

Written evidence submitted by the Urban Transport Group (MIS0063)

About UTG

The Urban Transport Group (UTG) is the UK's network of transport authorities. UTG represents the seven largest city region strategic transport bodies in England, which, between them, serve over twenty million people in Greater Manchester (Transport for Greater Manchester), London (Transport for London), the Liverpool City Region (Merseytravel), Tyne and Wear (Nexus), South Yorkshire (South Yorkshire Mayoral Combined Authority), the West Midlands (Transport for West Midlands), West Yorkshire (West Yorkshire Combined Authority), and Derbyshire and Nottinghamshire (East Midlands Combined County Authority).

Our wider membership includes Cambridgeshire and Peterborough Combined Authority, Strathclyde Partnership for Transport, Tees Valley Combined Authority, West of England Combined Authority, Translink (Northern Ireland) and Transport for Wales.

Our vision is for cities, towns, and local areas to be green, fair, healthy and prosperous places, supported by public transport and active travel options which provides access and opportunity for all.

Response

a. The effect of utility works on road and pavement surface quality and on maintenance needs and costs, and how local authorities can manage this.

Utility companies opening a road to create a trench can reduce its structural life by an average of 17%¹. Whilst, according to a survey commissioned by the Asphalt Industry Alliance (AIA), the majority of reinstatements are completed in accordance with legislation, local authorities report needing to spend around 3.9% of their carriageway maintenance budget addressing premature maintenance arising from utilities openings, totalling up to £91.7 million in England and Wales².

Poor highway conditions undermine modal shift, pose danger to people and cause damage to public and private vehicles, as well as reduce network resilience to extreme weather. This is particularly acute for the most vulnerable road users, with Cycling UK reporting that a poor or defective road

¹ <https://www.trl.co.uk/publications/ppr386>

² https://www.asphaltuk.org/wp-content/uploads/ALARM_Survey_2024.pdf

surface was a contributory factor in 22 cyclist deaths and 368 serious injuries to cyclists between 2007 and 2016 in Great Britain.

Public transport, particularly bus service reliability is also often impacted, with increase in journey times and reduced reliability due to unplanned closures for maintenance.

b. Whether local authorities have sufficient powers and resources to manage the effect of street works on congestion, travel disruption, pavement access and accessibility.

In terms of powers, highway authorities have a general duty to co-ordinate all street and road works on their networks and a Network Management Duty to manage roads effectively to keep traffic moving.

A strengthening of existing regulation, rather than new regulation, is required so that street works comply with the original principles set out in New Roadworks and Streetworks Act 1991. We need to get better compliance from utility companies and those they contract to undertake work on their behalf.

We would also welcome further improvements to communications related to street works to match that of local authorities' own works; improved coordination across local government and utilities; reduction of temporary reinstatement period for utility companies; warranty period extension from 2 years to 5 years (or until the Highway Authority next resurface) so it is protected for the lifetime of the surface to incentivise companies to provide a long-lasting reinstatement.

In terms of resources, despite an increase in highways maintenance budgets on average, inflation has meant that Local Authorities have experienced a funding cut in real terms. Our members state that inflation has significantly increased the cost of highways maintenance, with one reporting that since 2021 the price of Tarmac products has increased by up to 22% and the cost of hired plant machinery with drivers has increased 15-25%.

This in effect means fewer schemes are delivered each year, with increasing costs of individual schemes as economies of scale are not achieved; Lower priority schemes are excluded from maintenance schedules, shifting the balance from proactive to reactive, which could store up problems for the future, and treatments and measures are being re-examined to look for lower cost options, e.g. inlay patches, life-extending treatments instead of full re-surfacing/renewal.

The highways maintenance backlog is at its highest level in nearly 30 years, the backlog would take ten years to clear and now stands at £16.3 billion³ and will be exacerbated by the effects of climate change and more extreme weather. Preventative maintenance is more cost effective than reactive repairs, however funding uncertainty and scarcity makes it difficult plan strategically. Whole life maintenance costs – for all kinds of transport assets - should be anticipated, accepted and budgeted for at national level as part of a long-term asset management.

c. The effectiveness of processes for notification of works and obtaining permits, including the classification of emergency works and opportunities for coordinated works, and what makes for a good working relationship between utility companies and highway authorities.

Our members are always seeking to support and build more coordinated approaches to working with their highway authorities, in line with their responsibilities and powers. We believe that there is scope to improve this and the coordination of works across an area through the process of notification and permit obtaining, given the high level of utility works which are classified as 'immediate'. This should include the implementation of a clear and narrow definition of what constitutes justification for 'immediate' works.

d. Whether fines are a sufficient deterrent to poor practice, whether other enforcement mechanisms would work better, and whether the inspections regime introduced in 2023 has improved the quality of reinstatement works.

The current fines for breaching permit conditions are not seen as incentivising utility companies to meet conditions, we therefore welcome the Government's decision to proceed with the proposals to double the level of fixed penalty notices that can be issued for 5 street works offences.

In addition to increased FPNs, consideration should be given to an escalation of fines for repeated breaches of permit conditions.

e. Whether lane rental is a successful model, the potential merits of making it available in more areas, and what other tools or best practices could be more widely adopted.

We support the proposals contained in the recently published English Devolution White Paper to devolve approval of local Lane Rental schemes to

³ [ALARM Survey 2024.pdf](#)

Mayoral Strategic Authorities. Transport authorities are best placed to determine where on their network Lane Rental would have best effect. We would also urge the Department for Transport to explore ways the application process can be simplified. Our member's experience is that the current approach takes a significant amount of time and is too complex. The department could further assist our members and local councils by offering resource on street works good practice to support development of more lane rental schemes.

Despite the benefits of Lane Rental schemes, many councils are challenged in being able to develop their own schemes due to funding constraints. The funding pressures faced by local government has impacted the capacity and capability in highways teams' ability to enhance their role in managing street works and developing local Lane Rental schemes.

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