



**To: Neighbourhoods and Communities Scrutiny Board (4)**

**Date: 17 December 2020**

**Subject: Overview of Highway Utility Companies In Coventry**

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**1 / Purpose of the Note**

- 1.1 This briefing note provides an overview to explain why street works on the highway are permitted and how they are managed.
- 1.2 Utility companies are responsible for the services that give us gas, electric, water and telecommunications. Whether this is a household supply or for a commercial property or service. When there is an issue with a supply, a new connection required or the refurbishment of an old supply, the responsible supplier (or their contractor) will need to do works that will generally need the adopted highway to be dug up. This has the potential to cause disruption and therefore operators need to apply to work on the highway through a permit and have an agreed method of work.
- 1.3 Utility companies that wish to work on our highway network, require a temporary construction or even a container to be placed on the highway will all require a permit. This includes work done by the authority (internally) and is so we can answer enquires about who is working where and what they are doing. Coventry operates under a permit scheme and permits can also cover activities such as private works under Section 50 of the New Roads and Street Works Act (NRSWA), scaffolding, hoarding or skips.
- 1.4 Under our Permit Scheme, those responsible for road and street works will have to apply for permission before they start the work (apart from emergency work where they have to apply for a permit within 2 hours). Coventry City Council will grant, refuse or modify the application to take into consideration works already in progress and demands on the network. The permit will have a list of specific conditions that the utility companies and their workforce have to adhere to. These may include working hours or the way they control the traffic around the works to minimise disruption to the highway users. The scheme has been developed in accordance with the Department for Transport's Guidance, Coventry operate under the WaSPS (West and Shires Permit Scheme) See Appendix 1.

**2 Recommendation**

- 2.1 The Communities and Neighbourhoods Scrutiny Board (4) is recommended to:
  1. Consider the impact of the current permit scheme
  2. Consider the impact and the control of utility works on the highway

### **3 Information/Background**

- 3.1 Coventry City Council has been part of the WaSPS permit scheme since 2015. This enables the Council to manage all public highway works whilst reduce the negative impact on our residents. The Coventry Street Works Team approve over five thousand permits a year although this can change depending on whether large programmes of work from utility companies are working in the city. We currently have a large utility company working in Coventry and their programme is to install new fibre internet connections across the whole city. The revenue generated by the permit scheme covers the cost of a Council Officers time.
- 3.2 The permit scheme has strict rules that must be followed, including hours of operation and dates when disruptive work can go ahead. To ensure the works are completed to the agreed standards and timescales, it is possible to allow companies to undertake their works outside of the normal operational time periods such as 09:30-15:30 to avoid peak times, for example, on arterial routes and major key route networks. Early starting times are permissible, however such permits are agreed via a variation which is charged for.
- 3.3 The permits are assessed by Council Officers to ensure the information submitted is accurate and can be undertaken safely. Our primary objective is to ensure the time spent on the network is reasonable considering the works they want to undertake whilst ensuring the working methods are safe and reduce disruption to the network. For example a single residential fibre connection should take a couple of hours so a permit request submitted for 5 days would not be acceptable and this would therefore be challenged.
- 3.4 There has been increased activity on the Highway in Coventry recently, due to many factors. The main factors for the increase is our preparation for the forthcoming City of Culture and the Public Realm works being undertaken for this, also a major programme of works - Fibre to the Premise (FTTP) which is to ensure that residents of Coventry have access to super-fast internet speeds
- 3.5 One of the largest programmes of work for the (FTTP) is working in partnership with one particular Utility Company. Due to the extensive work in the City that this utility company are undertaking and the speed they carry out this work we have received a number of enquiries from residents commenting on their works and how they leave an area once the install has been completed. The onsite works are managed by a Street Works Inspector who is employed by the authority but paid for by the utility company. Missing traffic management, permit boards, poor performance, missing or incorrect permits can all be subject to charges or failed inspections. This is the same for all utilities nationally for permitting authorities. Due to the size of the FTTP project there are regular performance meetings with Coventry City Council, and the utility company and their contractors.
- 3.6 Coventry City Council does not have the authority to prevent new connection works as the Utility Companies have a right to lay and maintain their apparatus in the Highway. However, under the WaSPS Streetworks Permit scheme and other Streetworks legislation, the Council can control how they work and request they work in accordance to our code of practice.
- 3.7 Coventry City Council has control over the quality of works on the highway and are working with the utility company to reduce the numbers of interim reinstatements as this generates complaints and increases disruption on the highway network. For example, the utility company snag their own works and our Streetworks Inspectors are invited to these meetings.

- 3.8 In the event of poor quality works that haven't been picked up directly after works or fail at a later date, then under the legislation there is a 2 year guarantee period (3 years if deep excavation) where Coventry City Council can pick up these issues and the Utility Companies have to put the works right and the guarantee period starts over again. We inspect a sample of 10% of works due to come out of the guarantee period to ensure high quality.
- 3.9 Should works undertaken not be registered correctly or if the sites are not right we can issue defects and often issue Fixed Penalty Notices (FPN's). This is a charge which should encourage improved performance with registering information on the streetworks database. Charges can also be issued if a Streetworks Inspector finds a site to be in breach of the permit conditions. If the Utility Companies stay on the Highway longer than planned without giving Coventry City Council timely updates, then overrun charges are also issued to help improve performance on site and reduce disruption. Should a defect get issued then we could potentially charge for officer time for three inspections. The initial inspection, an inspection during the rectification works and an inspection to ensure the defect has been rectified after the works are complete.
- 3.10 Under the legislation, we are not able to issue defects on aesthetics. If the material is good quality and the same then we cannot issue a defect for scarring, but when we do resurface, we are able to protect these works and insist on full width reinstatements. Depending on the type of resurface works this protection can last up to five years.

Appendix 1 - New Roads and Street Works Act overview

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