

CIHT Street Works roundtable 2 February 2016

CIHT hosted a roundtable, Chatham House discussion with representatives from the industry. ***'To review whether the Institution can assist in increasing the understanding of statutory undertakers and authorities processes and priorities amongst a broader audience and in progressing the consideration of outstanding issues. The challenges of network management are of interest to all members, corporate partners and other organisations which liaise with the Institution'***. Attendees were asked to consider: what was working well; what the key issues and challenges were; any common ground; what are the priorities and areas where CIHT might be able to assist.

There were a number of key areas of discussion:

Street works legislation:

- There was a feeling amongst the group that the current street works procedures were now not fully compatible with the New Roads and Street Works Act (NRSWA) legislation.
- Network management for new developments, regeneration and the public realm is also not adequately covered by the legislation for street works.
- The current situation will add to the costs incurred by businesses whilst it was confirmed that 'benefits to businesses' are a DfT priority.

Highway Act Licences:

- There are gaps in Local Highway Authorities information on activities/ developments and limited national co-ordination – no overall picture.
- Many problems relate to legislation failing to reflect modern network management practices.
- The long-term damages clause in the NRSWA has never been brought into effect.

Regulation:

- Rail has a regulator and Highways England has a monitor, however, there is no regulation of street works on local networks other than by HAUC.
- Local Highway Authorities carry out their own regulation under TMA.
- The effectiveness of the utility regulators could be greater, however street works issues are not seen as a priority.

This could be a possible Area to investigate. CIHT could set out how it works and highlight that there is no consistency between regulators and that there are inconsistencies between local authorities. However it is important to remember why the powers are in place: quality/safety/disruption and that HAUC has to operate by agreement.

The cost of roadworks to business:

There was a discussion around the cost of using the highway, not just the direct costs but also other competing costs.

- The surface and visual performance of reinstatements is improving, however there is further work to be done around compaction.
- Failing reinstatements and adjoining pavements are a cost to business and a cost to the UK, eventually the customer (tax payer) indirectly picks up the bill.
- Perhaps the 'polluter pays' principle should apply to openings in the highway.

- Do the DfT/Government take roadworks into account as a cost to business? There should be promotion of invest to save, highlighting the cost to vehicles, delays etc. See the '[Holes in their Pockets](#)' report.
- The damage caused disproportionately results from the high impact of the haulage industry - do they bear enough responsibility? – Damage from 1 lorry = a 1000 cars?

The group discussed where the risk sits with utility re-instatements:

- Technically responsibility rests with the utility companies, however there is currently an inadequate guaranteed period which in any case is difficult to enforce. It is worth stating that highway authorities also undertake works in the highway and section 50 licence holders were not discussed.
- Ultimately the Local Authority can end up footing bill as there are many reinstatements where, with time, it is difficult and sometimes impossible to establish ownership.
- The group agreed that this should be primarily an issue about quality – do it right first time!

Who oversees the monitoring of re-instatements in England?

- There is an inspection regime from the local highway authority. Utilities monitor their own performance.
- Scotland has a commissioner.

A suggested change by government in working practices:

- A recent Government proposal for 7 day working and fines for inactivity whilst traffic management is in place was discussed.
- There are subsequent trade-offs. Sunday working would mean increased staff and operating costs for some companies and resource issues for local authority supervisors.
- A consultation paper is expected from DfT.

Scarcity of resources:

- This includes the number of workers in this area of the profession and the number of workers entering the industry.
- There was discussion on the lack of skills amongst the workforce, those joining the workforce and the effectiveness of the worker accreditation system.
- Solutions – Training and improved workforce accreditation. (It was highlighted that the current training assessment tool is going through a review process.)
- There remain huge sustainability problems for local authorities with cuts to both budgets and staffing levels.
- The age profile and upcoming retirements mean that there has already been a significant loss of skills in the sector. What are the unintended consequences?
- The quality of workforce/supervisors is an on-going issue and there is a diminishing pool of experienced personnel.

Inspections:

- Category A inspection procedures and permit schemes include monitoring arrangements.
- The power already exists to specify times but it is rarely used. Inspection and monitoring is driven by the local authorities.

Fines:

- The rates under the NRSWA have not been reviewed and in some quarters are not considered to be high enough to be effective. It is worth noting that S74 charges were raised to a max of £10k per day in 2012.

- Conversely, in Scotland fines are set by the SRWC, and can be very high.

Co-ordination of works:

- Planned works generally tend to be managed well between Local Authorities and utility providers and this should be celebrated a little more.
- It is the ad-hoc repairs and emergency works that cause most of the co-ordination problems. 90/95% of utilities work is co-ordinated.
- Where there are competing priorities, decisions can be influenced by internal political and commercial pressures.

Communication:

- Local radio, social media, twitter – public perception/concept.
- The permit scheme has brought in more control but there is still the issue of how to record accurately when the first cone goes down and when the final cone is taken away.
- There are varied views on the determination of time for permit works and resources for monitoring are an associated issue.
- A fundamental issue is that the information is not available in real-time.
- The site roadworks.org was noted. [TomTom, HERE maps and Google Maps use data from this for mapping/sat nav data]. However, the quality of the data is variable and frequently out-of-date, relying on input by others.

Changing behaviours of all sides:

- Important developments need to be promoted through communication and education.

Innovation:

- Currently hamstrung by the codes of practice?
- Two quick wins could be considered; surfacing materials and trench backfills. However this can't be changed unless there is a change to legislation and/or revision of the specification and codes of practice.
- The DfT consider innovation to be a high priority. Local authorities are under pressure and HAUC is an appropriate forum if agreement can be reached between local authorities and utilities. However changes to the regulations/specification are a pre-requisite which also requires DfT support.
- Providers are trying to reduce the number of openings required (e.g. National Grid setting initiatives to reduce the number of excavation – 30% by 2018 from 2014).
- Workforce needs to adapt and change skills.
- Patchy roads and surface deterioration remain issues identified by the public, including their impact on the environment and public realm. This was previously highlighted by the Transport Committee.
- Data collection – data collection on all sides needs to be improved and shared more effectively to provide a robust data base.

Handovers:

- Too long, time wasted, finance – back to resources issues especially at LHA level.

What's done well?

- 90/95% of works (utilities) are well co-ordinated.
- 70/80% happens within a two day window.
- Local Highway Authorities and Utilities work well together in emergencies
- Scottish example – Scottish Water have a very high pass rate

Areas of common ground/thoughts on how to improve:

- Improved use of data and improved collection of data.
- Handover between stages (where different teams carry out separate processes) could be improved.
- Communication: the industry lags behind in selling itself positively – Local Authorities already work well with local press, radio, however use of social media and associated Apps could be improved – if the customer is well informed they are less likely to complain. Communication to the public of what actually goes on in street works, change public perception - getting the information out there, getting the message across particularly on local media.
- Every gang to have GPS on site – current legislation doesn't allow for this. This would inform a range of stakeholders: More robust systems are required.
- Engagement of all – co-ordinating of all network users e.g. bus operators etc.
- Think like the customer. Highways England has a new director of public awareness – the focus on customers is very important to utilities: “We think about what the customer will say”.
- Add perspective – move the discussion away from the disagreements and focus on the positives – we can all get too bogged down in the minutiae – and the Codes of Practice for reinstatements and inspection focus on what is not agreed upon.
- Changing behaviours – move away from the penalty culture – e.g. ‘should be finishing the job more quickly as it's outside the hospital’.
- Highlight that it is not a perfect world but the industry is working positively together to do the best job possible.
- Utilities and LHA already work closely together – what about LGA, London First, Infrastructure UK?
- Highlighting that chronic under resourcing of local highway authorities, and this can result in some authorities having targets for fee income from penalties. There is also a drive to save time – The common driver should be to ‘make the network better’ and all the benefits that result from that.

Where CIHT might contribute towards some of the issues raised:

- 1) **Visibility** of the issues: An information/introductory piece for **publication on the CIHT web-site and/or a shortened version in TransPro**. How the utility sector and local authorities are organised and managed in England together with coverage of the situation in Scotland and Northern Ireland - are they ahead of England? Northern Ireland has a single highway authority whilst England has 125 highway authorities. The role of HAUC, NJUG and JAG both nationally and regionally. CIHT to give out/promote an overarching message – management, safe, good quality, durability, minimising disruption, communication.
- 2) CIHT to write a **positive article for Transportation Professional** promoting the amount of co-ordination and co-operation that does exist and also including a review of the outstanding challenges and difficulties. This should be a joint article written by a local authority and a utility provider as a technical article for the magazine including useful suggestions on matters that need to be resolved such as changes to the regulations specification and codes of practice.
- 3) Possible use of the CIHT network to promote messages and news to a broad audience including all the membership and political links. This could be on a similar basis to the Road Liaison Group.
- 4) Provide a further forum to debate the impact of street works on the street scene.

- 5) CIHT could consider proposal to update of the **Halcrow report of 2004** (it was noted that DfT economists still use this and that it has a high degree of relevance) – however it was noted that consideration should be given to the development of a new working tool with an online functionality to the tool.
- 6) CIHT to provide a response to a DfT consultation on **7 day working** week (for ‘A’ roads)¹ when it is issued.
- 7) It was noted that DfT will have a new member of staff joining the Street Works team at DfT. CIHT to arrange meeting once in post.

¹ [Roadworks: Reducing disruption on Local A roads](#)