

## **Road Works: Reducing disruption on local 'A' roads**

### **A consultation by the Department for Transport – April 2016**

#### **Response from Nottinghamshire County Council**

Nottinghamshire County Council's response to the consultation is set out below including comments to the body of the consultation document and to the specific questions posed.

Headings and Section references used below are those used in the consultation for ease of reference.

#### **Aims for change**

Section 2.4 identifies that levels of disruption vary considerably depending on the type of road (and associated traffic flows). It also suggests that the cost of delay runs into thousands of pounds. It is worth noting that the Institution of Civil Engineers (ICE) has carried out research in this area and very helpfully quantified the cost of delay which does provide a means of comparing the cost of delay with the cost of reducing that delay. However, it has to be acknowledged that reduction in delay cost is usually at a cost to the works promoter which has consequences on utility customers' charges or council budgets, and this is partly recognised in 2.5.

Section 2.5c proposes that works due to last up to 5 days should be planned to be completed within a working week, thereby avoiding disruption at weekends. This practice is already adopted extensively by Nottinghamshire County Council for its own works. However, many utility companies adopt 'standard durations' for works and frequently do not attempt to avoid idle periods at weekends, although there are other considerations which tend to identify and discourage such practice on higher category roads. In particular, many works sites involve traffic management arrangements which should be individually approved by the authority thereby providing enhanced opportunity to intervene and direct timing of works and to establish reasonable durations. This might include weekend working or removal of traffic management. (see also comments on 2.12 onwards).

Section 2.6 notes that sites unattended for short periods for operational reasons could have signs indicating the reason for the site being vacant. The Traffic Signs Regulations and General Directions (TSRGD) and the provisions of the Traffic Signs Manual Chapter 8 (Ch 8) already establish this practice which should be made mandatory.

Section 2.10 draws attention to the important role of highway authority co-ordination teams and the increasing demands on their services to proactively oversee the behaviours of works promoters. The proposals in this consultation would undoubtedly raise expectation that these teams would control works to a greater extent including undertaking inspections at weekends. The consultation suggests that works promoters photographic evidence of their progress may assist to demonstrate good working practice (as already adopted by some companies) but on site proactive inspection would inevitably be essential to ensure compliance.

Section 2.12 identifies that there are instances where temporary signals are left in place when the road could be returned to traffic use. The consultation suggests that this may, in part, be due to the separation of roles and task within the works organisation, such as the use of specialist suppliers and internal / contractual response times. This view is correct. The practices identified are contrary to the principles of New Roads and Street Works Act (NRSWA) which was introduced to improve street works and road works practices. In particular, NRSWA provided for multi-skilled workers who would be able to set up traffic management, excavate in the highway, carry out works to apparatus, backfill and reinstate and remove the traffic management. Following the introduction of NRSWA in 1993 such multi-skilled workers did frequently undertake the full breadth of works as described. However, more recent practice breaks down the tasks for economic, safety or other reasons. It is also true to suggest that some work promoters have contract terms with their providers which add to the delay between stages or tasks and this does extend the duration of the works and add to periods of inactivity. Use of NRSWA s74 does assist to reduce this but to be effective often requires significant proactive involvement from coordination teams and gathering of evidence through site inspection, resources does not always permit this.

Section 2.14 proposes that workers should be trained to remove temporary traffic signals on completion of their own element of the works. It is important to note that the NRSWA qualifications already require that workers must be trained in traffic management in addition to their skills in excavation or reinstatement. This reflects the principle of NRSWA and it is a criminal offence for a works site to be operational without a qualified operative. There should therefore be little reason for temporary traffic signals to remain in place after completion of works, other than due to the time required for hot-laid materials to cool before reopening the road to traffic. However, it seems that companies are increasingly risk averse and consider traffic management to be a specialist activity which requires specialist operatives trained to a greater level of expertise than that of the NRSWA qualifications, particularly on higher speed or more heavily trafficked roads. For this reason many NRSWA qualified operatives are not empowered to undertake traffic management activities, often resulting in the delays cited, in particular on the roads considered in this consultation.

## **Achieving change**

Four options for change are set out in the consultation:

**Do nothing** – It is accepted that improvement is required and that this option is therefore inappropriate

**Impose charges** – The use of limited powers to direct and challenge works durations can result in the imposition of charges in some circumstances. However, changes to these aspects of the governing legislation would assist, including the inclusion of weekends into the definition of working day and day. There is already flexibility to enable authorities to allow sites to be inactive for periods and most authorities allow works promoters to concentrate their resources on higher impact locations by allowing lower impact sites to extend beyond minimum works durations.

**Permit scheme conditions** – The growth of permit schemes is largely due to failure of works promoters to adopt working practices such as those identified in the consultation on a voluntary basis. There has also been an inadequacy in the existing mandatory requirements and a reluctance / obstruction by utility and DfT representatives on working groups to engage with the need to strengthen and clarify aspects which impact on road users. Examples include; defining

all days as working days, reducing non-chargeable period under s74 to 1 day and clarifying the requirement for all temporary traffic signals to have positive authorisation. Adopting changes previously proposed to these three issues could have already made a substantial difference for several years but opportunity was lost.

**Voluntary change** – The failure to adopt alternative practices indicated above is an indication that voluntary means are unlikely to be sufficiently successful and would be inconsistent.

### **Making it work**

Responses to the specific questions set out in the consultation are provided in Annex C using the format provided in the consultation.

Sections 4.2 and 4.3 specifically identify public holidays as being times that need consideration since these may be times when works cannot continue due to availability of resources (whether labour or materials) which would usually be obtained at weekends, plus the need to consider unusual traffic patterns at such times. A key consideration will be the scale of the works and traffic management. Removing traffic management for a short period not only adds to the cost of the works but is likely to reduce the days available for works to progress. Planning of works which may span a bank holiday is more important than applying blanket rules which may be counter-productive. It is also interesting to note that whilst previously there has been an emphasis on avoiding disruption on weekdays to support business there appears to be a changed emphasis towards disruption at weekends which has traditionally been considered as lower importance in economic terms.