

## **Divisions Affected – All**

### **CABINET 25 March 2025**

#### **Network Coordination of Road and Street works and Lane Rental for Oxfordshire Report of Place Overview & Scrutiny Committee**

### **RECOMMENDATION**

1. The Cabinet is **RECOMMENDED** to —
  - a) Note the recommendations contained in the body of this report and to consider and determine its response to the Place Overview and Scrutiny Committee, and
  - b) Agree that, once Cabinet has responded, relevant officers will continue to provide each meeting of the Place Overview and Scrutiny Committee with a brief written update on progress made against actions committed to in response to the recommendations for 12 months, or until they are completed (if earlier).

### **REQUIREMENT TO RESPOND**

2. In accordance with section 9FE of the Local Government Act 2000, the Place Overview & Scrutiny Committee requires that, within two months of the consideration of this report, the Cabinet publish a response to this report and any recommendations.

### **INTRODUCTION AND OVERVIEW**

3. At its meeting on 05 February 2025, the Place Overview and Scrutiny Committee considered a report on Network Coordination of Road and Street works and Lane Rental for Oxfordshire.
4. The Committee would like to extend its thanks to Cllr Andrew Gant, Cabinet member for Transport Management, for attending to present the report. The Committee was grateful, too, for Paul Fermer, the Director of Environment and Highways, and Keith Stenning, Head of Network Management, for attending and answering the Committee's questions.

## **SUMMARY**

5. Cllr Gant summarised the report and highlighted that managing road and street works included various permits and regulations affecting residents across the county. The report before the Committee set out that the Council had applied for powers to deploy a Lane Rental Scheme which would enable higher charges to be applied to works on the busiest roads on the network at the busiest times. The intention of the Lane Rental Scheme was to incentivise efficient utility works through financial measures which would generate revenue for highway maintenance. Owing to logistical challenges as well as changes in Government requirements, the beginning of the scheme had been delayed twice but it was hoped the scheme would start in October 2025.
6. It was explained that the reason the Council had been slower than some other authorities to apply for a Lane Rental Scheme was because councils needed to have operated successful permit schemes for three years before the application. Previously, the Council had only recorded work notifications whereas it had moved, in recent years, to a permit scheme.
7. The Committee's discussion emphasised the importance of timely and effective communication with members and residents given the disruptive nature on divisions of utility works. The need for effective coordination where there were multiple works was also highlighted. The discussion explored how the Lane Rental Scheme would work and how income could and could not be used. The challenges of enforcing compliance were also raised, with it being noted that the current fines regime offered little deterrent to utility companies from violating the permit granted, particularly with regard to timely completion of works.
8. The Committee makes three observations and two recommendations. The observations are largely to do with how the Committee considers the recommendations might best be achieved and are dealt with in the same section below. They all relate to enforcement, reporting, and communication.

## **RECOMMENDATIONS AND OBSERVATIONS**

9. There are currently three types of works that take place on the highway: street works (utility works), road works (local authority works), and private works (developers or other private organisations). These are all considered as 'works of the highway' under the Council's Network Management Plan and all are subject to the requirements of the New Roads and Street Works Act 1991 and the Oxfordshire Permit Scheme.
10. Different types of application for permits result in different charges (with local authority works being exempt) and so arrangements are different but one of the key concerns raised by the Committee was the need for better communication, particularly on the part of utility companies. Works may be long-planned or they may be emergency and so need to be undertaken with

little warning. However, the impact on residents can be significant. Whilst the works themselves will not be affected by proactively communicating to residents what is happening and why and for how long, the benefits of doing so are likely to ameliorate the sense of impact. The Committee's attention was drawn to a number of local examples where works had taken longer than was originally anticipated with little clarity provided to residents over that extension.

**Observation 1: The Committee is strongly of the view that the Council should work with the utility companies, in particular, to encourage better communication with local residents about the purpose, length, and impact of works.**

11. In addition to works such as those indicated above, members raised issues of simultaneous works of different kinds within one location which caused problems. The Council does work to ensure that adequate coordination is in place but recognised that there can still be localised issues. In order to identify and address such issues, the Council is reliant on knowing about them. There are generally 12 officers monitoring compliance and addressing issues across the county daily but that does not mean the Council can be aware of every incident and relies, too, on local reporting.
12. Issues could be reported on [www.FixMyStreet.com](http://www.FixMyStreet.com) but this would not necessarily lead to an immediate response and nor would it necessarily highlight the urgency of matters needing to be addressed on occasion. The Committee was keen that the Council explore other ways of identifying and reporting localised network issues. It suggested that work could be done with parish councils and with designated fixmystreet.com 'superusers' so as to ensure that local, efficient, and effective reporting mechanisms are in place across the county.

**Observation 2: The Committee believes it would benefit the Council to consider how to enable urgent reporting most effectively, particularly using parish councils and potential 'superusers'.**

13. The fact that Civil Enforcement Officers (CEOs) are on the ground on a day to day basis led to questions from the Committee as to whether it would be possible for them to be used to maintain and enforce compliance with network issues too. It was explained that, under the current contract, that was not part of the CEOs' remit or responsibility and thus was not feasible currently. However, there was the possibility of including such a responsibility in any new contract with CEOs trained to report issues beyond parking violations, such as road works and traffic problems. This struck the Committee as an idea well worth countenancing and, indeed, encouraging.

**Observation 3: The Committee commends the idea of including monitoring of road works and traffic problems on the part of Civil Enforcement Officers in the new parking enforcement contract.**

14. Each of the three observations above is a different aspect of how enforcement of requirements for work on the network can be improved for the benefit of both residents and the Council. They all tie in to the first recommendation that the Committee moved which simply sets out that creative thinking is required in order to best achieve better outcomes.

***Recommendation 1: That the Council should explore different models for compliance and enforcement with regard to highways works, including the use of technology and crowdsourcing to report issues.***

15. There are expectations and requirements relating to how works must be completed, including repair of existing footways and carriage ways, and leaving works locations in a fit manner. Occasions of leftover sandbags and poor infilling were discussed and it was explained that these were contraventions of permit conditions. The Committee recognised that capacity issues might hinder enforcement of this but also considered it vital that such conditions were enforced and that communities were not blighted by sub-standard reinstatement of surfaces. Substandard work of this type is not only ugly but can be dangerous and can also deter active travel. The Committee calls on the Council to do all that it can to avoid it.

***Recommendation 2: That the Council should increase enforcement on 'street scars' and ensure proper reinstatement of road surfaces after works.***

## **FURTHER CONSIDERATION**

16. The Committee does currently intend to consider the network management as a whole again. Once the Lane Rental Scheme is in operation, it may seek to review this.

## **LEGAL IMPLICATIONS**

17. Under Part 6.2 (13) (a) of the Constitution Overview and Scrutiny has the following power: 'Once a Scrutiny Committee has completed its deliberations on any matter a formal report may be prepared on behalf of the Committee and when agreed by them the Proper Officer will normally refer it to the Cabinet for consideration.' This power is derived from the Local Government Act 2000 (LGA 2000).
18. Under Part 4.2 of the Constitution, the Cabinet Procedure Rules, s 2 (3) iv) the Cabinet will consider any reports from Scrutiny Committees which reflects the requirements set out in LGA 2000.

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Annex: Pro-forma Response Template

Background papers: None

Other Documents: None

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March 2025