

# **PLACE OVERVIEW AND SCRUTINY COMMITTEE**

**5 February 2025**

## **Network Coordination of Road and Street works and Lane Rental for Oxfordshire**

### **Report by the Director of Environment and Highways**

#### **RECOMMENDATION**

1. **The Committee is RECOMMENDED to**  
**note the content of the report.**

#### **Executive Summary**

2. This report provides information on the management of utility works (street works) on the highway network and the operation of the proposed Oxfordshire Lane Rental Scheme (OLRS).
3. 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) all of which are considered as works on the highway under the County Council's Network Management Plan (Annex 1).
4. Notwithstanding the origin of the works, they are all considered under the requirements of the New Roads and Streets Works Act 1991 and the Oxfordshire Permit Scheme approved by Cabinet (Annex 2). Utility and private works attract a charge from the Works Promoter on a scale of charges determined by the Department for Transport (DfT). Local authority works are exempt from charges. Permit Scheme charges are cost neutral and should not generate an income surplus to the County Council.
5. Where works do not comply with the NRSWA or the OPS then fines can be levied against the Works Promoter.
6. The County Council, via the Network Coordination Team, part of Network Management, deals with circa. 30,000 Permit applications each year.
7. Many applications (Permits) require traffic management (TM) on the network up to and including road closures. These applications are dealt with as part of the Permit application process. The Council deals with circa 450 road closure applications each year.

8. The County Council has applied for powers to deploy a Lane Rental Scheme for Oxfordshire. This would enable higher charges to be applied to works on the busiest roads on the network at the busiest times. Our application is with the Department for Transport (DfT) for assessment and the current indications are that it will be implemented in October 25. OLRS does allow for surplus income to be generated and DfT guidance applies on how this surplus should be spent.

## **Network Coordination Stages**

9. The processing and management of Permits for roadworks is managed in three phases:

- (a) **Forward Planning (larger works)**

Works Promoters provide a programme of the work to the County Council for assessment. These works programmes are then considered against other programmes of work and agreed in principle (or are subject to further discussion where necessary).

Once agreed Provisional Permits are approved to 'book' the road space. Where a road closure is required for the works, this is considered as part of the forward planning piece. This work stage includes ensuring suitable mitigations are put in place based on the hierarchy of users (see below)

- (b) **Processing of Permitting (Permits) and Temporary Traffic Regulation Orders (TTRO)**

is where provisional permits are formalised and road closure notices are provided. It can also be the starting point for smaller works not requiring closures.

These applications are considered against the existing needs and activities already on the network. Charges for works are generated within the part of the Service. Generally, we have 600+ sites in the network at any one time.

- (c) **Review & Enforcement**

This is the last stage and deals with when works are live and operational as well as ensuring reinstatements are done properly Sites are checked for compliance with Permit conditions, fines issued, finish dates complied with: and live issues resolved on site. Post works, reinstatements are monitored for compliance.

## **Network Coordination Powers**

10. Under NRSWA and the OPS the County Council has powers to approve, refuse or modify Permits, depending on the circumstances, existing activity on the network and existing forward plan.
11. We take a proactive approach to works based on the Network Management Plan hierarchy of works:
  1. Emergency repairs to facilitate safe conditions, ensure utility supplies or to prevent an “emergency situation”
  2. Works of national importance (HS2 and EWR)
  3. County Council new and improved infrastructure projects
  4. Digital connectivity infrastructure projects
  5. Large scale public events
  6. Major utility infrastructure and works
  7. Small scale utility works (minor and standard)
  8. Highway maintenance activities
12. Where possible, mitigations are introduced to minimise disruption to the travelling public based on the hierarchy of users defined in the Network Management Plan.
  - (a) Walking and wheeling (including running, mobility aids, wheelchairs, mobility scooters and pushchairs)
  - (b) Cycling and riding (bicycles, non-standard cycles, e-bikes, cargo bikes, e-scooters, and horse riding)
  - (c) Public transport (bus, scheduled coach, rail, and taxis)
  - (d) Motorcycles
  - (e) Shared vehicles (car clubs and car-pooling)
  - (f) Other motorised modes (cars, vans, and lorries)
13. Most common issues:
  - (a) Emergency/Urgent works – By definition, these start without any notice to the County Council and are approved by default.
  - (b) Planning Approvals/Developments – This come from planning approvals with dates within which the works must be started.
  - (c) Electric supply – There is a shortage of supply to connect new developments with developers promoting, at high level, the need to fast track works to provide supplies.
  - (d) Community engagement – many schemes have juxtaposition support from communities either for or against.
  - (e) Funding – schemes come with fixed end dates for funding requiring an accelerated timeline for implementation.

- (f) Congestion – All schemes require some form of TM causing delays and congestion on the network.

## Financial Implications

14. Management of roadworks generates income through fees and fines. The 24/25 budget income allocation expectations for Network Coordination are (per annum):

Permit applications	£1,110,400
Enforcement and Compliance	£2,154,100
TTRO	£1,503,800
<b>Total</b>	<b>£4,768,300</b>

The staffing budget for this part of the service is £2,068,400

## Lane Rental Proposal

15. Having operated a successful Permit Scheme for three years, the County Council is now able to apply for a Lane Rental Scheme on the highway network in Oxfordshire. This proposal was submitted to DfT in April 2024 following local engagement and consultation with the industry and approval from Cabinet (Annex 3)
16. Lane Rental allows for increased charges to apply for work on our busiest roads and core times (generally the rush hours periods and can apply at weekends and bank holidays) at a rate of £2,500 a day. Identifying streets for Lane Rental is dependent on an up-to-date list of Traffic Sensitive Streets (TSS) having been identified and agreed with Works Promoters.
17. Following feedback from the DfT on the council's application, an update to the Traffic Sensitive Streets was requested. The consultation response to this will be issued in January 2025. Following this, Officers will issue the updated consultation response on Lane Rental in February 2025. Officers can then confirm to DfT that all the required steps have been completed to support the updated Lane Rental application. An update was required following Utility representations to DfT on Lane Rental as a concept and our application in particular.
18. DfT have indicated that our updated application will be batched with others and considered in April 2025, with a view to implement from October 2025.
19. Unlike the Oxfordshire Permit Scheme, Lane Rental is permitted to make a surplus, which should be ringfenced and spent in accordance with the DfT guidance.

## Lane Rental Financial Implications

20. Using data from the OPS, the updated TSS and guidance from the DfT we are anticipating a surplus of £4m per annum from Lane Rental, after costs. The budget line for this has been established at £2.1m with the possibility of additional income being achieved. Costs include additional staffing to support and enforce the Scheme (including weekend and bank holiday working), additional technical support and systems and the costs associated with setting up running the governance of the surplus funding allocation process.
21. Allocating surplus funding requires a governance group made up from the County Council and utilities with a Chair independent from both groups. Updated guidance from DfT indicates that by Summer 2025, legislation will be amended to ensure that a minimum for 50% of surplus funds is allocated to what is described as pothole repairs. Further bids from highway maintenance can be made for the remaining 50%.
22. Bids can also be received under the following headings:
  - Investment in innovation
  - Disruption saving techniques
  - Transportation
  - Access to utility infrastructure
  - Improvements to reduce noise, pollution or safety related measures
  - Congestion and mitigation measures
  - Enabling infrastructure
23. Officers are in the process of setting up the governance that will apply to the Surplus Funds group.
24. Progress on the development of the Oxfordshire Lane Rental Scheme is reported on a regular basis to Portfolio Holders.

## **Corporate Policies and Priorities**

25. Establishing a Lane Rental; Scheme for Oxfordshire supports the corporate policies and priorities as detailed in the Cabinet Report (Annex 3).

## **Financial Implications**

**The financial implications section should be completed by a member of the finance service**

26. Financial implications were considered as part of the Cabinet report on Lane Rental for Oxfordshire. (Annex 3)  
Comments checked by:

Rob Finlayson Strategic Finance Business Partner  
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## Legal Implications

The legal implications section should be completed by a member of the legal service

27. The coordination of roadworks takes places under the New Roads and Street Works Act 1991 and associated Codes of Practice. Legal implications for Lane Rental were considered as part of the Cabinet report (Annex 3)

Comments checked by:

Jennifer Crouch Head of Law (Environment Team)

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## Staff Implications

28. Additional staffing will be required in order to support the implementation of the Oxfordshire Lane Rental Scheme, as detailed in the Cabinet Report (Annex 3). These will be funded as part of the costs of the Lane Rental Scheme. Numbers of additional staff are being considered following DfT guidance on establishing weekend and bank holiday enforcement for both Lane Rental and Permit works as there will be an overlap of activity.
29. Development of the Scheme is being undertaken by staff within the existing Service. Officers are supported by external consultants, who are currently funded from the Oxfordshire Permit Scheme. These costs can be recharged to the OLRs once implemented.

Risk Management

30. Risk has been considered as part of the Cabinet report on Lane Rental (Annex 3). For Permit works, Officers take a risk managed approach based on road hierarchy and the size of the scheme to determine the level of enforcement to be applied, guided by the relevant Codes of Practice.

Keith Stenning – Head of Network Management

Annex:

- 1 Network Management Plan Cabinet Report  
<https://mycouncil.oxfordshire.gov.uk/ieListDocuments.aspx?CId=115&MID=6889#A125242>
2. Oxfordshire Permit Scheme Cabinet Report  
[https://mycouncil.oxfordshire.gov.uk/documents/s48408/CA\\_SEP1719R09%20-%20Streetworks%20Permit%20Scheme.pdf](https://mycouncil.oxfordshire.gov.uk/documents/s48408/CA_SEP1719R09%20-%20Streetworks%20Permit%20Scheme.pdf)
3. Oxfordshire Lane Rental Scheme Cabinet Report

<https://mycouncil.oxfordshire.gov.uk/ieListDocuments.aspx?CId=115&MID=7098#A128085>

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