



Hampshire
County Council

Hampshire County Council

Environment and Transportation Select Committee

**The coordination and regulation of all works on
Hampshire County Council's highways**

12 May 2011

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THE COORDINATION AND REGULATION OF ALL WORKS ON HAMPSHIRE COUNTY COUNCIL'S HIGHWAYS

SCRUTINY REVIEW REPORT

12 May 2011

Foreword

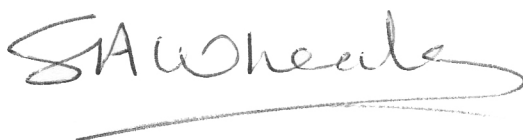


This short review began as a result of the Environment and Transportation Select Committee's real time scrutiny of the subject matter at our formal meeting in June 2010 – here, we heard that recent changes in legislation had allowed 'street authorities' such as Hampshire County Council to consider alternative methods of coordinating and regulating works on the highway, in order to minimise traffic disruption and improve the way in which such works are carried out.

During the course of this review we scrutinised the evidence that was available to us from our comparative councils across the region, heard from the utility and contractor organisations completing works within the County, and assessed the background information available on alternative coordination methods.

The review group agreed that Hampshire County Council's current method of coordination has produced examples of good working, which has built on best practice and strong relationships with utility and internal contractors. However, the written evidence submitted to the review has highlighted areas where improvements can be made, particularly in ensuring that communication takes place between relevant stakeholders, and that there is parity of coordination and regulation applied to all of those undertaking works on the road.

I am grateful for the dedication of the members to this review, and for their thoughts and insight into the way we as a County Council coordinate and regulate road and street works. I would also like to thank the scrutiny officer and contributing streetworks officer for the thoroughness of their research and investigation into the review areas, and am sure that the members of the review group will join me in thanking them for their contribution.

A handwritten signature in black ink, appearing to read 'Sharyn Wheale', with a long horizontal flourish underneath.

Councillor Ms. Sharyn Wheale
Chairman: Road Works Scrutiny Review Group
Chairman: Environment and Transportation Select Committee

Environment and Transportation Select Committee Road Works review

Executive Summary

1. Background

- 1.1 During 2010/11 a review was initiated by the Environment and Transportation Select Committee, which focused on issues relating to works on Hampshire County Council's highways. This review was prompted by a 'real time' scrutiny of the issue at the Committee's formal June 2010 meeting, where it was reported that recent legislation has enabled local authorities to review and possibly alter the way they regulate and co-ordinate works. Members also heard that learning from pilot local authorities using alternative methods to regulate and co-ordinate works would soon become available.
- 1.2 The review considered several issues in relation to works on the highway, including whether Hampshire County Council's partners believed current coordination methods to be effective, how comparative authorities coordinated their own works, and if an alternative method would enable greater regulation and coordination of works on the highway.
- 1.3 The review group agreed that the scrutiny of this topic would be based upon written evidence and background research, and therefore the timeframe for completing this work would be short, in order for any emerging recommendations to be taken forward quickly. The recommendations are therefore deliberately focused on opportunities to build on best practice evidenced in the course of the review.

2. Conclusions

- 2.1 A careful analysis of the aims and evidence for the review suggest that three key issues were identified. These are:
 - a) the extent to which the coordination of works on the highway can be further improved to ensure that the processes for undertaking works are easily understood and followed, up-to-date information on works is available to those who require it and best practice is built upon;
 - b) whether parity can be evidenced across all contractors undertaking works on the highway, including working agreements, non-compliances, performance indicators and quality of reinstatements;
 - c) how external agencies are informed of upcoming works and the processes used by the County Council to ensure that communication about works on the highway is a two way dialogue, and how local stakeholders are made aware of works in the County generally.

- 2.2 With regard to how effective the current methods used by Hampshire County Council to co-ordinate and regulate all works on the highway are, including how the authority communicates with external organisations, the following conclusions have been arrived at:
- 2.2.1 Hampshire County Council make full use, as a street authority, of the powers available to them to operate noticing under the New Roads and Street Works Act 1991 and Traffic Management Act 2004. (*Evidence: paragraphs 5.1.2, 5.1.6*)
 - 2.2.2 The County also regularly attend, and make opportunity to take advantage of, networking and coordination meetings held locally and throughout the region to promote better working practices which go beyond the legislation. (*Evidence: paras 5.1.2, 5.1.6, 5.1.7*)
 - 2.2.3 It is also apparent that the County has focused on building strong working relationships with those undertaking works on the highway, which has resulted in a proactive approach to works coordination and innovative working. (*Evidence: paras 5.1.3, 5.1.4, 5.1.7*)
 - 2.2.4 Areas of coordination that require improvement include ensuring parity of regulation and coordination across all of those working on the highway, i.e. both utility companies and contractors undertaking work on behalf of Hampshire County Council (as a highway authority), and improving the sometimes complex nature of the noticing process, including the road closure process mostly operated by District and Borough Councils. (*Evidence: paras 5.1.5, 5.1.8, 5.1.9*)
 - 2.2.5 Effort is made by Hampshire County Council as a street authority to minimise traffic disruption through proactive coordination and innovative working practices, such as trench and closure sharing, and as a highway authority, by updating the gazetteer of its highways with data to enable more efficient works planning. A large number of days of disruption were saved in 2010 through innovative working practices, and Hampshire County Council could better promote this to the public, through mediums such as the Hantsweb website, and through a stronger working relationship with the corporate communications department. (*Evidence: paras 5.1.10 – 5.1.12*)
 - 2.2.6 A willingness to listen to, and learn from, complaints by members of the public around works disruption and unsafe working practices is demonstrated in the evidence, and is reflected in a high score for customer satisfaction in a recent survey on highway works. Utility companies are made aware of individual and general complaints in relation to ongoing and

previous working practices, in response to issues raised by members of the public. (*Evidence: paras 5.1.13 – 5.1.15*)

- 2.2.7 Innovative solutions to otherwise disruptive works on the highway are evident in responses, with both utility companies and other statutory undertakers encouraged and directed to work during off-peak times where environmental and locational factors permit such, or to carry out works on alternative dates in order to share trenches and closures or avoid clashes. A code of conduct is mentioned throughout the evidence received as a method of encouraging further innovative working. (*Evidence: paras 5.1.16 – 5.1.19*)
- 2.2.8 Generally rates of compliance with reinstatement specifications by utility companies under categories of visual inspection are very high (90-95%, with some achieving 100%), but reduce dramatically when road reinstatements are subject to coring (40-50%). This is usually owing to poor workmanship or the use of incorrect materials. An enhanced coring scheme is proposed to take place over the next year as a result of this, but further effort needs to take place to ensure that all statutory undertakers are reinstating the road with like-for-like materials within six months of works taking place. (*Evidence: paras 5.1.21, 5.1.22*)
- 2.2.9 Hampshire County Council can only inspect a limited number of works reinstatements, even with an enhanced scheme, as costs for inspections can only be recovered from those statutory undertakers whose core samples fail to reach quality standards. During the course of the review, members discussed other methods of road defects being reported to the County Council for inspection, and agreed that district, borough and parish Councils could help the County to establish a reporting structure for local people to notify the streetworks team of poor works reinstatement quality.
- 2.2.10 A large variety of communication methods are utilised by the streetworks team in Hampshire County Council to inform district and borough Councils, as well as other stakeholders, of works scheduled in the present and future. Not all stakeholders receive the same information, as not all have requested it, and there is confusion reported in the evidence of sporadic and occasionally missing information reaching representatives. There is a need for communication with district and borough Councils to be better coordinated and streamlined. (*Evidence: paras 5.1.25 – 5.1.29, 5.1.34*)
- 2.2.11 District and Borough Councils are usually the first point of contact for events organisers and usually process road closure orders where an event requires one. Where the District or Borough Council alerts the local County Council coordinator of

an event that might affect traffic steps are usually taken to reschedule works that may clash. However, the process to alert the coordinators of events is not consistent across the County. Road closures for non works events and activities are not currently included on the ELGIN website and weekly bulletin distributed by the Hampshire County Council streetworks team, which can be an obstacle to those wishing to access complete information on disruption in their area. (*Evidence: para 5.1.33*)

2.3 With regard to the models used by comparative local authorities to coordinate and regulate all works, including the procedures used by those excavating the highway to inform the local street authority of their plans, and the level of inspection levied by the local street authority on the reinstatements of completed road works the following conclusions have been arrived at:

2.3.1 A majority of the responding comparative authorities continue to use the noticing method to coordinate and regulate works in their region. Complaints are made in the evidence about the method itself, including finance, process and a lack of parity. Although none of those using noticing state a wish to transfer to a permit scheme, two do indicate that they believe it would give them greater control over works in their area. Of the four authorities responding, only Kent County Council operate a permit scheme. (*Evidence: paras 5.2.1 – 5.2.5*)

2.3.2 Those comparative authorities using noticing do not provide evidence to show that, as a method of works coordination, it has been fundamental in minimising traffic disruption, improving public dissatisfaction or providing scope for innovative working. It is suggested that the foundations and tools for the regulation and coordination of road works are laid out in the legislation outlining noticing, but that it is part of the role of the street authority to build relationships with statutory undertakers and take a proactive approach to works coordination in order to promote issues such as innovative working and minimising disruption. (*Evidence: paras 5.2.5, 5.2.7, 5.2.11-5.2.12*)

2.3.3 The evidence shows that there isn't a set 'best practice' model of inspection or coring regime apparent across the comparative authority regions. Similar to Hampshire County Council, both East Sussex and Dorset County Council have launched enhanced coring programmes, in order to seek improvements to reinstatement non-compliance rates. (*Evidence: para 5.2.13*)

2.3.4 Another similarity between Hampshire County Council and the comparative local authority responses is a lack of parity between utility company and internally ordered works. In some cases, this has been rectified by parity being included in tightened-up highways term contracts, and similar performance measures

and penalties being imposed on all excavating the highway.
(*Evidence: para 5.2.14 – 5.2.15*)

- 2.4 With regard to the merits of using an alternative means of coordinating and regulating all works on Hampshire's highways, the following conclusions have been arrived at:
- 2.4.1 A permit scheme is the only viable alternative method to noticing available to Hampshire County Council to regulate and coordinate works on the highway, as the Lane Rental method is not yet legislated for, and, as it would need to be subject to a feasibility study before being drafted into a draft Bill before parliament, it will not be an option available to street authorities in the near future. (*Evidence: paras 5.3.2, 5.3.19*)
- 2.4.2 The permit scheme's advantages include the need for statutory undertakers to apply for permission to work on the highway rather than just providing notice (enabling greater control of works), the ability for street authorities to set conditions on works before granting permission (such as time limiting works), further opportunities for financial penalties if conditions are not adhered to, and recovery of the cost of administering the scheme (for utility company permits only). The permit scheme also legislates for parity between utility company and highway authority works. (*Evidence: paras 5.3.3 – 5.3.8*)
- 2.4.3 The permit scheme's main disadvantage is the extra cost associated with administering the scheme (the cost of the permit for internally ordered works cannot be passed onto utility companies, staff and resources would need to be available to administer the scheme and a new IT system would need to be procured). Costs for undertaking the existing coordination duties cannot be passed on to the utility companies. Recent changes to the approval process for permit schemes are unlikely to have a significant reduction in the costs of setting up and maintaining a permit scheme. In addition, a permit scheme is unlikely to provide further provision for coordinating minor or urgent works, and the replacement of cooperation, discussion and dialogue between the street authority and statutory undertakers with legally binding conditions and restrictions could cause damage to evidently strong working relationships. (*Evidence: paras 5.3.6, 5.3.9, 5.3.11 – 5.3.15*)
- 2.4.4 The Department for Transport's guidance on permit schemes suggests that Street Authorities may be able to determine low cost alternatives to permit schemes to tackle some of the problems that a permit scheme may resolve. Although a full, detailed analysis has not been conducted, the perception and expectation is that a permit scheme will provide better controls over works and minimise works durations. However, both

Hampshire County Council and the South East Joint Utility Group's responses stated that the advantages listed under a permit scheme are achievable through noticing and the administering of an additional voluntary code of conduct. *(Evidence: paras 5.1.19, 5.3.8)*

2.4.5 The voluntary code of conduct is based upon a national document introduced in 2009 by Transport for London and five of the main utility companies, all of whom are represented by the National Joint Utilities Group. The national code of conduct is based on ten key principles, which focus on innovative working, increased cooperation and a reduction in non-compliances. The code of conduct is flexible and key principles can be locally determined, in order to take account of local areas of improvement. The Transport for London code of conduct is subject to biannual progress reports, in order for success to be noted and remedial work in areas of poor performance to be taken, if necessary. *(Evidence: paras 5.3.25-5.3.29)*

3. Recommendations

- 3.1 Taking the above conclusions together, the review group invites the Executive Member for the Environment's views and response to each of the following recommendations
- A That a study is undertaken on road closure orders, to ensure that a uniform approach is taken in delivering them across the County, and to assess the cost and effectiveness of bringing them in house.
 - B That all District and Borough Councils are encouraged to liaise closely with the local County Council coordinator to provide details of all events that will affect the highway, and that such event information is added by the Hampshire County Council to the ELGIN website and email bulletin alongside the works details.
 - C That a Hampshire County 'Code of Conduct' for Works is drawn up, building on best practice, which includes the need for further traffic and communication strategies to be put in place by statutory undertakers for significant schemes, where appropriate.
 - D That an increased use of first time, permanent, like-for-like reinstatements by all statutory undertakers and those contractors undertaking internally ordered works is promoted through the Code of Conduct. Repairs undertaken on behalf of the County Council should comply with the same 6 month permanent, like-for-like timescale that is currently a legal requirement for statutory undertaker works.

- E That Hampshire County Council ensures that agreements with its works contractors are tightened up, ensuring parity with statutory undertakers.
- F That the application of non-compliances to all Hampshire County Council work contractors is enforced, and future contracts with those undertaking County works take into account the same performance measures and penalties that are imposed on utility companies.
- G That the weekly road closure bulletin distributed by Hampshire County Council, and the monthly directory of works from the local highways office, is sent to a named contact(s) at each Borough and District Council in Hampshire. That the named contact(s) would then have the responsibility to disseminate this on to:
 - i. district and parish councillors;
 - ii. waste and recycling companies;
 - iii. private/taxi firms;
 - iv. etc.
- H That a communication channel to facilitate reinstatement defect reporting is put in place between District, Borough and Parish Councils and Hampshire County Council, in order to ensure that such instances are highlighted by those in the local community.
- I That the streetworks manager publishes a yearly report of works undertaken on the Hampshire County Council website, which includes details such as:
 - i. The number of works completed annually;
 - ii. The number of non-compliances recorded;
 - iii. The number of days saved through coordination, etc.
- J That a closer working relationship is forged with the corporate communications department, in order for successful co-ordination stories of road works to be communicated to the local media.

Appendix One: Those Responding to the Reviews

Stakeholder group	Organisation
District and Borough Councils	<p>Basingstoke and Deane Borough Council</p> <p>East Hampshire District Council</p> <p>Eastleigh Borough Council</p> <p>Fareham Borough Council</p> <p>Gosport Borough Council</p> <p>Hart District Council</p> <p>Havant Borough Council</p> <p>New Forest District Council</p> <p>Rushmoor Borough Council</p> <p>Test Valley Borough Council</p> <p>Winchester City Council</p>
Hampshire County Council	<p>Engineering Consultancy</p> <p>Environment Department (Amey Contract Manager, Assistant Director – Highways and Transport, and Street Works Manager)</p>
Local Authorities	<p>Dorset County Council</p> <p>East Sussex County Council</p> <p>Kent County Council</p> <p>Southampton City Council</p>
Utility Groups	<p>South East Joint Utilities Group</p> <p>South East Joint Utilities Group (Chairman's response)</p>

Appendix Two: Background Documents

<i>Hampshire documents</i>
'Briefing Note on Powers / Legislation for Managing Utility Co's' – Environment Department, Hampshire County Council
'Coordinating and Regulating Utility Works on the Highway' – Director of Environment, Hampshire County Council
<i>Regional documents</i>
East Sussex Considerate Contractor Scheme – East Sussex County Council
'Kent Permit Scheme' – Kent County Council
'Kent Permit Scheme - A Quick Reference Guide' – Kent County Council
<i>National documents</i>
'Mayor's Code of Conduct for Roadworks' – Greater London Authority
'Minimising disruption from roadworks' - Transport for London Surface Transport Panel
National Joint Utilities Group Code of Conduct
National Joint Utilities Group response to Conservative Party call for lane rental
'National Joint Utilities Vision for Street Works'
New Roads and Street Works Act 1991
'Permit Schemes - Decision-making and development' – Department for Transport
'Roads: public utilities and street works' – House of Commons Library
'Road Sense: Balancing the costs and benefits of road works' – London First
'Street Works Summit – Report and Action Plan (15 October 2009)' – Department for Transport
Traffic Management Act 2004
'Working Together: A Good Practice Guide to Managing Works in the Street' – Department for Transport

Other documents/sources of information

'Lane rental as a way of sorting out roadworks' – www.boris-johnson.com

www.elgin.gov.uk

Appendix Three: Background and Evidence – Road Works

1. Introduction

- 1.1 At the June 2010 meeting of the Environment and Transportation Select Committee, the 'coordination and regulation of all works on Hampshire County Council's highways' was accepted as a topic for scrutiny review.
- 1.2 The choice of the review topic was influenced by a 'real time' scrutiny of the issue during the meeting noted in paragraph 1.1, where it was reported that recent legislation had enabled local authorities to review and possibly alter the way they regulate and co-ordinate works. Members also heard that learning from pilot local authorities using alternative methods to regulate and coordinate works would soon become available.

2. Terms of Reference

- 2.1 Subject and Purpose:
- 2.2 The subject of the review was coordination of roadworks on Hampshire County Council's highways as required by the New Roads and Street Works Act 1991 and the Traffic Management Act 2004.
- 2.3 The purpose of the review was to review the opportunities available to Hampshire County Council to better coordinate works on the highway as defined by the New Roads and Street Works Act 1991 and the Traffic Management Act 2004 (and thereafter referred to as 'all works'); to explore best practice in comparative local authorities.
- 2.4 The review group set its objectives through posing three questions:
 - 2.4.1 How effective are the current methods employed by Hampshire County Council to coordinate and regulate all works, specifically in relation to minimising:
 - traffic disruption;
 - compliance failures;
 - public dissatisfaction;And to maximising:
 - opportunities for efficiency gains and innovative working, particularly in areas of highway congestion.
 - 2.4.2 What procedures do comparative local authorities use to regulate and coordinate all works on the highway, and how successful have these been in minimising:
 - traffic disruption;
 - compliance failures;
 - public dissatisfaction;

And in maximising:

- opportunities for efficiency gains and innovative working, particularly in areas of highway congestion.

2.4.3 What are the merits of the alternative schemes available to Hampshire County Council to regulate and coordinate all works?

3. Review Organisation

3.1 Councillor Sharyn Wheale (Fleet) agreed to lead the scrutiny review group. The full membership was as follows:

- Councillor Vaughan Clarke (Petersfield Hangers)
- Councillor Mark Cooper (Romsey Town)
- Councillor Geoff Hockley (Fareham Titchfield)
- Councillor Rupert Kyrle (Botley and Hedge End)
- Councillor Marilyn Tucker (Tadley and Baughurst)

3.2 The review group held its first meeting on 2 December 2010, where it agreed the project plan for the review, received initial background information and began work on identifying key stakeholders.

3.3 The evidence was gathered via invitations to stakeholders to contribute written views.

A full list of those who have contributed to this process is shown in Appendix One.

4. Background

4.1 National context

Primary Legislation and the Codes of Practice

4.1.1 The main legislation used to manage and regulate utility works on the highway is the New Roads and Street Works Act 1991. This legislation provides powers and duties for utility companies to undertake work on the highway, as well as powers and duties for authorities to regulate and coordinate utility works. It applies to all utility works in all roads, footways, footpaths and verges, privately or publically maintained (in the case of a private road the landowner becomes the relevant authority.)

4.1.2 The New Roads and Street Works Act 1991 also introduced new standards and responsibilities for those reinstating the road surface, with utility companies becoming responsible for the reinstatement quality of their own works. This included the requirement that statutory undertakers must comply with prescribed material specifications, and must guarantee the reinstatement for two years. The Act also gave

highway authorities the power to inspect works reinstatements, and to ensure defects are corrected, at the undertaker's expense.

- 4.1.3 Neither the New Roads and Street Works Act 1991, nor the Highways Act 1980, enables a street authority to prevent a statutory undertaker from excavating the highway, but it does allow the street authority to ensure such works are coordinated, and can stop some works from taking place on protected (usually recently resurfaced) roads.
- 4.1.4 Works are usually recorded and coordinated by street authorities using a 'works register', which is often displayed electronically on the internet, through sites such as the Electronic Local Government Information Network (ELGIN).
- 4.1.5 In 2004 a further piece of relevant legislation was introduced, the Traffic Management Act. This set out duties for authorities to minimise congestion from all sources, including utility and highway works. The Traffic Management Act 2004 further emphasised the powers of the street authority to coordinate multiple works, stop works from occurring during peak hours, and to protect specific roads from excavation. These amendments were enhanced by the opportunity for street authorities to utilise greater enforcement powers.
- 4.1.6 The Traffic Management Act 2004 also introduced the concept of parity, requiring street authorities to regulate all works on the highway (including their own) in a similar fashion. This was in recognition that congestion arises from all types of works, not just utility works. It was stated that regulation and coordination of works must be based on traffic impact and sound highway engineering reasons. Accordingly, street authorities are therefore required to ensure processes are in place so that they do not give preferential priority to their own works.
- 4.1.7 Under the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004 the majority of works have to be notified to the street authority so they can be coordinated. They have to be executed safely and in a timely manner. Utility companies also have to reinstate their excavations to a national standard (usually on a like-for-like basis). Street authorities have powers to challenge durations and inspect works. These powers can only be used for the purposes of minimising impact on traffic, ensuring safety and the structure of the highway. They cannot be used for non-highway purposes or for enhancing the structure of the highway. The exact details of how the powers can be used and their limitations are described in a series of nationally agreed Codes of Practice.
- 4.1.8 The Traffic Management Act 2004 also enabled street authorities to make an application to the Secretary of State for Transport to operate a permit scheme. The outcomes of compliance failures were also simplified, with the introduction of fixed penalty notices.

4.1.9 Since the coalition government took office in May 2010, priorities have been focused on national budget deficit reduction and departmental reform. Changes have thus far not been proposed to either the New Roads and Street Works Act 1991 or the Traffic Management Act, although parliamentary answers to questions have encouraged street authorities to 'consider the positive contribution that permit schemes can make in reducing the disruption caused by works'. It has also been indicated that the government is 'exploring the potential for lane rental schemes'.

4.2 Hampshire context

4.2.1 In an average year there are approximately 70,000 notifiable road work sites in the county. The total number of notifiable works in Hampshire is split roughly 80/20 between the utility companies and the highway authority (Hampshire County Council). However, in total there are approximately 100,000 notifiable and non-notifiable sites each year. This total is split roughly 60/40 between the utility companies and the highway authority.

4.2.2 The County Council, as the street authority, uses its limited resources to coordinate as many of these works as possible to minimise their disruption to residents and traffic. In order to coordinate, the Council utilises legislation and good working practices, along with regular liaison meetings with contractors. In addition, a register of all notifiable works listing the dates of the works and their location is held.

4.2.3 The vast majority of utility works (approximately 80%) are minor repairs needed to connect customers or prevent customers from becoming disconnected and usually last from a few hours to three days. They are difficult to coordinate as they are needed in a specific location and there is little flexibility in the timing. The remaining works are generally more major and are usually undertaken to improve services or supply services to new areas. By their nature they tend to be more disruptive and therefore greater effort is required to coordinate these works. They are also planned several months or even years in advance, allowing greater flexibility on timing, which provides more opportunities to schedule them to times that would minimise their impact.

Penalties and Performance Measurement

4.2.4 In some cases, where a utility company has failed to comply with directions from an street authority, or where they have failed to comply with the Codes of Practice, charges can be levied. These charges are either a penalty charge or a charge to recover the street authority's costs incurred in dealing with the problem. A utility company can also be prosecuted for failing to comply with the legislation.

4.2.5 Hampshire County Council regularly inspects sites and measures performance of works on the network to check compliance with

legislation and Codes of Practice. As a result of these regimes, Hampshire annually recovers approximately £60,000 for works that overrun (although in 2009/2010 £260,000 was recovered owing to a few sites that overran significantly), £50,000 for problems arising from site safety or reinstatement quality and £200,000 for failing to notify works correctly. In severe cases, usually where works are deemed to be dangerous, Hampshire has successfully prosecuted utility companies. Under the requirements of parity, similar performance measurements are taken for the authority's own works. Nominal charges may be levied for non-compliances where the contract provides for such. Prosecutions can still be made against internal contractors for breaches in matters of safety.

4.2.6 Despite the significant amounts of money recovered, utility company performance is still generally very high. In the 2009/10 year, on average, utility company signing, guarding and works notifications were 90-95% compliant; some companies were 100% compliant. Only a tiny fraction of works (less than 1% on average) overran their agreed durations. Safety at sites is good and generally less than 5% of sites show surface defects (are served a defect notice after visual inspection) within the guarantee period (usually two years) following reinstatement.

4.2.7 Testing via a limited coring programme has however indicated that between 40%-50% of reinstatements may be non-compliant, although further testing is required to confirm the scale of the problem. These non-compliances are usually caused through use of the wrong or insufficient materials.

5. Findings of the Review Group

5.1 The review posed the question of:

How effective are the current methods employed by Hampshire County Council to co-ordinate and regulate all works, specifically in relation to minimising:

- *traffic disruption;*
- *compliance failures;*
- *public dissatisfaction;*

And to maximising:

- *opportunities for efficiency gains and innovative working, particularly in areas of highway congestion.*

Current Methods

5.1.2 Hampshire County Council utilises the noticing scheme (under the New Roads and Street Works Act 1991, Traffic Management Act 2004, and various codes of practice) to coordinate and regulate works on the highway. Hampshire County Council is also a member of various committees and groups in the region, such as the South East Joint Authorities Group, and the South East Highway Authority Utility Committee, which have the aim of developing good practice,

discussing local agreements and ensuring working relationships between all parties remain positive and encourage co-operation on matters outside of legislation.

- 5.1.3 The Hampshire County Council Environment department response demonstrates that, as a street authority, the Council undertakes a proactive approach to works coordination, encouraging the early sharing of works schedules and plans, regular coordination meetings and the involvement of key stakeholders prior to notice finalisation for significant schemes.
- 5.1.4 The Environment department's evidence also states that, in accordance with legislation, notices for works can be received by the streetworks manager between three days and three months in advance prior to them taking place (dependent on the length of time the works are likely to take place for), but that the sharing of work programmes up to a year in advance is encouraged. The only exception to this rule is for emergency or urgent works, which need to be notified to the streetworks manager within two hours of them starting. All works notifications received by Hampshire County Council are uploaded to the ELGIN website, which is refreshed every 30 minutes.
- 5.1.5 The Hampshire County Council Engineering Consultancy state that they think the noticing method described in paragraph 5.1.2 to coordinate and regulate works works well, but can be complex and bureaucratic on occasion, and can lack flexibility.
- 5.1.6 The South East Joint Utilities Group response did not give a subjective overview of how effective Hampshire County Council's current methods are, but instead referred to the powers open to Hampshire County Council for coordinating and regulating works under the New Roads and Street Works Act 1991, concluding that Hampshire has the legislative tools in place to minimise congestion and disruption. The separate response of the Chairman of South East Joint Utilities Group and the South East Highway Authorities and Utilities Committee states that Hampshire County Council, measured across the South East region, are one of the most effective authorities in terms of works coordination and regulation.
- 5.1.7 The membership of South East Joint Utilities Group express the opinion that the key to successful coordination of works in Hampshire is continued communication with all stakeholders. They state that the Hampshire Highway Authority and Utility Committee is a constructive and useful forum for discussion of works coordination, and would therefore like to see the continuation of improvements driven through discussion and agreement in this forum.
- 5.1.8 A suggestion is made by South East Joint Utilities Group that the coordination of all works would be improved if advance notice was provided by those undertaking internal works on behalf of Hampshire

County Council (to the same level as those provided by utilities), and if non-compliance penalties were given parity across all works promoters.

- 5.1.9 All Hampshire district and borough councils, with the exception of Gosport and East Hampshire, manage the road closure process for those who wish to undertake works on the highway in their area, on behalf of Hampshire County Council. Both South East Joint Utilities Group and Hampshire County Council Environment department's evidence note that this method is disjointed and can cause confusion over necessary contact points for each stage of the works noticing process. Environment's submission states that anecdotal evidence from areas that the County Council provides road closure notices for (Gosport and East Hampshire) have shown this to achieve greater coordination.

Traffic Disruption Minimisation

- 5.1.10 Although not directly quantifiable, Hampshire County Council did record in 2009/10 that over 300 days of potential traffic congestion had been saved through trench/closure sharing and successful coordination of works. This was due to proactive coordination of works by statutory undertakers and internal works promoters sharing closure information, which maximises the opportunity for shared excavations and working, reducing the number of days disruption to traffic is caused. Further congestion is saved by making use of good working relationships, and employing legal powers to direct works to be undertaken outside of peak hours or to avoid clashes with other works.
- 5.1.11 Hampshire County Council, as a highway authority, is also updating the gazetteer of its highways, which lists all roads within the County boundary, and includes information on which roads are of strategic importance, where structures exist (e.g. bridges), etc. This will assist all of those wishing to work on the highway, as they will be in possession of the information required to coordinate their own works effectively, and will be able to make effort to put in place strategies that will minimise traffic disruption.
- 5.1.12 Work overruns can cause significant disruption to traffic and are of particular concern to Hampshire County Council as a street authority. National regulations are in place to deal with such occasions, which can include a financial penalty of up to £2,500 a day for overruns that have not been authorised. This means that there is a financial incentive to liaise with Hampshire County Council officers to find a solution prior to works overrunning.

Public Dissatisfaction

- 5.1.13 Hampshire County Council's Environment department evidence states that a customer satisfaction survey on highway works, commissioned by Amey, the highways term contactor and Hampshire County Council

in 2010, showed an average 8/10 rating for excellence of service, although the return rate of the forms was low (12% - 137/1,110).

- 5.1.14 Benchmarking indicators held by the Hampshire County Council Engineering Consultancy have shown some improvement in public satisfaction with elements of works since 2008, including efforts to reduce delays to traffic, time taken to complete roadworks and signposting of road diversions.
- 5.1.15 South East Joint Utilities Group state that the issue of public dissatisfaction in relation to the coordination of works has not been raised by Hampshire during any joint meetings or committees attended by utility representatives. Hampshire County Council have disputed this, through their written evidence and in review group meetings, stating that the Council regularly informs utility companies of both individual instances of public complaint and general dissatisfaction. By way of an example, as a result of public dissatisfaction with the management of portable traffic signals, Hampshire as a Street Authority has written to all utility companies and internal works promoters setting out conditions of the use of such equipment.

Innovative Working

- 5.1.16 Hampshire County Council's response states that both utility companies and other statutory undertakers are encouraged to work during off-peak times, or to carry out works on alternative dates in order to share excavations/trenches. Hampshire County Council's evidence records that over 300 days of traffic disruption was saved as a result of such good working practice.
- 5.1.17 Hampshire County Council also look to make good use of committees and forums for innovative working discussions and sharing of its own procedures and best practice.
- 5.1.18 The Hampshire County Council Engineering Consultancy note occasions in their evidence where their internally ordered works have been coordinated with others to promote trench sharing, and have involved other aspects of innovative working. Other examples include the sharing of closures by multiple agencies, such as the Network Rail closure of St Cross Road, Winchester in early 2010, where five organisations altered their forward programmes to carry out works in the same timeframe.
- 5.1.19 A code of conduct, based on the National Joint Utilities Group's National Code of Conduct, is suggested by South East Joint Utilities Group as a vessel for innovative working in Hampshire. This voluntary code promotes innovative ways of working, such as advanced planning, the use of minimum dig technology, plating, working outside of peak hours, using standard information signage, first time reinstatement and the sharing of best practice.

5.1.20 Test Valley Borough Council specifically mention in their evidence that they wish to see tighter controls placed on statutory undertakers, to ensure that a higher proportion of their work takes place outside of peak hours.

Inspection Regimes

5.1.21 The vast majority of utility companies have a very high degree of compliance with legislation (between 90 – 95%, with some achieving 100%), which include standards on site safety, signing and guarding, as well as reinstatement surface defects. Should a utility company consistently fail by more than 10%, financial penalties can be awarded and improvement plans implemented by Hampshire County Council.

5.1.22 However, a limited coring programme by Hampshire County Council has shown 40-50% of utility company reinstatements to be non-compliant, as the quality of the materials used or construction type has not been of the required standard. As a result of this, Hampshire County Council propose to adopt an enhanced coring programme, in order to improve this percentage. This finding is not dissimilar to reinstatement compliance rates described by comparative authorities.

5.1.23 Audits are carried out on the noticing and works undertaken by Amey and others undertaking internal works on the highway, on behalf of Hampshire County Council. The results are passed to the internal officers who manage the contract, whose decision it is as to whether financial penalties for non-compliance are applied to the works undertaker.

5.1.24 South East Joint Utilities Group state that their members are not aware of any issues with utilities regarding reinstatement performance. Hampshire County Council has however indicated that it regularly provides the results of coring programmes to utility companies, which has indicated a widespread problem with the quality of reinstatements.

Communication (specifically with District and Borough Councils)

5.1.25 Hampshire County Council's streetworks team and other internal teams employ a very large selection of communication methods to inform external organisations of upcoming works. District and borough councils, through their evidence, have suggested a variety of options for streamlining this, or ensuring the right stakeholders are in receipt of information. This includes expanding email bulletin distribution lists to include affected local stakeholders and adding further detail to the ELGIN and email bulletin systems.

5.1.26 Some district and borough councils mention that a monthly directory of works and scheme tracking reports are sent to their representatives from local area highways offices. Five borough and district councils suggest that entries within these documents are not always complete (or updated regularly), and can lack accuracy.

5.1.27 Two of the councils contacted as part of the review highlighted that the Hampshire Action Teams highways bulletins are a helpful mechanism for providing road works information, but that this does not always reach the individuals named within the centrally held distribution lists.

5.1.28 Several of the responding district and borough councils note that they would like to see scheme progress reports and consultation opportunities available online.

5.1.29 A weekly email bulletin detailing road closures is distributed by Hampshire County Council's streetworks manager. This is sent to all utility companies, highways engineers, emergency services and bus companies in Hampshire, as well as district and borough councils that have requested this information. Many of the district and borough council responses highlight individuals and groups who may find this information helpful within their local area. These include:

- Waste disposal and recycling contractors
- Local bus companies
- Private hire/taxi firms
- Customer services teams
- District/parish councillors
- Schools

It is also suggested that a link to the ELGIN website be provided on this bulletin, as well as a reminder that this website lists all notified works and road closures (and is updated every thirty minutes).

5.1.30 It was noted in two district and borough responses that bulletins and directories are often technically written and contain many acronyms and abbreviations. However, these documents are primarily a tool for highways engineers and those involved in works, and therefore it should be deemed acceptable that they are written in a way that is easily understood by such parties.

5.1.31 A substantial proportion of the district and borough councils responding to the review state that the published timescales for works are sometimes very long. However, the Hampshire County Council response shows that the timescales indicated in the directories of works, on the ELGIN website and within the email bulletin of road closures are those that have been communicated by the statutory undertaker when providing notice of the works in advance. Further details and clarification of dates and times, are added to the ELGIN website, as and when known. It should also be noted that works windows are sometimes deliberately left open-ended in order that multiple works in a localised area can be coordinated to take place within the same excavation, in order to aid traffic management.

5.1.32 The point is also made by several of the district and borough councils that work overruns are not always communicated to them, and therefore they are not able to pass this information on to local stakeholders.

- 5.1.33 Hampshire County Council's verbal evidence, given during the third review group meeting, stated that district and borough councils are usually the first point of contact for events organisers and usually process road closure orders where an event requires one. Where the district or borough council alerts the local County Council coordinator of an event that might affect traffic steps are usually taken to reschedule works that may clash. However, the process to alert the coordinators of events is not consistent across the County.
- 5.1.34 It is noted by New Forest District Council that not all events that generate a road closure notice are added to the ELGIN website and email bulletin.
- 5.1.35 Five district and borough councils do relate to an occasional difficulty in communicating with Hampshire County Council officers regarding specific schemes, or missed opportunities for closer liaison.
- 5.1.36 Several district and borough councils report issues with the county council's highways term contractor, Amey, citing difficulties in maintaining communication or programming and co-ordination issues.

5.2 The second question considered by the review group was:

What procedures do comparative local authorities use to regulate and co-ordinate all works on the highway, and how successful have these been in minimising:

- *traffic disruption;*
- *compliance failures;*
- *public dissatisfaction;*

And in maximising:

- *opportunities for efficiency gains and innovative working, particularly in areas of highway congestion.*

Method Used

- 5.2.1 All of the comparative councils responding to the review of works on Hampshire County Council's highways use noticing to co-ordinate and regulate their works (three authorities), with the exception of Kent County Council, who use a permit scheme. Kent County Council believe that a permit scheme has allowed them much greater control over activity on the highway, backed up with sanctions and penalties if conditions are not adhered to.
- 5.2.2 Southampton City Council state that coordination and regulation under noticing has been easier since the introduction of Fixed Penalty Notices, as statutory undertakers can be penalised easily for non-compliance with noticing regulations.
- 5.2.3 East Sussex County Council find fault with the financing of the noticing system, as they state that charges cannot be made to statutory undertakers for dealing with notices, and that this can lead to difficulties

in coordination as works can be notified, not carried out, and subsequently re-notified, which, while incurring unrecoverable costs to the County Council, can also adversely impact on the disruption caused to traffic. East Sussex also state that they have found that those wishing to excavate the highway do not have to share as much information as would be needed to effectively coordinate works, i.e. plans showing the footprint of the works are not always shared.

- 5.2.4 Both Kent and East Sussex County Councils use a considerate contractor scheme to drive innovation and good practice, which run in addition to their coordination methods.
- 5.2.5 Two of the comparative authorities believe that a permit scheme would give them greater control over works in their area, although one does infer that the noticing scheme does provide the tools needed to effectively regulate and co-ordinate works.
- 5.2.6 In comparison, Dorset County Council state that they do not think a permit scheme would assist them to achieve any greater co-ordination in their area than with the noticing scheme.

Traffic Minimisation

- 5.2.7 None of the comparative authorities state in their evidence that the coordination method of noticing has been a key factor in the minimisation of traffic. However, it should be noted that it does provide a legislative foundation for the regulation and coordination of works.
- 5.2.8 Under a permit scheme, Kent County Council note that traffic disruption has decreased.

Public Dissatisfaction

- 5.2.9 All of the comparative councils using noticing are either unaware of public dissatisfaction directly linked to road works, or think that residents are dissatisfied with efforts to reduce delays to traffic and the length of time taken to complete works. Two of the councils are commissioning surveys or similar to gauge their public's opinion of road works.
- 5.2.10 Kent County Council recorded in their evidence that in the first month of using the permit scheme, complaints from the public regarding road works reduced by 50%.

Innovative Working

- 5.2.11 East Sussex and Southampton both state that they do not feel that the noticing scheme encourages innovative working - instead it seems that innovative working is aided by the effort put in by highway authorities to build good working relationships with statutory undertakers.

5.2.12 All of the authorities contacted say they work to promote a variety of innovative solutions during works, progressed through regular meetings with utility companies, similar to those operated by HCC.

Inspection Regimes

5.2.13 The inspection and coring methods recorded by comparative councils show large amounts of variance, from Southampton City Council not completing additional inspections, to East Sussex launching a comprehensive reinstatement coring programme. Dorset visually inspect all excavations (and select coring options from there), East Sussex pick a set number of cores per month (100), whereas others mention that they have an enhanced inspection regime. Rates of non-compliance haven't always been recorded in the evidence, but Dorset register a 62% reinstatement non-compliance rate, conversations external to written evidence with the Roadworks and Enforcement Manager in Kent County Council have recorded a 24% failure rate, and others state that 'high numbers of reinstatements are not complying'.

5.2.14 The responses have shown a disparity between the way utility and internally ordered works are treated, both in terms of providing notice before works take place, and inspection regimes after work completion. For example, not all comparative councils core their own works – this is instead undertaken by whoever holds the term highways contract. Comparative councils have also noted that the legislation relating to utility works doesn't extend to parity with internal works, and therefore efforts have been made to include parity within the highways term contractor and other contractual arrangements, i.e. that notice of relevant works activities must be communicated to the works coordinator.

5.2.15 The level of compliance between utility companies and internally ordered works also show variance, with Dorset County Council stating that utility works record an overall higher rate of compliance than internally ordered works.

5.3 The third question that the scrutiny review group members posed was:

What are the merits of the alternatives schemes available to Hampshire County Council to regulate and co-ordinate all works?

5.3.1 There are four alternative or additional means of co-ordinating and regulating all works on Hampshire County Council's highways which will be considered as part of the scrutiny review, through background research and analysis by Members. These are:

- a Permit Scheme;
- Lane Rental;
- a Considerate Contractor Scheme, and;
- a Voluntary Code of Conduct.

Permit Scheme

- 5.3.2 The Traffic Management Act 2004 introduced powers to allow a street authority, or a group of street authorities, to operate a permit scheme. Any authority or group of authorities wishing to do this must receive the approval of the Secretary of State for Transport following an in-depth analysis and a written proposal submission. However, changes are being made to the guidance and legislation to remove the requirement for Department for Transport approval of the scheme and external validation of fee levels. Such changes have been confirmed in a letter from the incumbent Parliamentary Under-Secretary of State for Transport, Norman Baker, on 13 April 2011
- 5.3.3 A permit scheme would replace the existing requirement for a utility company or highway authority wishing to undertake works on the highway to provide notice. Instead, the undertaker would need to obtain permission before undertaking works. As per noticing, retrospective permission would still be obtained for emergency works.
- 5.3.4 A permit scheme also allows an street authority to add conditions to works before granting a permit. Similar to the powers used to challenge durations and inspect works, such conditions must be based on traffic, maintaining the highway and road safety. They cannot be applied to enhance the structure of the road or for non-highway purposes. These conditions replicate many of the existing powers under noticing but carry further opportunities for penalties if the conditions are not adhered to.
- 5.3.5 A traffic authority's own works must also be included in a permit scheme. The same permissions must still be obtained before works start and the same conditions must also be adhered to.
- 5.3.6 A permit fee is payable by those wishing to undertake works. This fee is locally set but must relate to the proportion of total costs incurred by the permitting street authority that are attributable to statutory undertakers only. The costs of running a permit scheme for the authority's own works cannot be included in the permit fee charged to utility companies. Permit fees can only cover the additional costs to administer the permit scheme itself. The costs of the existing duties to coordinate works cannot be included in the permit fee. This is confirmed by guidance on permit fees produced by the Department for Transport in July 2008. It is also possible that permit charges paid by utility companies may be passed on to their customers.
- 5.3.7 Permits can be time limited, and therefore give the permit holder a certain period in which to carry out the works. If the works are not able to be completed within a set time, then the permit lapses and the works promoter must apply for a new permit, unless they are able to extend the existing permit by agreement with the street authority. Statutory undertakers are liable to pay a set daily fee for each day works overrun. This replicates the rules for notice validity, duration challenges and timing restrictions under the noticing regime.

- 5.3.8 The Department for Transport has produced guidance to Street Authorities to help them determine whether a permit scheme would be beneficial. The current guidance, updated in November 2010, recommends that an Street Authority should identify local traffic issues and determine whether a permit scheme could assist with resolving these issues. When considering a permit scheme the guidance suggests that the Street Authority should explore, other, 'quick win' and less costly options that may achieve similar results to those which a permit scheme may resolve.
- 5.3.9 Within the written evidence provided by Hampshire County Council's environment department, it is stated that they see some advantages to the permit scheme, such as a possible reduction in rescheduled works, and a minimisation in return visits to works sites, but point out that many of these benefits can also be sought through increased coordination and alternative low-cost methods, such as through the voluntary Code of Conduct.
- 5.3.10 Hampshire County Council also state that although costs for operating permits are recoverable from utility companies, the same cannot be applied to permits for internal works, which means the cost for these would increase. New software would also need to be purchased to process a permit system, and additional staff and resource would be needed to administer the scheme.
- 5.3.11 Kent County Council, in their response to the review, state that there is a significant amount of investment needed to set up the permit scheme, and although some costs are recoverable from utilities, charges are unavoidable for the council's own internal works. Kent mention, however, that such costs are mitigated by improved planning and use of resource driven by the discipline of the permit scheme.
- 5.3.12 Both Hampshire County Council's and South East Joint Utilities Group's responses state that a permit scheme should be focused on the most disruptive works, and therefore, like the noticing scheme, would not apply to urgent works and minor customer requests undertaken by utility companies, which make up the majority of works in Hampshire.
- 5.3.13 The opinion given by the Hampshire County Council Engineering consultancy is that the current noticing system carries many of the same advantages as the permit scheme, and therefore do not see anything to be gained in moving to a permit system, other than additional cost and bureaucratic burdens.
- 5.3.14 South East Joint Utilities Group do not see any advantage in Hampshire County Council adopting a permit scheme, as they believe that everything that can be achieved under a permit scheme can be adopted under noticing.

5.3.15 South East Joint Utilities Group also state that a permit scheme would incur significant extra cost for utility companies, which can legally be passed on to customers – and that these utility companies would communicate to the public the reason for price increases.

5.3.16 South East Joint Utilities Group also fear that a move to the permit scheme would result in more confrontation with Hampshire County Council as a street authority, and less cooperation than currently occurs. They do not state explicitly why they feel working relationships would be damaged in this way, although Hampshire County Council's response does admit that a permit scheme may take cooperation out of the process of works notifying, which would be replaced by permit conditions and restrictions, leading to more confrontation with utility companies.

Lane Rental

5.3.17 The alternative method of lane rental is administered in a similar way to the permit scheme, whereby statutory undertakers must apply for a permit in advance of planned works, and conditions may be applied based on traffic, maintaining the highway and road safety. Current government opinion suggests that Lane Rental would only apply to highly congested strategic routes.

5.3.18 Lane rental differs from the permit scheme because it provides a financial incentive to statutory undertakers to complete works early. This is because the utility company or highway authority undertaking the works must 'rent' the road, at a substantial cost, for each day it is unavailable for public use.

5.3.19 The lane rental charge is based on the length of time for which the lane is out of use and can be varied between different road types, geographic locations and times of day.

5.3.20 The method of lane rental is currently being assessed by both the Department for Transport and the Mayor of London. In response to a Parliamentary question in September 2010, the incumbent Transport Minister stated that 'the Government are... exploring the potential for lane rental schemes targeted at the most critical parts of local highway networks.' If such a scheme were to be suggested as the future direction of works co-ordination, new primary legislation would be required.

5.3.21 Dorset County Council were the only stakeholder to mention the method of lane rental in their response, stating that they would be interested in seeing how such a scheme may develop.

Considerate Contractors Scheme

5.3.22 'Considerate Contractors' is a voluntary scheme which encourages contractors/utility companies carrying out works on public roads to

undertake them safely, consistently and considerately. The aim of the scheme is to improve the general standard of work and minimise disruption to passing pedestrians and road users. It could be run alongside the existing noticing regime or other alternatives discussed.

5.3.23 Those who are part of the voluntary scheme are identifiable through 'Considerate Contractor' branding, with stickers, logos and information boards made available (at a charge) to utility/contractor companies.

5.3.24 Several local authorities across the UK, such as Birmingham City Council, West Lothian Council, Southampton City Council and East Sussex County Council, operate similar 'Considerate Contractors' schemes. Each scheme varies from locality to locality, but the basic premise involves:

- the sign-up of a utility/contractor company to a locally designed (based on priorities) considerate contractors scheme. Some street authorities do not allow companies to operate in their area without signing up to the considerate contractor scheme;
- the undertaking of regular inspections, by both professional officers and lay members of the public. The results of such inspections are reported on a monthly basis, and at the end of each year the consistently highest performing contractors are rewarded at an annual Considerate Contractors Awards ceremony.

5.3.25 Both Kent and East Sussex County Council operate a considerate contractor scheme alongside their chosen method of road works coordination, in order to promote best practice and innovative working.

Voluntary Code of Conduct

5.3.26 The first Voluntary Code of Conduct was introduced in London in April 2009, and brought together Transport for London and five of the main utility companies (National Grid, BT Openreach, Virgin Media, EDF Energy and Thames Water) undertaking works on London's roads. Like a considerate contractor scheme, a voluntary code of conduct could be operated alongside a permit scheme, noticing scheme or a lane rental scheme.

5.3.27 Signatories of the Transport for London Code of Conduct agreed to work to ten key principles, as agreed by the National Joint Utilities Group, which include: the provision of information boards at works sites; carrying out a higher percentage of works outside of peak hours; reducing occasions when works over-run their agreed durations; cooperating with joint working (workathons); and considering 'plating' over holes in the road, wherever possible.

5.3.28 In the Transport for London scheme regular progress reports are released biannually which show how utility companies signed up to the

code have performed against each principle. Remedial work can then be taken to improve performance, if necessary.

5.3.29 Hampshire County Council's response suggests that a code of conduct (or a considerate contractor scheme) would be a low-cost alternative to the permit scheme, promoting benefits such as improved reinstatement quality and minimised disruptions.

5.3.30 South East Joint Utilities Group suggest the application of a code of conduct to all works promoters, based on the National Joint Utilities Group's National Code of Conduct, which encourages innovative working such as advanced planning, the use of minimum dig technology, plating, working outside of peak hours, using standard information signage, first time reinstatement and the sharing of best practice.

Appendix Four:

Glossary to the 'co-ordination and regulation of all works on Hampshire County Council's highways' scrutiny review

Alternative means of co-ordination and regulation of works

The main alternative means examined in the course of this scrutiny review include the considerate contractor scheme*, the permit scheme*, lane rental* and the voluntary code of conduct*. The method currently operated by Hampshire County Council is noticing*.

Considerate Contractor

'Considerate Contractors' is a voluntary scheme to encourage contractors/utility companies carrying out work on public roads to work safely, consistently and considerately. The aim of the scheme is to improve the general standard of work and minimise disruption to passing pedestrians and road users.

Environment and Transportation Select Committee

This Select Committee is one of five themed scrutiny panels in Hampshire County Council, which is specifically tasked with carrying out reviews relating to Environment and Transportation. This includes issues relating to Passenger Transport, Transport Policy, Road Infrastructure, Access, Protection of the Environment, Sustainable Development, Climate Change, Land Management and Waste Management.

Highway Authority

A highway authority is an organisation that is responsible for the maintenance of public roads. The current role of a highway authority is defined in the Highways Act 1980.

In England, the highway authorities for trunk roads and trunk motorways are the Highways Agency, and for all other roads, the Highway Authority is usually the county council or unitary authority for a particular area.

Lane rental

A method of road work co-ordination where a charge is levied per day or hour

for taking a lane out of use for road users. The lane rental charge is based on the length of time for which the lane is out of use and can be varied between different road types, geographic locations and times of day.

Notification / noticing scheme

Statutory undertakers are required to give notification of any work they plan to do on any UK highway to the local Street Authority under the New Roads and Street Works Act.

Permit Scheme

Within a permit scheme, anyone carrying out works on the highway is legally required to apply to the Street Authority for permission, in advance of the works. The Street Authority has the power to grant a permit, apply conditions to a granted permit or decline permission for work. There are also specified penalties for breaking the conditions of the permit.

Scrutiny Review

Scrutiny Committees in Hampshire conduct reviews each year that look at local issues in more depth than could be achieved in a formal meeting. These reviews gather evidence on the topics they're investigating from local people and external organisations. Scrutiny review's aim to secure improvements to a service through policy development or review.

Street Authorities

The Local Authority with the responsibility for the co-ordination of works on the highways and roads in their area are termed a 'Street Authority'. All those wishing to undertake works on the highway must comply with the directions set out by the local Street Authority for that area.

Traffic Authorities

A traffic authority has both responsibility for the maintenance of the public highway and the power to coordinate all works on it (Hampshire County Council is a traffic authority).

Undertaker

Often referred to as a 'statutory undertaker', undertakers are the various companies and agencies with legal rights to carry out highway works.

Voluntary code of conduct

The first Voluntary Code of Conduct was introduced in London in April 2009, and brought together Transport for London and five of the main utility companies (National Grid, BT Openreach, Virgin Media, EDF Energy and Thames Water) undertaking works on London's roads. Signatories agreed to work to ten key principles including: the provision of information boards at works sites; carrying out more work outside peak hours; reducing occasions when works over-run their agreed durations; cooperating with joint working (workathons); and considering 'plating' over holes in the road, wherever possible.

* see entry in glossary