilities to co-ordinate works, but they are obliged to use their best endeavours to co-operate with highway authorities and each other”.¹²⁶ This section examines the extent to

¹²⁶ RPM 33

which the Act has worked and what changes might need to be made to ensure a balance of consumer protection and practicality.

The extent of the problem

80. A study commissioned by the Department for Transport (referred to as the Halcrow study) estimated that 1.8 million street works were carried out in England in 2001/02.¹²⁷ This includes work on roads and in footpaths and represents one street work for every 170 metres of the road network every year.¹²⁸ The Department has asked the consultants Halcrow to investigate how this compares with the volumes of work undertaken by local authorities.

81. We took evidence from two national (Transco and BT) and one local (Yorkshire Water) utilities. Transco is the owner, operator and developer of the 275,000km of pipelines that supply gas across Great Britain. It identified 4 different sorts of street work that it is required to undertake:

- “Responses to emergencies
- 30 year Iron Gas Mains Replacement Programme
- Customer requested work
- Standard repair work”.¹²⁹

Transco noted that it received 6.5 million calls last year and responded to 1.4 million gas escape reports. It is clearly impossible to provide advance notification of street works required to deal with emergencies.

The gas-main replacement programme

82. From the 1 April 2002, Transco has been required by the Health and Safety Executive (HSE) to replace all iron gas mains within 30m of a property over the next 30 years before they are deemed unreliable and subject to a greater risk of failure.¹³⁰ Iron gas mains make up nearly 50 per cent of Transco’s distribution network (around 130,000kms). It is inevitable that such a large scale replacement programme will cause significant disruption to traffic, as the majority of the mains are located under the road carriageway. In developing its final ruling on the replacement programme, the HSE asked Transco what it would mean to remove all of the metallic mains within 5,10, 15, 20 or 25 years. Transco’s Safety Director responded that “a very short-term programme obviously has the benefit of removing the hazard quickly. However, it is likely to give rise to widespread disconnection, major traffic disruption, and instability in the labour market...Transco believes that a programme to remove the risk in less than 25 years could not be achieved without

¹²⁷ Halcrow Group Ltd, *Assessing the Extent of Street Works and Monitoring the Effectiveness of Section 74 in Reducing Disruption*, for Department for Transport, October 2002

¹²⁸ The English Road Network is 299,954 km long (Transport Statistics Great Britain: 2002 Edition).

¹²⁹ RPM 45

¹³⁰ *Ibid.*

significant social disruption...”.¹³¹ However, Mr Bannock of Transco told us that “Disruption, I think it is fair to say, was not a primary influence on the decisions”.¹³² Transco is constrained to some extent on the timing of major works through the programme developed with the HSE. **We are surprised and disappointed that traffic disruption was not a major consideration in developing the gas mains replacement programme. The HSE should immediately re-investigate whether it is safe to provide greater flexibility in the programme of replacement to allow local authorities greater influence on the timing, and therefore co-ordination, of works.**

Water Main Replacement Programmes

83. The water utilities have a similar programme of works involving emergency repairs, statutory requirements, customer connections and a standard repair programme. The drinking water inspectorate enforces the statutory requirements in relation to water. Yorkshire Water for example has “a commitment which is enforceable under statute to refurbish about five or six hundred kilometres of mains every year and the drinking water inspectorate actually stipulate for us which zones - we have about 70 zones on the water network in Yorkshire - have to be done by which date and there are milestone dates each year to comply with”.¹³³ This too can lead to significant disruption. Kirklees Metropolitan Council told us that Yorkshire Water had submitted a programme to work on 2000 out of 8000 streets in the district.¹³⁴ We note that here too, the need to comply with yearly programmes approved by regulatory bodies, in this case the Water Inspectorate, allows little flexibility for the utilities and local authorities to delay works for a small number of months to allow for better co-ordination.

The Telecoms Sector

84. BT have a different profile of work. Out of 5 million requests for new services or repair every year, only 250,000 require excavation and reinstatement of the road surface. BT told us that of these 250,000, 90 per cent do not require work in the carriageway, but are confined to the verge or pavement.¹³⁵ Very little of BT’s work comprises major planned refurbishment with only 10 per cent being planned over a long time scale (more than three months). BT pointed out that part of its expansion programme was a result of the Government policy of providing broadband access to schools and hospitals and that there is a trade off between customer requirements and associated disruption.¹³⁶

Consultation and information

85. All three of the companies told us that they attended co-ordination meetings with local authorities and shared plans for their forward programme, where possible up to one year

¹³¹ RPM 45A

¹³² Q17

¹³³ Q48

¹³⁴ RPM 30

¹³⁵ RPM 47A

¹³⁶ Annex 1

in advance.¹³⁷ Transco and Yorkshire Water highlighted the extent to which they also undertake consultation and awareness raising campaigns with local communities.¹³⁸ Indeed, Transco's recent experience working in the West End of London involved altering working times around matinee performances of stage shows and halting work around the time of the Soho festival.¹³⁹ However, it is also easy to think of examples where the logic of the timing of street works is equally difficult for the public to fathom.

Local Authority Co-ordination

86. It is the responsibility of the Local Authority to co-ordinate its works and the works of the utility companies.¹⁴⁰ The National Street Works Highways Group (NSHWG) represents Highway Authorities across the UK responsible for managing street works. It believes that the 1.8 million utility works per year form the vast majority (75 per cent) of all works carried out on the highway.¹⁴¹ It told us that the 1991 New Roads and Street Works Act was drawn up when utilities were generally in the public sector. Changes to utility ownership over the last decade have placed a completely different emphasis on the working relationship between highway authorities and utilities. The NSHWG believes that the Act needs to be strengthened if local authorities are to be able to co-ordinate the work of the utilities effectively.¹⁴²

87. The requirements of the regulators and demands of customers for uninterrupted clean and safe power, water and communications results in a very large number of road works every year. The volume of work is likely to increase over coming years. The ability of local authorities to co-ordinate such a large programme of works will be severely tested. More can and must be done to reduce the disruption arising from both utility and local authority works.¹⁴³ We review changes that might be made to the legislation to support them in this task.

Notification

88. The key tool for co-ordinating road works is the advance notification of such works by all parties. Mr Bayley of East Sussex County Council told us that "If 80 per cent of the works come in saying either they are starting tomorrow or they are urgent works that start in two hours or they are an emergency, we might pick up the odd one to co-ordinate but with the best will in the world you cannot do anything".¹⁴⁴

Advance notification

89. Utilities are currently obliged to provide advance notification of one month for major works (around 3 per cent of all works) and one week for standard works. As noted above,

¹³⁷ Q33

¹³⁸ Q31, RPM 34A

¹³⁹ Annex 1

¹⁴⁰ See RPM 22 for a more detailed description.

¹⁴¹ RPM 22

¹⁴² *Ibid.*

¹⁴³ Q102, Q34

¹⁴⁴ Q79

many works are notified with even shorter periods. Utilities often provide more than the standard one month's notice for major works.¹⁴⁵ The forward programmes are discussed at three monthly co-ordination meetings to which Utility companies "generally turn up".¹⁴⁶ It is clearly not possible to provide advance notification of emergency works. However, improving the co-ordination of major works could have a disproportionately large benefit in reducing disruption. The one-month notification period is totally inadequate for these purposes. The situation regarding smaller routine upgrading and repair works and new connections is less clear.

Customer connections

90. Utility companies told us that the connections are customer led.¹⁴⁷ Mr Bayley of East Sussex County Council questioned the short notification he was given for customer connections: "What I find very hard to understand is the customer asks the utility for the service today and they need to notify me at such short notice because they are doing it tomorrow. I just cannot believe that it is that short timescale. I may be wrong but I cannot believe it. If I ask someone for a service today I really do not think they would provide it tomorrow".¹⁴⁸ We agree. No other aspect of new service provision at home occurs on such a short timescale without a hefty premium being paid. A balance must be struck between providing speedy new connections and reducing disruption. This is likely to be a more serious issue on the busiest roads in a city than for work on footpaths in suburban areas where disruption is minimal. Local authorities should therefore have further powers to direct the timing of new connections on the most traffic sensitive routes.

91. If works are to be effectively co-ordinated, forward plans from local authorities must also be provided. Mr Tunstall of Durham County Council told us that whilst the vast majority of authorities do provide advance information about major works, "it is fair to say there may be some highway authorities that do not actually provide information of their works".¹⁴⁹ Co-ordination can only be properly achieved if all parties to the problem share their information. **We recommend that Utilities and Highway Authorities be required to provide notification of major works 12 months in advance of their planned starting. We also suggest that attendance at co-ordination meetings is made mandatory for all companies wishing to carry out major works. Emergency repairs and reconnections to people cut off from their Utilities must continue to take priority over disruption to traffic. However, the timing of new connections and other minor repair work should be more flexible. We recommend that Local Authorities be given stronger powers to direct the timing of such works on the busiest routes.**

Damage Caused to Roads

92. The large gas and water mains replacement programmes and the expansion of new telecommunications companies in the 1990s has led to a large number of excavations and

¹⁴⁵ RPM 22, Q33

¹⁴⁶ Q76

¹⁴⁷ Q14

¹⁴⁸ Q91

¹⁴⁹ Q82

reinstatements in an already poorly maintained road network. The effect is an ugly patchwork quilt of different colour roads and paths. One does not have to walk far anywhere to see an example of where this has led to an uneven footpath with a loose surface or a road with a series of bumps or potholes.

93. Utility companies are required to guarantee the reinstatement they provide for a period of two years. The reason for a two-year guarantee period is that this provides two winters in which to determine whether the repair will fail.¹⁵⁰ Transco told us that if a repair lasts two years “it will likely last a lot longer”.¹⁵¹

94. Local Authorities take responsibility for the repair following the two-year guarantee period. Their experience of the durability of the repairs is very different from the view espoused by the utility companies. Mr Kendrick told us that water tended to get in between the joint of the original surface and the repair, which caused damage.¹⁵² Mr Walford of the Audit Commission told us that “The fact that the road is disturbed precipitates the problem. The degree of reinstatement does not always address that sudden decline”.¹⁵³ However, he accepted that “If the pavement is not very good to start with, neither is the reinstatement”.¹⁵⁴

95. The extent to which excavation and reinstatement damages the road surface is currently the subject of a study funded by the Department for Transport and the County Surveyor’s Society. The first stage of the project reviewed the literature and found that excavations can reduce the time until a major repair or renewal is required by up to 30 per cent.¹⁵⁵ The guarantee period was previously examined in the Horne Report in 1985.¹⁵⁶ The report advised against extending it beyond two years as it would require a much greater local authority workload. It would also be more difficult to establish with certainty what the cause of any problem was.¹⁵⁷ As new evidence comes to light from the current study, the recommendations of the Horne report may need to be reviewed.

96. The NSW HG pointed out that “there is provision within the New Roads and Street Works Act 1991 (section 78) for Utilities to contribute to the costs incurred (or likely to be incurred) due to making good long-term damage by a Highway Authority but this remains still to be enacted by Government”.¹⁵⁸ It suggested three possible solutions to the issue of long-term damage to the road surface:

- Extension of the period of protection for new road surfaces in which time only emergency works and connections are permitted (currently 12 months);

¹⁵⁰ Q40

¹⁵¹ *Ibid.*

¹⁵² Q263

¹⁵³ Q224

¹⁵⁴ *Ibid.*

¹⁵⁵ RPM 02B and *Long-term performance of reinstated trenches and their adjacent pavements. Part 1: Literature review, Part 2: Long-term performance of reinstatements in the highway.* TRL Reports 572 and 573, (Crowthorne 2003)

¹⁵⁶ Horne, M.R., Ellis, N.G. and Ford, D.V. (1985) *Review of the Public Utilities and Street Works Act 1950.* Department of Transport, Vol. 7 HD29/94, London

¹⁵⁷ *Ibid.*

¹⁵⁸ RPM 22

- New powers be provided to enable Local Authorities to require larger surface reinstatements to be carried out; and
- The activation of the reserved powers of NRSWA section 78.¹⁵⁹

97. It is frustrating and unnecessary in many situations for a recently resurfaced road to be dug up a year or so later. The current protection of one year on a newly resurfaced road is not sufficient. **We recommend that the period of protection for newly resurfaced roads be extended from twelve months to two years. This will help to ensure better forward planning and co-ordination. However, if such a scheme is to work, local authorities will have to provide details of their forward programmes of planned resurfacing over longer periods so that all parties involved can co-ordinate their works.**

98. It would be unwise to pre-judge the outcome of the Department for Transport and County Surveyor's Society funded research project into long-term damage from street works. However, if the final conclusions concur with the interim results and confirm that excavation does significantly reduce the useful life of a road or footpath then it is reasonable to expect this cost to be paid for by the utility companies and not the local authorities. **If the long-term damage to roads caused by excavations is proven, local authorities should be able to reclaim these costs from utility companies. We expect the Department to bring forward powers through section 78 of the New Roads and Street Works Act to enable this. This will be more practicable than an extension to the two year guarantee period.**

Reducing Delays from Street Works

99. A further essential part of the jigsaw of minimising disruption from street works and road works is to reduce the time it takes to carry out works. This can be done by measures such as the increased use of new technology which does not involve excavating (so called 'trenchless technology') and by placing financial incentives on companies to complete works on time. There are two parts of the New Roads and Street Works Act that introduce incentives to be more efficient.

Charging for overrunning works (Section 74)

100. Section 74 of the NRSWA provides for local authorities to charge Utilities for unnecessary overstay on site. The powers were brought into force in April 2001 after concern that other powers within the Act were not providing sufficient incentive to minimise disruption.¹⁶⁰ Utilities can be fined up to £2000 per day for each day of overrun, the level of the fine depending on how busy the road is. The system requires utilities to send electronic notification of a request to carry out a street work, complete with details of the job and an expected duration. When the job is approved by the local authority it is carried out by the utility or, in practice, its contractors. On completion of the works, the utility notifies the local authority. Where the work has overrun, the utility can be fined by the local authority.

¹⁵⁹ *Ibid.*

¹⁶⁰ RPM 22

101. The Halcrow report examined the effectiveness of Section 74 in reducing disruption. The first point that the report highlighted is the extreme difficulties which have been encountered in establishing the new system. Table 2 below shows the estimated number of days overrun and the potential charges outstanding from the first year of operation from the 25 authorities surveyed. Table 3 shows the actual amounts invoiced and paid during 2001/02 for 9 of these 25 authorities.

Table 3: Potential overrun charges from 25 authorities in 2001/02

	Electricity	Gas	Telecom	Water	Total
Days of overrun	19,700	56,000	34,600	93,800	204,100
Potential Charge	£6,716,150	£21,897,900	£23,725,650	£20,870,400	£73,210,100

Data Source: Department for Transport: Halcrow Report

Table 4: Actual overrun charges and payments from 9 out of the 25 authorities in 2001/02

	Electricity	Gas	Telecom	Water	Total
Total invoiced	£921,300	£2,147,500	£786,350	£1,027,350	£4,882,500
Total paid	£62,900	£365,450	£78,500	£88,800	£595,650

Data Source: Department for Transport: Halcrow Report

Mr Roberts of the Department for Transport told us that around £46 million of overrun charges had been billed for by 12 February 2003.¹⁶¹

102. The introduction of parts of the New Roads and Street Works Act 1991 has been badly managed. There is an unacceptably large discrepancy between the overrun charges that could be levied, those that are actually invoiced and those which have, to date, been paid. Transco supports the introduction of charges for street works which overrun. Mr Bannock, London Network Director for Transco told us “It does give us an incentive to plan our works properly and to see them through properly and in a timely way and also to agree the timescales with the local authorities”.¹⁶² Transco told us that it had paid a substantial amount of fines to date and explained the procedures it adopts before paying a charge:

“To 31st January 2003, invoices to the total of £48.5 million have been received by Transco from Highway Authorities. As a responsible company, Transco confirms the validity of any invoice prior to payment and of the £48.5 million invoiced, £12.3 million of invoices (25%) have been challenged and subsequently cancelled by Highway Authorities.

Transco has paid £7.1 million of charges where it is agreed that the Company has occupied the highway beyond agreed dates. A further £1.4 million are in the process of being paid, and £2 million are currently subject to further investigations within Transco.

¹⁶¹ Q358

¹⁶² Q3

Finally, £25.7 million has been investigated by Transco and we are unable to confirm the accuracy of these invoices. As a result, we are in discussions with the relevant Highway Authorities to confirm the validity, or otherwise, of these invoices prior to making any appropriate payments. Regrettably, in some instances, these have moved into litigation”.¹⁶³

103. BT told us that it had paid £3,442,380 in overrun charges up to 7th January 2003.¹⁶⁴ Yorkshire Water confirmed it had paid £656,500 to 6 February 2003 out of a total amount invoiced of £4,220,650. However, of the total invoiced, £710,750 (17 per cent) have been identified as administrative errors and waived.

104. The Minister for Transport told us that he was “not satisfied with the way that it [Section 74] is working, and that the utilities are not necessarily operating that in the best possible way”.¹⁶⁵ The Minister accepted that “Authorities in some cases are not well set up to either receive or process the information. There are administration problems on both sides”.¹⁶⁶ BT told us that part of the problem stemmed from a failure by Utilities to send a completion notice even though works had been finished and cleared away. The fines from such errors can be up to £100,000 and “in some cases authorities have allowed fines to accumulate, despite knowing the works have been completed”.¹⁶⁷ We note that a recent case between Leicestershire County Council and Transco along similar grounds has ruled that Transco is liable to pay the charge.¹⁶⁸ Mr Tunstall of Durham County Council told us that some of the payments were being withheld, probably pending the outcome of the court case.¹⁶⁹ He noted that Durham has a policy of sending a draft bill to Utilities to dispute before a formal bill is sent out.¹⁷⁰

105. Mr Bannock told us that the system of charging had been introduced very quickly and the systems and processes were imperfect. He believed that the level of charges were now being reduced.¹⁷¹ Transco and BT were of the opinion that the scheme had caused them to re-examine the way they work and to reduce the amount of disruption caused. Transco estimate that the percentage of works now overrunning has reduced from 25 per cent to 3 per cent.¹⁷² BT have found that the average duration of works has fallen from 6 days to 3 days and the number of days overstay has also fallen from 14 per cent of the duration of the work to 0.4 per cent.¹⁷³ The Halcrow report concluded that the trend is unclear.¹⁷⁴

106. A visit to Marconi, who co-ordinate the works for BT in the South East of England, showed that considerable investment had been made in improving the electronic

¹⁶³ RPM 45A

¹⁶⁴ RPM 47A

¹⁶⁵ Q341

¹⁶⁶ Q350

¹⁶⁷ RPM 47A

¹⁶⁸ “County Council Successful in High Court”, Leicestershire County Council Press Release, 08 April 2003

¹⁶⁹ Q89

¹⁷⁰ Q110

¹⁷¹ Q3

¹⁷² RPM 45A

¹⁷³ RPM 47A

¹⁷⁴ *Assessing the Extent of Street Works and Monitoring the Effectiveness of Section 74 in Reducing Disruption* (Halcrow Report)

notification system that forms the basis for Section 74 overrun control. One of the main problems has been the need to develop bespoke software to link up the systems of the contractors, the utilities and the local authorities. However, this investment, and the training for the operators is now complete. Marconi believed that the system was now working much better than before.¹⁷⁵ However, Transco noted that the system is complicated by the fact that local authorities all manage the process in a different way. Mr Bannock told us that in his area “we have 47 different local authorities with different processes, different systems and actually different interpretations of the legislation”.¹⁷⁶

107. The purpose of Section 74 is to reduce disruption caused by street works which overrun. We do not know that this is yet happening. What is clear however, is that no-one was properly prepared for the introduction of the scheme and that this has led to large numbers of fines being generated that are subsequently waived or are currently in dispute. The Department is responsible for overseeing the implementation of the legislation and must therefore take responsibility for this mess. We see no reason why the current system cannot be made to work properly.

108. The fines from Section 74 are supposed to relate to disruption caused by works overrunning. It is therefore inappropriate for full fines to be levied when works have been removed but notification not sent or when the work is complete but small items have been left on site. These incidents do not cause disruption. However, the system relies on complete and accurate reporting of the start and finish point of street works. The onus has to be on Utility companies to comply with these requirements; “sorry we forgot” is not good enough. We do not understand why it is so difficult to check that a site has been cleared or to provide formal notification that a job is finished. **We recommend that a new but lower fine is introduced for failure to notify completion of works or failure to clear a site completely. The Department should review its 2001 Code of Practice to ensure that the interpretation of the Act is consistent amongst utilities and local authorities. Clear guidance will ensure that the Act works to reduce congestion on the streets rather than increasing it in the courts.**

Charging for using the road (Section 74A)

109. The Department told us that if the powers under Section 74 of the NRSWA “do not reduce disruption significantly, then they [Ministers] are prepared to activate further powers: either a system which will allow utilities to be charges a daily rate from the start of works, regardless of whether they overrun or not (so-called “lane rental”) or a permit system for which Ministers are seeking new primary powers”.¹⁷⁷ In March 2002, alongside the monitoring of Section 74, the Department established two pilot schemes to test the effectiveness of lane rental in Camden and Middlesbrough.¹⁷⁸ Utilities are required to pay up to £750 per day for the whole duration of each works.¹⁷⁹

¹⁷⁵ Annex 1

¹⁷⁶ Q34

¹⁷⁷ RPM 33

¹⁷⁸ *Ibid.*

¹⁷⁹ RPM 33

110. Yorkshire Water have taken part in the scheme in Middlesbrough. It noted that if lane rental was introduced in the form it is currently being trialled, it would add about £30 to £35 million to the company's cost base. It noted that the "nature of the regulatory regime that water companies operate in means that such costs are eligible to be passed on to customers and would add between 6 per cent and 7 per cent to customer bills".¹⁸⁰ It believed that were such a scheme to be introduced, it should be limited to the busiest roads and should have an exemption for the first three days.¹⁸¹

111. BT and Transco were entirely opposed to the scheme. Both companies believed that they already had enough incentives to reduce the time spent on street and that lane rental would simply act as a tax on customers.¹⁸² In particular, Transco noted that under the lane rental scheme, utilities will bear additional costs irrespective of efficiency and, like Yorkshire Water, it foresaw that these would be passed on to the customer.¹⁸³ The National Joint Utilities Group estimates that these costs will add up annually to around £55 per customer.¹⁸⁴ The Department acknowledged that were the lane rental charges simply to be passed on to the customers then it would be unlikely to be effective. However, it is currently evaluating the impact of the trial.¹⁸⁵

112. We do not believe that lane rental offers a sensible way to reduce disruption caused by street works. The works undertaken by utilities are necessary. The objective of any charging scheme should be to charge for inefficiency in carrying out the work, not for carrying out the work in the first place. The overrun charging system (Section 74) already provides a mechanism to achieve these objectives and should be made to work properly.

Permit Systems

113. The Department has indicated that Ministers are considering bringing forward a "permit system". Such a system would work along similar lines to a system in use in New York. The Department explained how such a system might work:

"In New York, any Utility wishing to dig up the road has to obtain a separate permit for each of its works. Permits are issued to co-ordinate construction whilst minimising the impact on pedestrians and motorists. The New York City Department of Transportation issued over 172,000 permits in the financial year 2002. There are 111 inspectors who enforce the rules and regulations. There are 71 different types of permits in total, 46 of which are types of street opening permits, others include: building operations, sidewalk construction and canopy permits".¹⁸⁶

¹⁸⁰ RPM 34

¹⁸¹ *Ibid* and Stone and Webster Consultants, *Lane Rental Charging: A Way Forward*, Report for Yorkshire Water Services, March 2002

¹⁸² Q36

¹⁸³ RPM 45

¹⁸⁴ RPM 46

¹⁸⁵ RPM 33A

¹⁸⁶ RPM 33A

Fees are currently between \$135 and \$380 for 15 or 30 days depending on the business of the street. The permits stipulate where and when the work may be carried out.¹⁸⁷

114. Mr Tunstall of Durham County Council told us that it would perhaps be beneficial if local authorities, utilities and developers had to seek a permit to work in a road. Fines would still be levied for overrun charges to encourage efficient working.¹⁸⁸ He believed that nationally set charges would also be transparent as all parties would be on a level playing field.¹⁸⁹ Mr Bordiss of Northamptonshire County Council also supported the introduction of a permit system.¹⁹⁰ The Minister told us that the decision about which scheme to adopt had not yet been taken. However, he believed that different schemes would be appropriate for different authorities.¹⁹¹

115. We note the arguments put forward by local authorities and the Minister with regards to the potential introduction of a permit system. However, the overwhelming message we received from our investigations is that the current system of charging for overrunning work has not yet been made to function properly. The Department's own consultants have said that it is too early to say whether the current system will work. Considerable investment in IT and training and greater operational experience has and will continue to remove some of the early glitches. **The introduction of a new system with a myriad of different types of permits would be complicated. We understand that such a system would also include charging for overruns as at present. The track record of Section 74 does not promise a smooth introduction for any new system. There has not yet been any consideration of the cost of introducing such a system for what could be only a small number of cities. Indeed, whilst the Department was able to describe the New York scheme, it was not able to quantify the benefits that would be brought about from introducing it here. On the basis of such flimsy evidence we question the necessity of introducing a permit system which will further dilute effort and attention away from the key issue of managing the systems currently in place.**

Ensuring Quality Repairs

116. The discussion above concentrates on reducing the time in which road works and street works are undertaken. Mr Geffen of the Cyclists Touring Club raised his concern that “the pressure to speed up the carrying out of street works might be detrimental to the quality with which they are done. We are much more concerned that street works are done to good quality than that they are done quickly”.¹⁹² The Halcrow report did not find evidence of significant numbers of repairs having to be redone due to their poor quality. However, the report noted that lack of defects “is not borne out by experience or the rate of defects being identified under the inspection procedure”.¹⁹³ **The Department must**

¹⁸⁷ *Ibid.*

¹⁸⁸ Q103

¹⁸⁹ *Ibid.*

¹⁹⁰ Q156

¹⁹¹ Q344

¹⁹² Q323

¹⁹³ *Assessing the Extent of Street Works and Monitoring the Effectiveness of Section 74 in Reducing Disruption* (Halcrow Report), p46

continue to ensure that the incentives to speed up street works do not compromise the quality and durability of the repairs to the road and path surfaces.

Traffic Managers

The role of Traffic Managers

117. The Department has indicated that it is not satisfied with the way in which many different elements that cause disruption in a typical town or city are managed by local authorities. In its progress report on the 10 Year Plan in December 2002, the Department stated:

“The management of street works and that of local authorities’ own maintenance and improvement works, along with traffic and parking schemes, and their enforcement, and the way that accidents are dealt with, all combine to affect the efficiency with which local roads operate. If local authorities are to make the most of the investment already made in the existing road network, then it is important that all these elements are brought together; that someone in cities and large towns has clear and unambiguous responsibility for managing works on the roads and for dealing with incidents and problems on a day-to-day basis. We will be working with local authorities, the police and others to improve the overall management of local road networks”.¹⁹⁴

118. The Department has subsequently proposed the introduction of ‘Traffic Managers’ or ‘Congestion Tsars’ to “bring together decisions and control all of the elements that affect the operation of a road network (especially in major urban areas), so that the network can be actively managed”.¹⁹⁵ The Minister told the Committee that the right solution would vary depending on the size of the urban area:

“the central London position is pretty unique. The situation of the major urban areas of the old Metropolitan Authorities is, again, of a different order to that for many small to medium- sized towns. What we would be looking at is not something where one size fits all, and some of the measures, under the current legislation, properly operated, could well work quite effectively, and not particularly bureaucratically, in dealing with problems in some areas”.¹⁹⁶

The Department currently envisages two types of managers. The first would be internal within an authority. The second would be external and could either manage one authority or a number of authorities, as would be the case in a Metropolitan area. The Traffic Manager would have the power “to override” decisions if the local authority was not acting in accordance with its duty of keeping traffic moving.¹⁹⁷

¹⁹⁴ *Delivering Better Transport: Progress Report*, p79

¹⁹⁵ RPM 33A

¹⁹⁶ Q342

¹⁹⁷ RPM 33A

119. The Department confirmed that posts would be paid for by the appropriate local authority.¹⁹⁸ The Minister was asked whether a local authority could pursue a claim against itself through the courts if it was in breach of its own Traffic Manager's rules.¹⁹⁹ He told us that this was "an interesting question" but did not proffer an answer.²⁰⁰ However, he believed that the situation might be more clear cut where one traffic manager oversaw the work of several local authorities.²⁰¹

The local authority view

120. The Minister told us that "many local authorities are attracted to the concept [of Traffic Managers]".²⁰² In the light of the Minister's view of the popularity of the concept we were surprised to find almost unanimous opposition to the introduction of traffic managers from the local authority representatives who gave evidence. Mr Bayley of East Sussex County Council told us that the issue was not one of organisational structure but of information overload "if I have got the tools to do it then I can do it. You might say someone could do it better than I and I understand that, but it is having the tools to do it. Nobody can do it at the moment with the vast majority of works coming in at such short notice. It is just not possible, I am afraid".²⁰³

121. Mr Tunstall of Durham County Council told us that traffic managers were unnecessary and similar goals could be achieved within a local authority if better organised. Durham has recently introduced a new system. Mr Tunstall told us: "I think local authorities can do it perfectly well. There is a question of cost and I honestly feel that as the utilities are undertaking these works why should the public purse bear some of this cost?".²⁰⁴ Mr Bordiss of Northamptonshire County Council told us that the key aspect to improving co-ordination was greater powers of direction. He told us that "We do not see the need for an extra layer of bureaucracy though. That could and should be done within authorities on an internally robust basis".²⁰⁵ The witnesses also concurred on the importance of local knowledge and accountability. Mr Tunstall concluded that local people will approach the local authority anyway "so what will happen is you will have three parties and they will all be debating about whose responsibility it was but it will still ultimately come back to the highway authority, the locally elected members and the MP".²⁰⁶

The utilities' view

122. In contrast, the utilities were in favour of the introduction of Traffic Managers. BT told us that under the current system, local authorities were both judge and jury in determining fines yet did not have to provide information about their own works: "it would make it transparent and bring to a single point of accountability without any conflict

¹⁹⁸ Q338

¹⁹⁹ Q348

²⁰⁰ *Ibid.*

²⁰¹ *Ibid.*

²⁰² Q334

²⁰³ Q96

²⁰⁴ Q102

²⁰⁵ Q156

²⁰⁶ Q113

of interest the decision making that you seek”.²⁰⁷ Transco supported the idea of treating all works on the road under a consistent set of rules.²⁰⁸ However, the utilities were keen to ensure that a Traffic Manager understood the way in which utilities work.²⁰⁹ Mr Tunstall of Durham County Council suggested that the needs of the road user should be first and foremost in the mind.²¹⁰ We add a note of caution to such an approach. Road users are also utility customers. They have a right to expect a balanced approach taking account of delays, damage to the road and provision of first class utility services.

Summary

123. We were not able to take evidence on the other roles of the proposed Traffic Managers including traffic signal control, managing incidents, deploying traffic enforcement resources, traffic management for events or input into highway design and planning decisions. However, we note that this remit is enormous, particularly in the case where responsibility would cut across several local authorities. It is not clear that any one person would be able to fulfil this role nor where in the country there is a surfeit of skills to fill such posts. If the idea is for an “Office of the Traffic Manager”, filled with support staff, then this will require yet further resources and skills. Local authorities do not have the resources to effectively manage all of these functions now. We do not see how an extra layer of bureaucracy will resolve this issue.

124. Part of the rationale for Traffic Managers appears to be the perceived need for an independent adjudicator between the local authorities and the utilities. We do not support this view. The utilities can only be charged for failure to comply with the New Roads and Street Works Act. The rules are laid down and should be transparent. We accept the utilities view that local authorities should also have a duty to minimise disruption. However, local authority performance is already judged through Best Value inspections and ultimately the ballot box. A clear national framework of charges, better guidelines about their application and joint working between the utilities and the local authorities should resolve the outstanding difficulties. Co-ordination will work best through partnership and not an adversarial relationship overseen by an adjudicator.

125. We note that the legislation to introduce Traffic Managers is expected to place a statutory duty on the Manager to “keep traffic moving”.²¹¹ We regret the implication that road traffic movement is more important than pedestrians, safety or the environment. Keeping traffic moving is important and already a key function of local authorities. It could and should be done better. However, it must be seen within the wider context of the Government’s own Integrated Transport White Paper and within the policies and targets of each local authority. We are unconvinced as to the benefits of, need for and skills available to create Traffic Managers. We recommend that the Government submit any legislation to introduce such measures to this Committee for scrutiny in draft. We also recommend that the Department give consideration to, and

²⁰⁷ Q53

²⁰⁸ Q56

²⁰⁹ Q55, Q56, Q57

²¹⁰ Q102

²¹¹ RPM 33A

report on, the full policy, practical and financial implications of such posts before submitting the draft legislation.

Provision of Information

126. One of the many frustrations for road users and pedestrians is the lack of quality information that accompanies road works. Whilst for major projects, significant community consultation is undertaken and there is liaison with affected parties, smaller works receive far less attention. One such example occurs when repair works are carried out and then left open or filled in with concrete but not surfaced. Our witnesses told us that this was due to either allowing gas mains to “vent” or to allow concrete time to strengthen before the road surface was applied.²¹² It would be simple and helpful to inform the public who simply see this as an unfinished job. The Audit Commission highlighted the need for better information. It noted that one-stop shops for information on road works and other public space concerns and better customer focus were important features in those authorities that have good or excellent highway services.²¹³ **It should be standard practice for there to be a single point of contact within local authorities for all queries relating to roadworks. Better information at the road works themselves would also help people understand why work is being carried out. None of these improvements require legislation and could be achieved through better dissemination of best practice. The Department should take the lead in ensuring that this happens.**

4 Conclusions

127. There has been a failure, over the lifetime of many Governments, to ensure enough money is spent on properly maintaining our road network. This is remarkable given that roads and pathways form a part of every single journey we make every day. It is the public service that is used most frequently and a service used by everyone. The problems that result from a history of insufficient funding at a central and local government level are now coming home to roost. A staggering 30 per cent of all money provided for maintenance goes on temporary patch and mend solutions. Yet more money is paid out in insurance and damage claims from people killed and injured as a result of poorly maintained roads, paths and street lights. Investment in road maintenance is neither a sexy policy nor a big vote winner and does not have the public profile of rail infrastructure, yet it is essential and should save money in the long-term. We therefore welcome the Government’s policy to eliminate the backlog of local road maintenance by 2011.

128. The extra funding provided for local roads through the 10-Year Plan has halted the overall decline in the surface condition of local roads. However, the current programme concentrates on the quality of the road surface. If the funding is to deliver more than a ‘makeover’, the Government must widen its policy to ensure that the roads are safe, well lit and long lasting. Investment in better street lighting could enhance road safety and reduce street crime and the fear of crime. Equally importantly, improving the condition of

²¹² Q39, Q66

²¹³ RPM 12A

footpaths and the edges of roads is essential if the Government is to encourage walking and cycling. None has received sufficient attention. The evidence suggests that current funding levels will not clear the backlog. The Department needs to determine the true extent of the requirements and the Treasury must then support it. Such a policy fits wholly within the Treasury's maxim of "invest to save".

129. The Government is providing more money to mend the crumbling local street infrastructure. Solving the maintenance backlog is not simply a matter of providing ever greater funds from the public purse. To match this, the Government rightly expects local authorities to improve their performance game. It must, therefore, be prepared to give local authorities extra powers to go with the extra money. Should they fail to deliver, it should have meaningful powers to ensure that the problem is tackled.

130. The condition of the road and footpath network has been further worsened by the increasing amount of work carried out by utility companies. The current legislation has yet to ensure that utilities and local authorities work together to minimise disruption. One does not have to travel far to experience this. This appears to be in part the result of a botched implementation of the IT systems needed to manage the legislation. The Department's current thinking is to replace or augment these with yet more systems. We strongly suggest that it concentrates on making the existing systems work before embarking on a further round of costly and disruptive legislation. However, some of the local authorities' existing powers should be strengthened to manage the work of the utilities.

131. The latest solution proposed by the Department to solve congestion problems in cities is the establishment of 'Congestion Tsars' or 'Traffic Managers'. The idea is to bring together all of the other elements that can combine to cause delays in a city including road maintenance, traffic signal control, accidents and parking. The potential complexity of such a role is staggering. We are not sure where the expertise exists to manage all of these and the Government has yet to demonstrate the practical benefits that would be achieved by combining all of these roles. The idea of tasking someone with the job of keeping traffic moving may sound politically appealing but it runs the risk of compromising safety and environmental objectives and ignoring the needs of pedestrians, cyclists and indeed, the needs of utility customers – every driver also falls into at least one of these categories.

Conclusions and recommendations

Road Maintenance: Evidence of local under-spend

1. Increased support from central government is key to improving the quality of the local road network. If local roads are to be improved it is essential that this money is not diverted elsewhere at a local level. There is mixed evidence on the extent to which local authorities 'raid' road maintenance funds to support other responsibilities. However, with flexibility over both revenue and capital spending, there is greater potential for any such raiding to be detrimental to road maintenance. The Government must monitor local authorities that systematically under-spend. If the under-spend jeopardises the ability of the local authority to eliminate the maintenance backlog then the Government should take action. Ultimately, this may mean ring-fencing road maintenance budgets until the targets are met. As a first step to prioritising local road maintenance, we recommend that the Department publish an annual comparison of the planned and actual expenditure on road maintenance along with details of road quality for each local authority. People need better information about the performance of their local authorities. (Paragraph 17)

Road Maintenance: Rural unclassified road network

2. Minor rural roads are in an appalling state and continue to decline. This has not been helped by the recent changes to funding allocations between local authorities. The Department should determine if changes to the scheme of revenue allocation mean the decline will continue. It must also develop a strategy to halt this trend. (Paragraph 26)

Road Maintenance: Tackling the backlog

3. The highway departments of many local authorities have been decimated over years of funding cuts. The problems caused by previous short-termism have now come home to roost and only one quarter of local authorities are able to provide good or excellent highway services. The results too often are a lack of information about the scale of the problems, a significant skill shortage and badly managed systems. A local commitment to funding and prioritising highway services and good public information are an essential part of this. Central and local government must ensure that local road maintenance does not slide down the public service agenda. (Paragraph 40)

Road Maintenance: Summary

4. We welcome the significant increase in funding for local road maintenance provided by the Department since 2001. The extra money provided by the Government will clearly help to improve the condition of the road network. Evidence to date suggests that the rise in the maintenance backlog of road surfaces may have been halted. (Paragraph 41)

5. It is far less obvious that the Government is on-track to meet its target to eliminate the backlog of local road maintenance by 2010. The local road network is still in a much worse state than throughout the 1970s and 1980s and the true extent of the backlog is not yet known. Even the extra money provided has not made up the hole in expenditure between 1994 and 2001, nor has it allowed for recent increases in the costs of construction. In addition, there are almost 25 per cent (5 million) more vehicles on the roads today than in 1991 and 38 billion more miles are travelled by road every year. Our road network is subject to increasing amounts of wear and tear and costs more to maintain. The Government appears to have underestimated the size of the problem. (Paragraph 42)

Road Maintenance: Footways

6. The Minister told us that it is the Department wants to eliminate the footway maintenance backlog. Such a policy is long overdue. Poorly maintained footpaths create constant difficulty for any pedestrian. They are a particular danger for the elderly and disabled. A failure to maintain footpaths also ignores the large costs to the NHS and the national economy from tens of thousands of trips and falls. Footpaths are getting worse. We have little confidence that, taken with an apparent bias towards road maintenance, the backlog will be cleared. In November 2001 the then Department of Environment, Transport and the Regions committed itself to publish a national walking strategy. This has still to be done and is indicative of the continuing mismatch between the rhetoric and action on walking by the Department. The strategy should set out how the footway maintenance target will be met. It must be published without delay. (Paragraph 49)

Road Maintenance: Street lighting

7. The dilatory performance of OFGEM and the DTI in addressing the issue of street lighting connections is preventing local authorities from getting more out of their street lighting budgets. The DTI must resolve this issue urgently. (Paragraph 57)
8. We support the use of street lighting that reduces light pollution and is more efficient. Local authorities should give due attention to this matter when replacing the large numbers of street lights that are beyond their current design life. We note that the Select Committee on Science and Technology has recently launched an inquiry into Light Pollution and Astronomy. We trust that it will give adequate attention to the need to ensure good road safety and to reduce street crime. (Paragraph 59)
9. The Minister for Transport has stated that the backlog in street lighting will be cleared by 2011. It is hard to share his certainty when the extent of the backlog is unknown. If this claim is to be credible, we expect a fully costed programme to be developed as part of the review of the 10 Year Plan. The Department should also provide indicative allocations of funding for street lighting as part of any future local transport plan settlements and consider whether further measures are required to ensure progress in this important area. Street lighting should not be the poor relation

to road and pathway maintenance – they are all part of a safe and secure street environment. (Paragraph 60)

Road Maintenance: Two wheelers

10. 12 per cent of all of the legal claims processed through the Cyclist Touring Club’s legal aid service relate to road-maintenance related incidents. If more than one in ten car accidents were as a result of poor maintenance then there would be a national outcry. (Paragraph 61)
11. Local authorities and Government are letting cyclists down by failing to ensure the road network is kept in a condition safe for them to use. This must be a key factor in deterring potential cyclists and in the disappointing levels of cycle use. We recommend that the Department publish a revision of its “Cycle Friendly Infrastructure” advice. This should contain a review of maintenance procedures and techniques. (Paragraph 65)

Road Maintenance: Powered two wheelers

12. The Department should review its maintenance guidance to ensure the needs of motorcyclists are properly understood. (Paragraph 66)

Road Maintenance: Bridges

13. The issue of bridge strengthening has been known about for some time yet the requirements to upgrade the network are still unknown. The Government should produce a costed action plan in agreement with local authorities and the freight industry and solve this problem. (Paragraph 69)

Road Maintenance: Private finance

14. We agree with the Department that PFI for road and street lighting maintenance will only be applicable in a minority of cases. Greater funding through traditional channels will be necessary to clear the backlog. Good maintenance is the least that the travelling public deserve. (Paragraph 76)

Road Maintenance: Targets

15. The wide range of indicators for measuring road condition do not yet paint a consistent picture of progress. The Government should set out clearly which indicators will be used to measure progress. (Paragraph 77)
16. The Department has not yet set out the criteria that each measure would have to meet for the maintenance backlog to be eliminated. It should do so immediately to allow objective monitoring of progress. (Paragraph 78)

Street Works: The gas-mains replacement programme

17. We are surprised and disappointed that traffic disruption was not a major consideration in developing the gas mains replacement programme. The HSE should immediately re-investigate whether it is safe to provide greater flexibility in the programme of replacement to allow local authorities greater influence on the timing, and therefore co-ordination, of works. (Paragraph 82)

Street works: Co-ordination

18. We recommend that Utilities and Highway Authorities be required to provide notification of major works 12 months in advance of their planned starting. We also suggest that attendance at co-ordination meetings is made mandatory for all companies wishing to carry out major works. Emergency repairs and reconnections to people cut off from their Utilities must continue to take priority over disruption to traffic. However, the timing of new connections and other minor repair work should be more flexible. We recommend that Local Authorities be given stronger powers to direct the timing of such works on the busiest routes. (Paragraph 91)
19. We recommend that the period of protection for newly resurfaced roads be extended from twelve months to two years. This will help to ensure better forward planning and co-ordination. However, if such a scheme is to work, local authorities will have to provide details of their forward programmes of planned resurfacing over longer periods so that all parties involved can co-ordinate their works. (Paragraph 97)

Street works: Damage to roads

20. If the long-term damage to roads caused by excavations is proven, local authorities should be able to reclaim these costs from utility companies. We expect the Department to bring forward powers through section 78 of the New Road and Street Works Act to enable this. This will be more practicable than an extension to the two year guarantee period. (Paragraph 98)

Street works: Reducing delays

21. The introduction of parts of the New Roads and Street Works Act 1991 has been badly managed. There is an unacceptably large discrepancy between the overrun charges that could be levied, those that are actually invoiced and those which have, to date, been paid. (Paragraph 102)
22. The purpose of Section 74 is to reduce disruption caused by street works which overrun. We do not know that this is yet happening. What is clear however, is that no-one was properly prepared for the introduction of the scheme and that this has led to large numbers of fines being generated that are subsequently waived or are currently in dispute. The Department is responsible for overseeing the implementation of the legislation and must therefore take responsibility for this mess. We see no reason why the current system cannot be made to work properly. (Paragraph 107)

23. We recommend that a new but lower fine is introduced for failure to notify completion of works or failure to clear a site completely. The Department should review its 2001 Code of Practice to ensure that the interpretation of the Act is consistent amongst utilities and local authorities. Clear guidance will ensure that the Act works to reduce congestion on the streets rather than increasing it in the courts. (Paragraph 108)
24. We do not believe that lane rental offers a sensible way to reduce disruption caused by street works. The works undertaken by utilities are necessary. The objective of any charging scheme should be to charge for inefficiency in carrying out the work, not for carrying out the work in the first place. The overrun charging system (Section 74) already provides a mechanism to achieve these objectives and should be made to work properly. (Paragraph 112)

Street works: Permit systems

25. The introduction of a new system with a myriad of different types of permits would be complicated. We understand that such a system would also include charging for overruns as at present. The track record of Section 74 does not promise a smooth introduction for any new system. There has not yet been any consideration of the cost of introducing such a system for what could be only a small number of cities. Indeed, whilst the Department was able to describe the New York scheme, it was not able to quantify the benefits that would be brought about from introducing it here. On the basis of such flimsy evidence we question the necessity of introducing a permit system which will further dilute effort and attention away from the key issue of managing the systems currently in place. (Paragraph 115)

Street works: Ensuring quality repairs

26. The Department must continue to ensure that the incentives to speed up street works do not compromise the quality and durability of the repairs to the road and path surfaces. (Paragraph 116)

Street works: Traffic managers

27. We note that the legislation to introduce Traffic Managers is expected to place a statutory duty on the Manager to “keep traffic moving”. We regret the implication that road traffic movement is more important than pedestrians, safety or the environment. Keeping traffic moving is important and already a key function of local authorities. It could and should be done better. However, it must be seen within the wider context of the Government’s own Integrated Transport White Paper and within the policies and targets of each local authority. We are unconvinced as to the benefits of, need for and skills available to create Traffic Managers. We recommend that the Government submit any legislation to introduce such measures to this Committee for scrutiny in draft. We also recommend that the Department give consideration to, and report on, the full policy, practical and financial implications of such posts before submitting the draft legislation. (Paragraph 125)

Street works: Better information

28. It should be standard practice for there to be a single point of contact within local authorities for all queries relating to roadworks. Better information at the road works themselves would also help people understand why work is being carried out. None of these improvements require legislation and could be achieved through better dissemination of best practice. The Department should take the lead in ensuring that this happens. (Paragraph 126)

Annex 1: Visit Reports

Visit to Transco, Wardour Street Area Gas Mains Replacement Site, 8 April 2003

Participants:

Transco

Edwin Bannock MBE, Network Director, London

Lester Callanan, Transco Customer Service Manager, London

Jane Smith, Public Affairs Liaison Manager

Kevin Wood, Transco's, Network Operations Manager, London

Transport Committee

Dr Greg Marsden, Committee Specialist

Background

Transco owns and operates the majority of the UK gas transmission and distribution network. 93 per cent of UK gas demand flows through the Transco network serving 20 million homes and businesses. It is responsible for a network of 275,000 km of gas mains. It has a programme, agreed with the Health and Safety Executive to replace all metallic gas mains within 30 metres of buildings within 30 years. This programme will inevitably cause significant disruption to traffic.

Site Visit Description

The Committee Specialist visited a major gas main replacement site in London to examine how such works are managed. The site was based around Wardour Street and Chinatown in the centre of London. The works being undertaken were at the heart of some of the most sensitive areas of central London. For example, Oxford Street was closed for two weeks to carry out some of the works. However, advanced notification meant that serious traffic disruption was avoided. The streetworks ran outside many shop frontages and along side several theatre frontages in the West End. In addition, the mains replacement required digging up through the centre of Chinatown which could not be done without disrupting the vehicular access to shops and restaurants fronting the area.

Minimising Disruption

Transco made strenuous efforts to forewarn and consult on the likely disruption that the work would cause. Close liaison with an official representing Chinatown traders ensured that deliveries were able to be brought in past the works by trolley and sack truck while the main was being replaced. The work programme was adjusted to avoid clashing with the Soho festival. In addition, working practices were altered to avoid disrupting matinee theatre performances. Night working was not possible due to the mixture of theatres, business and residents in the area.

Technology to reduce disruption

A range of new technologies is being employed to reduce the disruption caused by the mains replacement programme. In particular, the plastic pipe technology allows the mains to be replaced inside the existing cast-iron main structures in some circumstances. This reduces the amount of trench digging required as only entry and exit holes are required. The plastic piping is also more versatile than the cast-iron mains it replaces and is faster to install.

Joint working with other companies

There was mixed evidence of joint working between Transco and other utilities. Transco made their plans available to the local authority and highlighted a number of instances where combined works had been carried out and where defects in other utility pipes or local authority drains were identified and rectified during their works. However, within one month of repaving the centre of Chinatown, the walkabout tour identified further works by another utility company that resulted in the block paving being removed and poorly reinstated.

Summary

The site in London was a particularly complex and sensitive section of work. It had been well managed and considerable costs incurred by Transco in advising, consulting on and reducing the disruption both to traffic and the business environment. It would be disadvantageous if a scheme of purchasing the right to work in a road led the contractors away from this process of open dialogue with local businesses and residents.

Visit to BT, Marconi control centre, Basildon, 11 April 2003

Participants:

BT

Roger Newson, Senior Contracts Manager
 Granville Taylor, General Manager Regulatory Compliance
 Andy Steele, Street Works Consultancy Manager
 Tim O'Sullivan, Head of Parliamentary Affairs,

Marconi

Martin Giles, Operations Manager, Marconi

Transport Committee

Dr Greg Marsden, Committee Specialist

Background

BT supplies telecommunications services nationally to business and residential customers. 90 per cent of its works are for repairs or to connect new customers and occur at relatively short notice. 10 per cent of its work is planned over longer periods. 89 per cent of its work

is carried out off the road carriageway, in footpaths or verges. The total cost of its civil engineering programme of works is around £150 million per year.

The Site Visit

The Committee Specialist visited the Basildon office of Marconi, which is responsible for implementing street works for BT for much of the network on the East and South East of London. The visit consisted of two main parts: a tour of the information management office and a visit to a site in Dagenham.

Managing the New Roads and Street Works Act

The first part of the visit was a discussion and tour of the communication facilities for the management of BT's obligations under the New Roads and Street Works Act. The system and the subsequent civil engineering works are managed on behalf of BT by Marconi. The Basildon office manages street works over a large network on the East and South East of London.

Marconi have developed new software to manage the communication of information between themselves, the local authorities and the teams working on the street. The software system has been upgraded several times to overcome some of the initial glitches experienced when the requirements of Section 74 of the New Road and Street Works Act were enacted. There is a dedicated team of operators each responsible for communications with a small number of local authorities. The operators received a period of training and were encouraged to develop a rapport with the local authority highways department to ensure co-operative working. Marconi believe that the new system has reduced the number of administrative mistakes in passing the information to local authorities on when works start and finish.

Problems

BT pointed out that there were still a number of occasions when street works were finished and cleared away but a small amount of equipment, such as a cone or barrier, were left on site. BT were being charged for this by many local authorities at the same rate that would be levied if the works overran. BT accepted that this encouraged them to clear the sites more thoroughly but felt that this process could be dealt with through a courtesy call by the local authority in the first instance and perhaps then a fine at a later stage. It noted the variety of working practices adopted by the local authorities it had to work with.

Site works

A visit to a customer installation site in Dagenham was provided. The work was in the pathway in an urban residential area. Two other sites could not be visited as parked cars had meant that the work could not be carried out. This adds to the complexity of scheduling works. The works were being carried out in one day, with a minimum of disruption to passing traffic and pedestrians. Whilst it was not possible to see the standard of the surface repair as the works were on-going, the quality of the aggregate to fill the hole was much higher than that which had been dug out from the pavement.

Summary

BT and Marconi have invested heavily in systems to try and make Section 74 of the New Roads and Street Works Act function properly. This reduces the costs that they incur. The new system has not yet been in operation long enough for the Department's monitoring data to pick up any improvements.

Annex 2: Glossary

Term	Explanation
Built-up roads	Roads that have a speed limit of 40 mph or less
Non Built-up roads	Roads that have a speed limit in excess of 40 mph
Principal Roads	Local Authority owned and maintained 'A' roads. In general, they carry less traffic than all purpose A roads owned and maintained by central government.
Non-principal roads	Local Authority owned and maintained B, C and unclassified roads
Unclassified roads	Minor roads which are not designated as classified roads and which are owned and maintained by a local highway authority. Some 60 per cent of the local authority network is unclassified.
Trunk roads	Motorways and all purpose trunk roads owned by central government and for which the Highways Agency has responsibility for maintenance and operation. These are strategic roads with a high proportion of long distance traffic although some trunk roads may also have lengths, with the same number, designated as an 'A' Principal road, where traffic is predominantly local in nature.
Motorway	A particular type of road with restricted use carrying predominantly long-distance traffic. Most motorways are the responsibility of the Highways Agency but there are some short lengths of local authority motorways

Formal Minutes

The following Declarations of Interest were made:

Mrs Gwyneth Dunwoody, Member, Associated Society of Locomotive Engineers and Firemen

Mr Brian H Donohoe, Clive Efford, Mrs Louise Ellman and Mr George Stevenson, Members of Transport and General Workers' Union

Mr Ian Lucas, and Mr Graham Stringer, Member, Amicus-MSF.

Wednesday 18 June 2003

Members present:

Mrs Gwyneth Dunwoody, in the Chair

Tom Brake	Mr George Osborne
Mr Brian H Donohoe	Mr John Randall
Clive Efford	Mr George Stevenson
Mrs Louise Ellman	Mr Graham Stringer
Mr Ian Lucas	

The Committee deliberated.

Draft Report (Local Roads and Pathways), proposed by the Chairman, brought up and read.

Ordered, That the Chairman's draft Report be read a second time, paragraph by paragraph.

Summary agreed to.

Paragraphs 1 to 131 read and agreed to.

Annexes 1 and 2 agreed to.

Resolved, That the Report be the Fifth Report of the Committee to the House.

Ordered, That the Chairman do make the Report to the House.

Ordered, That the provisions of Standing Order No 134 be applied to the report

Ordered, That the Appendices to the Minutes of Evidence taken before the Committee be reported to the House.

[Adjourned till Wednesday 25 June at a quarter to Four o'clock.]

Witnesses

Wednesday 5 February 2003

Page

Mr Ed Bannock MBE, Network Director for London, Transco, **Mr Les Guest**, Network Policy Implementation Manager, Transco, **Mr Richard Ackroyd**, Director of Regulation and Investment, Yorkshire Water, **Jean Spencer**, Head of Economic Regulation, Yorkshire Water, **Mr Phil Thompson**, Director Network Capacity and Planning, British Telecom

Ev 1

Mr Peter Goode, Nottingham City Council, National Street Works Highways Group, **Mr Bob Bayley**, East Sussex County Council, National Street Works Highways Group, **Mr Chris Tunstall**, Durham County Council, National Street Works Highways Group

Ev 8

Mr Geoff Allister, Director of Engineering, NI Roads Service and Chair of CSS, **Mr Matthew Lugg**, Assistant Director, Highways and Engineering, Cambridgeshire County Council and Vice Chair of CSS, **Mr Mike Bordiss**, County Highways Officer, Northamptonshire County Council

Ev 14

Joan Walley MP, Honorary Secretary, Associate Parliamentary Lighting Group, **Mr Roger Elphick OBE**, Highway Management Services, Durham County Council and Chair Associate Parliamentary Lighting Group, **Mr David Webster**, Chair, David Webster Group Ltd

Ev 18

Wednesday 12 February 2003

Ms Irene Payne, Acting Director of Public Services Research, **Mr Andrew Wallford**, Service Head, Environment, Audit Commission

Ev 24

Mr Michael Kendrick, Chairman, Integrated Transport Planning, **Mr Peter Dickinson**, Senior Assistant Director of Highways and Transportation, Leeds City Council, Institution of Highways and Transportation

Ev 28

Mr Roger Geffen, Campaigns and Policy Manager, CTC, **Mr Tony Russell**, Benchmarking Project Manager, CTC, **Mr Alex Sully**, Cycling Development Co-ordinated for Engineering Guidance and Professional Development, English Regions Development Team

Ev 32

Rt Hon John Spellar MP, **Mr Dennis Roberts**, Road Transport Directorate, **Mr Ian Holmes**, Roads Policy Division, Department for Transport

Ev 35

List of written evidence

- 1 Council for the Protection of Rural England
- 2 The Institution of Highways and Transportation
- 3 Corporation of London
- 4 TRG Williams, Right to Ride Network
- 5 Sustrans
- 6 C Howes, Right to Ride Network
- 7 Richard Bradford, Right to Ride Network
- 8 T. Martin Blaiklock
- 9 Charles A Catt
- 10 Hampshire Cycling
- 11 Safecote
- 12 Audit Commission
- 13 Philip Ashbourn, Right to Ride Network
- 14 Dave Robinson
- 15 Woking Cycle Users' Group
- 16 Birmingham City Council
- 17 Local Government Association
- 18 Surrey County Council
- 19 John Geraghty
- 20 Richard Parnell
- 21 Philip Sams
- 22 National Street Works Highways Group (NSWHG)
- 23 Richard Hill
- 24 Royal Borough of Kensington and Chelsea
- 25 Freight Transport Association
- 26 Motorcycle Industry Association
- 27 Associate Parliamentary Lighting Group
- 28 CSS
- 29 CTC
- 30 Kirklees Metropolitan Council
- 31 Joint Committee on Mobility of Blind and Partially Sighted People
- 32 Julia Drown MP
- 33 Department for Transport
- 34 Yorkshire Water
- 35 Safer Streets Coalition
- 36 Portsmouth City Council
- 37 Gloucestershire County Council
- 38 Institute of Highway Incorporated Engineers
- 39 Devon County Council
- 40 Mott Macdonald Ltd
- 41 Living Streets
- 42 Barnsley Metropolitan Borough Council

- 43 Transport for London
- 44 Dorset County Council
- 45 Transco
- 46 National Joint Utilities Group
- 47 BT
- 48 English Regions Development Cycling Team (ERDCT)
- 49 Health and Safety Executive (HSE)
- 50 THUS
- 02A The Institution of Highways and Transportation, Supplementary Memorandum
- 02B The Institution of Highways and Transportation, Supplementary Memorandum
- 12A Audit Commission, Supplementary Memorandum
- 13A Philip Ashbourne Right to Ride Network, Supplementary Memorandum
- 17A Local Government Association, Supplementary Memorandum
- 22A National Street Works Highways Group, Supplementary Memorandum
- 27A Associate Parliamentary Lighting Group, Supplementary Memorandum
- 28A CSS, Supplementary Memo
- 29A CTC, Supplementary Memorandum
- 29B CTC, Supplementary Memorandum
- 33A Department for Transport, Supplementary Memorandum
- 34A Yorkshire Water, Supplementary Memorandum
- 45A Transco, Supplementary Memorandum
- 47A BT, Supplementary Memorandum

Reports from the Transport Committee since 2002

Session 2002–03

First Special Report	Government and Office of Fair Trading Responses to the Seventeenth Report of the Transport, Local Government and the Regions Committee, The Bus Industry	HC 97
First Report	Urban Charging Schemes	HC 390-I
Second Report	Transport Committee: Annual Report 2002	HC 410
Third Report	Jam Tomorrow?: The Multi Modal Study Investment Plans	HC 38-I
Fourth Report	Railways in the North of England	HC 782-I

Session 2001–02

First Special Report	Government Response to the First Special Report of the Transport, Local Government and the Regions Committee of Session 2001–02, The Attendance of a Minister from HM Treasury before the Transport, Local Government and the Regions Committee	HC 1241
Second Special Report	Government Response to the Fifth Report of the Transport, Local Government and the Regions Committee of Session 2001-02, European Transport White Paper	HC 1285
Third Special Report	Government Response to the Eighteenth Report of the Transport, Local Government and the Regions Committee of Session 2001-02, National Air Traffic Services' Finances	HC 1305