

## Sustainable Communities Overview & Scrutiny Panel

19 January 2021

Agenda item:

Wards: Boroughwide

### Highways: Roadworks & Utilities overview

Lead officer: Chris Lee, Director for Environment & Regeneration

Lead member: Cllr Martin Whelton, Cabinet Member for Housing, Regeneration and the Climate Emergency

Contact officer: Paul McGarry, Head of Future Merton

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#### Recommendations:

- A. That the Panel note the content of the report which provides an overview of the Council's Highway functions and co-ordination of works.
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#### 1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. This report provides members with an overview of the Council's Highway service functions and duties related to highway maintenance and roadworks co-ordination.
- 1.2. The report structure provides an introduction to the Council's highway assets and detail on our processes and responsibilities, summarised below:
- Reactive Maintenance
  - Planned Maintenance
  - Network Management & Co-ordination
  - Permitting volumes, income and monitoring
  - Inspections
  - Coordination with developers and events
- 1.3. Appended to the report is the Council's four-year rolling maintenance programme and this year's active programme. A forward programme of utility works is not available due to constant changes brought about by the pandemic restriction, explained at the end of this report.

#### 2 DETAILS

- 2.1. The London Borough of Merton highway network lengths totals 369km of carriageway and 548km of footway. This consists of 34km's of Principal Roads ('A' roads), 36km's of Non-Principal Classified Roads ('B' and 'C' roads) and 299km's of Unclassified Roads ('U' roads). There is also 7.5 km's of carriageway that is within the London Borough of Merton which is maintained by Transport for London (TfL).

2.2. In addition, to these carriageway and footway lengths the council maintains in excess of 26,000 non illuminated signs, 17,000 gullies, 14,000 non illuminated bollards, 10,000 sign posts and 4,000 street nameplates on its highway network.

2.3. Within the Future Merton team there are three teams that predominately undertake/maintain/co-ordinate activities that occur within/on the highway network. These teams undertake Reactive repairs, Planned Works (carriageway resurfacing/reconstruction and footway reconstruction) and co-ordinate Street works undertaken by utilities companies as well as co-ordinating works relating to the delivery of council led public realm and road safety projects.

2.4. **Reactive Maintenance**

2.5. The London Borough of Merton undertakes a system of regular highway safety inspections of all its adopted highways in order to comply with its statutory duty to maintain highways in accordance with Section 41 of the Highways Act 1980. Safety inspections are designed to identify defects that meets the Council intervention criteria and each road at the minimum (dependant on its frequency) is inspected at least once a year. The risk of danger is identified by a highway officer on site, and if a defect meets the intervention criteria this is categorised in terms of an appropriate priority response, see below.

Risk Factor Category	Response
Priority 1	Make safe or repair defect within 2 hours
Priority 2	Make safe or repair defect within 10 days
Priority 3	Repair within 28 days
Priority 4	Defect not repaired – repaired within planned renewals programme

2.6.

2.7. Defects that the Highway Officer’s pass across to our term contractor to repair would have to meet the council strict intervention level and due to the current financial position of the Council, it is only possible to treat those defects that meet the current intervention criteria. For information, Merton Council’s intervention thresholds are 20mm either on a footway or a designated cycleway and 40mm within the carriageway.

2.8. In addition, to the highway safety inspections, we receive 3rd party defects that are reported via residents/members of the public and these are subsequently inspected by the Highway Officer.

**Planned Maintenance**

2.9. To determine roads for inclusion in Merton’s annual carriageway resurfacing and/or footway reconstruction programme each year, the council uses a robust prioritisation model. This model benchmarks and ranks all roads in the borough in comparison to each other and considers a range of criteria

such as Engineers Assessment, Condition Survey results, Road Classification, Safety Inspector Priority, Reactive Maintenance Expenditure, Traffic Volumes, Population Density, Emergency, Bus and Cycle routes, Traffic Generators (schools & hospitals etc), Ward Deprivation and Complaints Received. The information used in this model is reviewed and updated annually at the time that the programmes are developed to ensure that the most current picture of the network is taken into account.

- 2.10. When talking about condition survey results, these are surveys that are undertaken on the highway annually, using independent UK Pavement Management System (UKPMS) consultants performing the surveys in accordance with nationally recognised procedures. This gives a percentage defectiveness of the highway network according to results of the highway condition surveys undertaken.
- 2.11. With the council's current levels of funding for planned maintenance, it only allows for 25 – 30 roads to be resurfaced and 10-15 footways to be reconstructed per year.

### **Network Co-ordination**

- 2.12. The team manages the coordination and enforcement of activities that are undertaken on the highway network and other areas within the Borough. Using a complex range of legal powers, using online mapping, onsite inspections with handheld devices and internal council systems to coordinate and enforce works ranging from scaffoldings to water leaks and developer's works. In the previous, 3 years the team has generated over £2.5 million in income from the management and licensing of highway activities. Merton Council has a range of powers and duties under which it maintains and improves the network. These powers derive from national legislation which includes the Highways Act 1980, The New Roads and Street Works Act 1991 (NRSWA), and the Road Traffic Regulations Act 1984. The Traffic Management Act 2004 builds upon these existing powers in managing the network more effectively.

### **Managing the road network**

- 2.13. There are a wide range of stakeholders who work on the highway network. The frequency of their needs for access varies depending on the type of work being carried out. For example, utility companies effectively work at locations on the network throughout the year, dealing with problems, renewals or new installations. On the other hand, contractors installing or repairing traffic signals may only require access every few years, or one-off permission may be sought by building contractors for individual property builds. Nevertheless, all stakeholders must have regard to the council's Network Management Duty. Through permitting and inspection, highway contractors are influenced and expected to adhere to the Councils works conditions. Through the issue of licences and permits, these will stipulate that works must be carried out in a safe and considerate manner, and reinstated to a high standard. Broadly speaking, the main highway network stakeholders are as follows: -

- Utilities (water, gas, electricity, communications – phone and internet)
- Developers, builders and sub-contractors
- Neighbouring councils including TfL and Public Transport Suppliers (particularly important where major works are scheduled to take place which have the potential to affect a neighbouring highway network)
- Skip companies
- Events organisers (where they highway will be used or impacted for example sporting events or music concerts)
- Any sub-contractor working on behalf of the above

### **Summary of key Highway legislation and national guidance**

#### 2.14. Highways Act 1980 (Reactive Highway Act Safety - Section 41)

2.15. The 1980 Act covers the management and operation of the highway in England and Wales. It includes agreements between the relevant authorities as well as the creation, management and improvement of the highways. It further encompasses the protection, lawful and unlawful interference of highways; provision of special facilities; closure; street byelaws; acquisition, vesting and transfer of land. It provides many of the powers and duties required by the authority for highway maintenance. The Highway Act also provides guidance and powers to licence and enforce some highway activities such as skips, scaffolds, hoardings and cranes to name a few.

#### 2.16. Road Traffic Regulation Act 1984

2.17. The Road Traffic Regulation Act consolidates the Road Traffic Regulation Act 1967 and subsequent related Acts and statutory instruments. It provides powers to the relevant authority to regulate or restrict traffic on the highway. There are ten parts to the Act, which covers road closures, traffic restrictions, crossings, parking provision, traffic signs, speed limits, bollards and control and enforcement.

#### 2.18. The New Roads and Street Works Act 1991

2.19. The New Roads and Street Works Act (NRSWA) came into force in 1991 providing a wide range of information on all aspects of works to roads carried out by 'statutory undertakers' (refers mainly to public utility companies). Merton Council as the 'Highway Authority' has a duty to manage and monitor road and street works carried out on the borough road network. The act also includes a framework of chargeable inspections, fines and charges where utility companies fail to carry out works or repairs to the required standard.

2.20. Street Works and Road Works are essential to maintaining underground assets such as gas, electricity, water, broadband and phone infrastructures etc. All replacement of mains and ducting, new customer connections and repair of damage such as water leaks, needs to be coordinated and monitored. If not coordinated and monitored correctly, works that take place on the road network have the potential to seriously disrupt traffic flow and

leave Merton's footways and carriageways with a patchwork of failing repairs.

- 2.21. To this end the Network Coordination Team carry out regular inspections of all works, whether they be utility or borough works in order to monitor how the works are being carried out ensure they are safe and to the expected standard. Where the standards are not met, enforcement action is taken which has generated £475,632.50 over the past 3 years.
- 2.22. Traffic Management Act 2004 (TMA)
- 2.23. In 2004 the government introduced the Traffic Management Act (TMA) which placed a 'Network Management Duty' on local authorities to ensure 'the expeditious movement of traffic' on their network. It gave local authorities new powers such as the introduction of permit schemes, the ability to issue Fixed Penalty Notices for poor performance and civil enforcement contravention powers to keep roads clear and the traffic moving.
- 2.24. Under the TMA Merton became a permitting authority for street works. Before the TMA utility companies had a right to dig up the roads and send a notification to the authority, which was sometimes only required after works had already taken place. The permit scheme means that, with the exception of works happening in response to an emergency, the third party has to apply for a permit. This is reviewed by the Network Coordination Team and, where applicable, conditions can be attached before a permit to work is issued. The team carries out inspections and if the company fails to meet the permit conditions a Fixed Penalty Notice is issued.

### **Network Management**

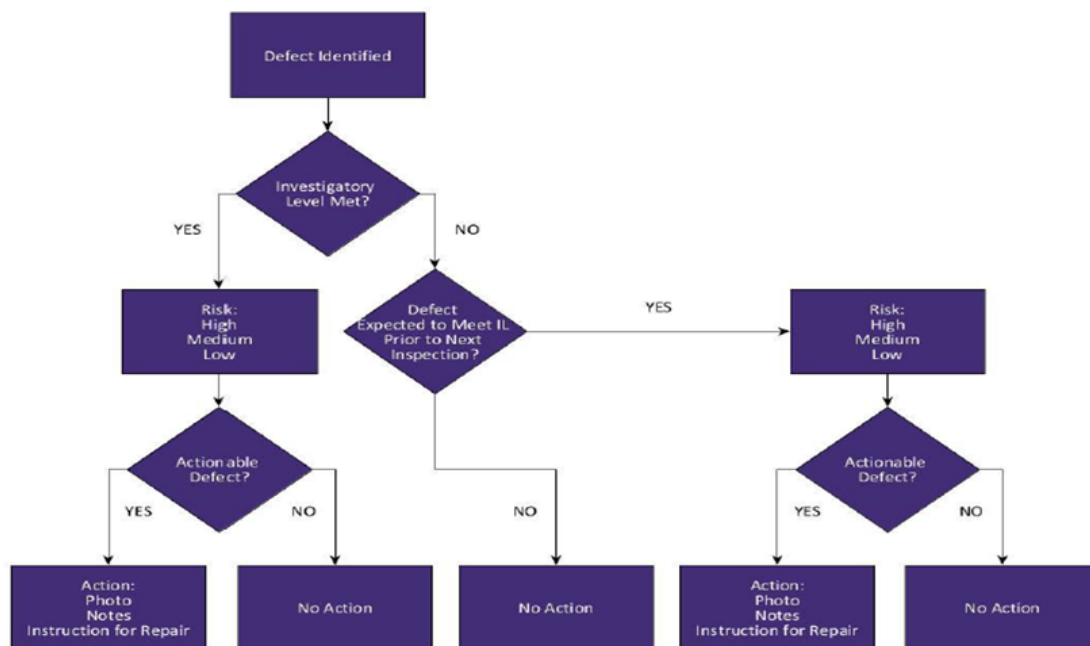
- 2.25. The TMA requires that all traffic authorities appoint a traffic manager. The role of the Traffic Manager is 'to perform such tasks as the authority considers which will assist in delivery of the Councils network management duty'. There are three documents fundamental to the performance of the Duty: The Traffic Management Act (TMA) 2004; Network Management Duty Guidance (NMDG) and Traffic Management Guidance on Intervention Criteria. Merton Councils Traffic Manager sits within the Future Merton Team as part of the Environment and Regeneration department to assist in the delivery of a co-ordinated, planned, and effective response to the network management duty.

### **Reactive Works**

- 2.26. Highway Safety inspections comprise of walked visual assessment carried out on both the carriageway and the adjacent footways, both sides of the road will be walked where there is a footway.
- 2.27. Frequency of inspections is based on the management hierarchy of the road. The inspection due date is automatically calculated based on the frequency of inspection for a given road (monthly, quarterly or annually) and the last inspection date. Merton's assets management system will automatically assign the inspection due dates for each road section and footway depending on its inspection frequency. The items that are assessed

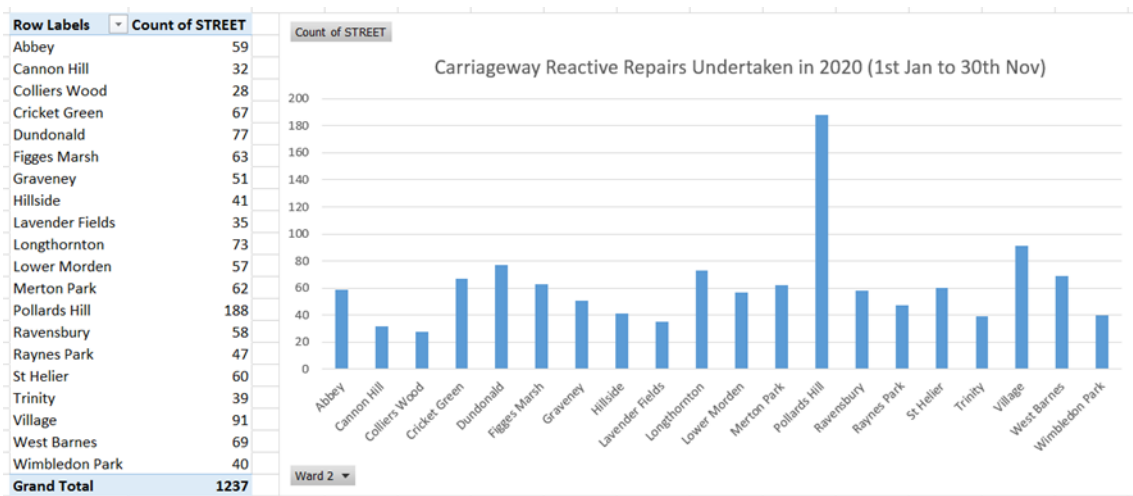
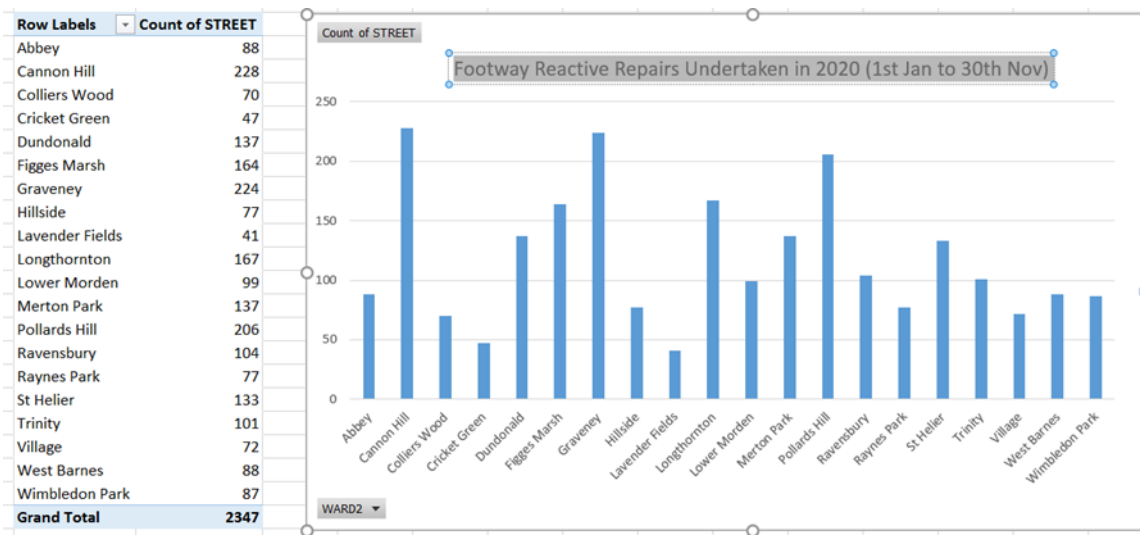
during the highway safety inspections are carriageways, footways, kerbs, edgings, gullies, road markings, signs, bollards, other street furniture and overhanging vegetation.

- 2.28. Deciding if a defect requires repair/treatment is based on the safety of the travelling public whether by vehicle, on foot, bike or other modes of transport. Considering risk will, as far as is reasonably practical by following the workflow decision process below.



- 2.29. The level of risk is the relationship between likelihood and severity. Where a defect meets the intervention level the appropriate response to the defect is issued. In all cases, the response to the defect will be determined by the Highway Officer dependant on the location and risk to the public.

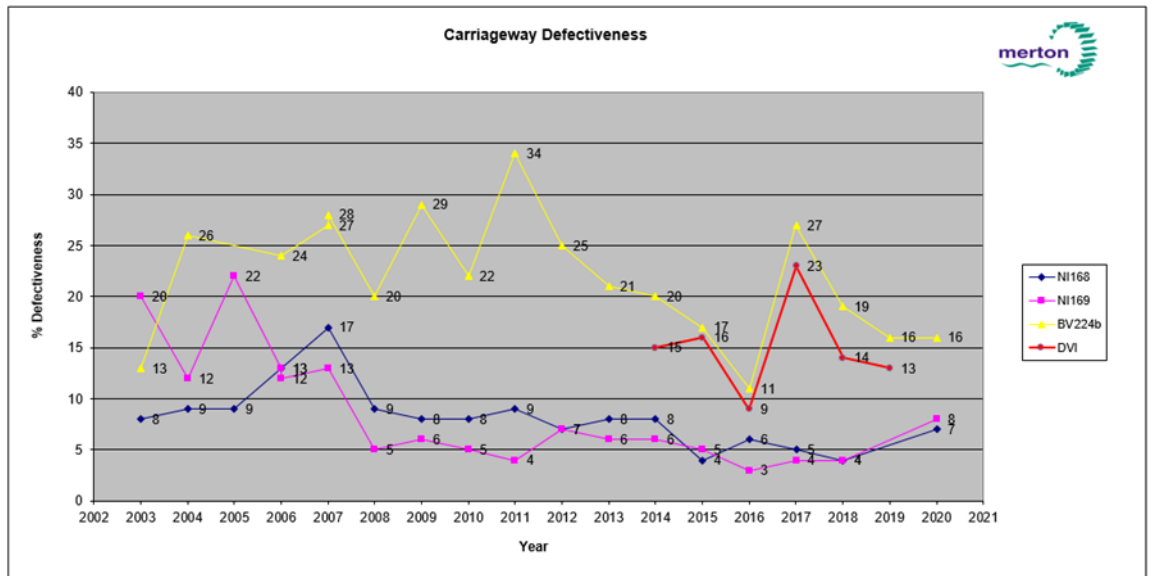
- 2.30. In 2020 (1<sup>st</sup> January 2020 to 30<sup>th</sup> November 2020), 2347 footway defects and 1237 carriageway defects were issued to Merton’s highway term contractor for repair. Please see the below tables for a breakdown by ward.



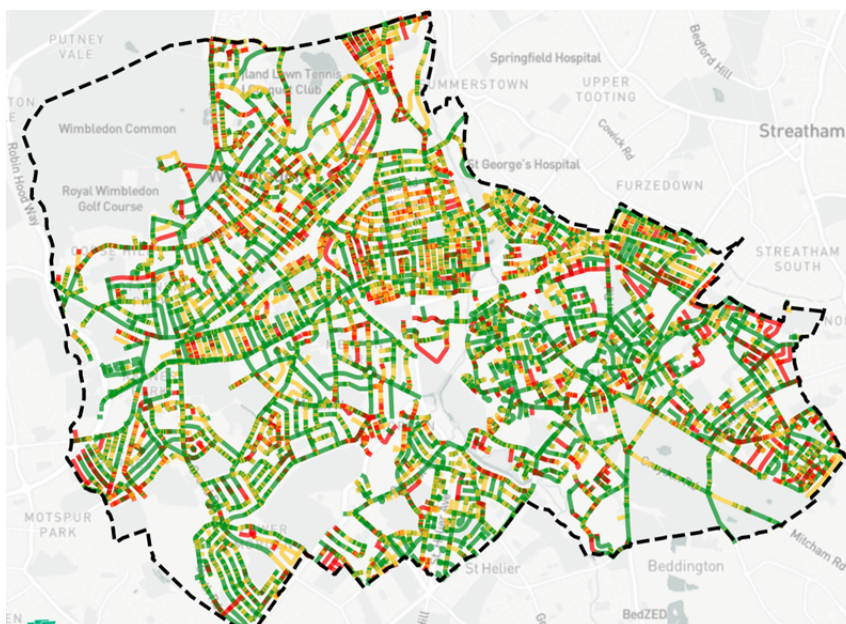
## Planned Works

- 2.31. As mentioned under 2.9 of the report, there are a number of factors that contribute to Merton's robust prioritisation model. Once all the annual data is collated and imported into the prioritisation model an indicative 4-year programme is produced around January/February each year given Merton an up to date picture of its highway network. When the 4 year indicative program is produced no guarantee can be given that these some of this roads will feature in any of the final programmes, as this is subject to budget approval, estimates, tar bound materials and priority changes due to network deterioration.
- 2.32. The three items that are weighted the highest within the prioritisation model assessment criteria are the
- 2.33. Engineers Assessment (where engineers assess each carriageway and footway out of 5, where 1 = Poor and 5 = Excellent). Engineers take into account a range of factors when making their assessment such as visible defects, structural condition, potential for further deterioration, road hierarchy and road use and are mindful of the borough wide network condition

- 2.34. Condition Survey Data. This is the percentage defectiveness of the highway network according to results of the highway condition surveys undertaken yearly.
- 2.35. Reactive Maintenance Expenditure. This shows the annual cost of reactive maintenance expressed per linear metre of carriageway, based on the most recent 3 years of reactive expenditure.
- 2.36. Please see below graph showing the carriageway defectiveness of Merton's highway network which is showing improvement in footways and unclassified roads maintenance (red and yellow). Deterioration on the principle road network (purple/blue) is increasing due to reductions in TFL principle network funding since 2019.



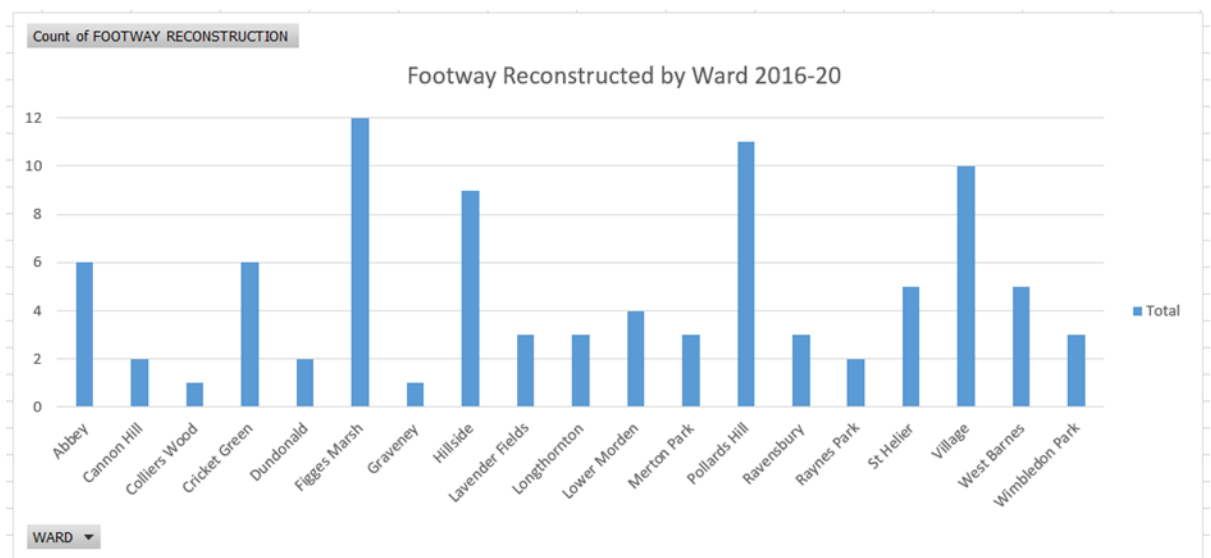
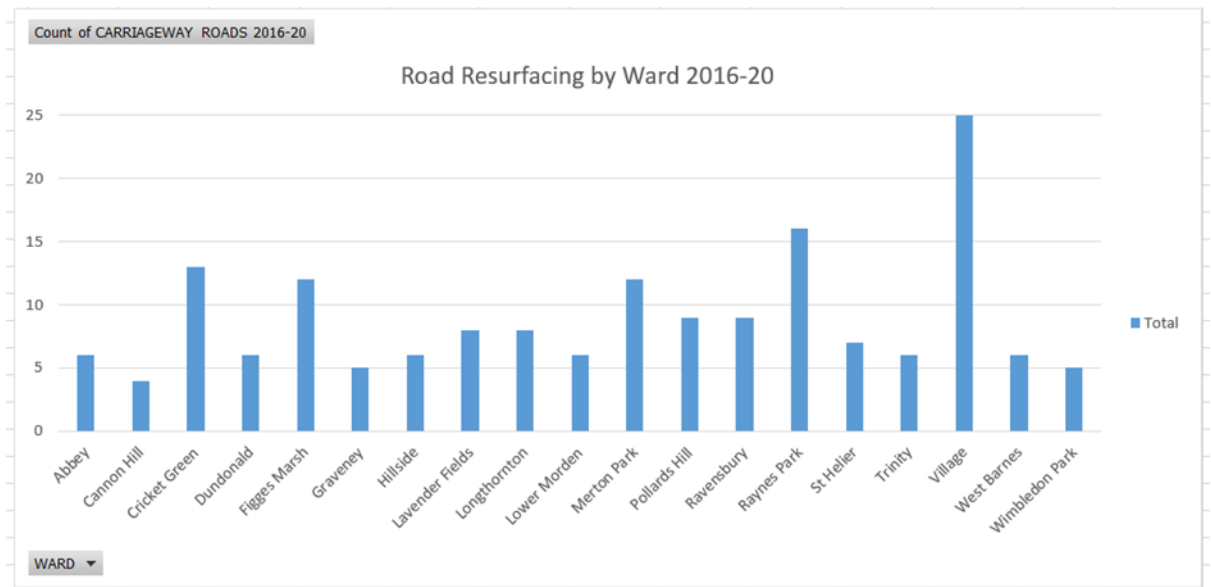
NI168 = National Indicator 168 measures the percentage of the local authority's 'A' road network (Principal Roads) where maintenance should be considered  
 NI169 = National Indicator 169 measures the percentage of the local authority's 'B' roads and 'C' roads network (Non-Principal Roads) where maintenance should be considered  
 BV224b = This is a DfT Performance Indicator for Best Value to measure the percentage of the condition of the Unclassified road network where maintenance should be considered  
 DVI = means Detailed Visual Inspection & is a survey under the UK Pavement System (UKPMS) which is the national standard for management systems for assessment of local road network



- 2.37. Highway Condition RAG rating from 2019/20 radar surveys.



2.38. Since March 2016 to December 2020 there has been 157 carriageways that have been resurfaced/reconstructed and 91 footways that have been reconstructed. Please see below breakdown of carriageways/footway by ward



### Network Co-ordination / Roadworks / Streetworks

2.39. Parity

2.40. If a highway user encounters disruption caused by works they expect it to be managed, whether it is caused by a gas, water or a Council scheme. Consistency of works management is a key part of the Network Management Duty and it is important that the same rules apply to the Council's own Highway works. The Network Management Duty Guidance issued by the Department for Transport states that "Parity is an important principle in exercising the duty. Authorities must lead by example applying the same standards and approaches to their own activities as to those of others". The Network Coordination Team are separated from those 'highway authority' functions responsible for promoting works to ensure parity of

treatment of all works promoters. All works promoters are expected to comply fully with the requirements of the New Roads and Street Works Act 1991 (NRSWA), TMA and all relevant associated regulations and codes of practice.

2.41. Network Coordination Planning

2.42. Coordinating works on the public highway is a continually evolving process. Officers from the Network Coordination Team begin this process, sometimes more than a year in advance, by communicating with stakeholders who have forward programs of works. It is the Network Coordination Teams duty to coordinate all these programs and where possible, identify locations and opportunities where works can be performed in collaboration to minimise disruption.

2.43. The Network Coordination Team currently works with all its neighbouring highway authorities, transport providers, national organisations and multiple working groups to move forwards with best practice and to share knowledge to improve working methods.

2.44. Network knowledge is key to ensuring smooth and expeditious movement of traffic on Merton's and neighbouring boroughs road networks. Network information is collated through internal and external meetings. Below is a list of some of the meetings attended by the Network Coordination Team:

2.45. Coordination Meetings – Merton has 5 x neighbouring boroughs who assist and support delivery of works across their boroughs. Quarterly coordination meetings are attended so that Merton is pro-active in identifying impacts of which would have effect on the road network and networks of neighbouring boroughs. The Principal Network Coordination Officer currently attends 24 x coordination meetings a year including Merton's own coordination meeting. Merton holds 4 x quarterly meetings a year with its stakeholders including all utility companies, neighbouring boroughs, TfL and transport operators.

2.46. SAG (Safety Advisory Groups) – Numerous meetings involving event's organisers throughout the year.

2.47. London Authority Partnership Meetings (Quarterly) – London Highway Authorities agreeing working practices. Such as FPNs for highway licensing and enforcement of current or forthcoming legislation or Statutory Instruments.

- Street Manager – Working Groups
- Lane Rental Working Group
- Monthly contract review – FM Conway
- Resilience Boards – Emergency response meetings
- SLJAG – South London Joint Authority Group Meetings - Quarterly
- HAUC – Highway Authority Utility Committee - Quarterly
- Wimbledon Tennis (AELTC) 4 – 6 Meetings Annually
- Ride London 4 – 6 Meetings Annually

2.48. Internal Works Planning

2.49. To ensure that conflicts are avoided and that Merton's own works do not suffer from impacts from utility works or events, the Network Coordination Team and Infrastructure Manager produces a 'forward plan' of all works proposed for the financial year. The forward plan pulls together all known works from the Highway's, Traffic and other associated Future Merton teams to provide an overall picture of works. This plan assists with identifying collaboration opportunities and allows utility companies and Transport for London to see Merton's forward plan to assist external partners when planning their own works.

2.50. The forward plan assists Merton Council in protecting its own assets such as footways and carriageway improvements so that utilities can perform their works before upgrade works are carried out. The plan also assists Merton's own term contractor when planning and identifying resources for the year to enable efficiencies with gang allocations and collaboration opportunities.

2.51. Network Coordination Team – Minimising Disruption

2.52. Merton's road network often experiences congestion, particularly at peak times. Traffic levels in general continue to grow nationally and this is exacerbated by increasing volumes of work and other activities on our roads. The increase in works has been driven by a number of factors over the past 20 years including the failure of old water and gas mains and the roll out of new technology such as cable and broadband and the number of developments and new service demands. It is essential that effective measures are put in place to control and manage the degree of congestion to reduce the inconvenience and disruption that inevitably results. This will benefit residents, the travelling public, communities and businesses in the Borough.

- Prolonged periods of congestion, if not tackled, seriously restrict the economic growth and prosperity of the borough by:
- undermining the competitiveness of existing local businesses,
- affecting deliveries and business travel,
- compromising the feasibility of some new developments,
- reducing the accessibility of sites and reducing their economic viability; and - lengthening the time taken for development to happen.

**Network Coordination Team – Street Works Functions**

2.53. Monitoring the safety of street and road works

2.54. The average fatality rate for operatives working on the highway continues to be one of the highest of any employment sector (as reported by the Health and Safety executive). Road works can involve heavy machinery, deep excavations, exposure to hazards, loud noises and vibration, dust and dirt. It is therefore of paramount importance that the council stipulates the highest standards of health and safety practices ensuring that requirements are

adhered to by those working on the highway. The safety of members of the public can also be compromised if road works are not carried out in a safe manner. Merton's Network Coordination Team ensures compliance with the Safety at Street Works & Road Works Code of Practice (Safety Code) through continually monitoring a sample of highway authority and utility works in progress and increasing inspections on any companies who need to improve. In severe cases inspectors have the power to stop works if it is deemed that safe working practices are not being observed. Serious breaches of health and safety statutory legislation may be subject to legal proceedings, as is the case where the structural integrity of the highway is compromised by substandard reinstatement.

2.55. Overrunning Works

2.56. Where street or road works are unreasonably prolonged a charge will be levied under section 74 of the NRSWA. Income received through fixed penalty notices (FPNs), charges relating to unreasonable occupation of the highway (s74 charges) or other related revenue will firstly be used to support the costs of administering and improving the efficiency of the street works function.

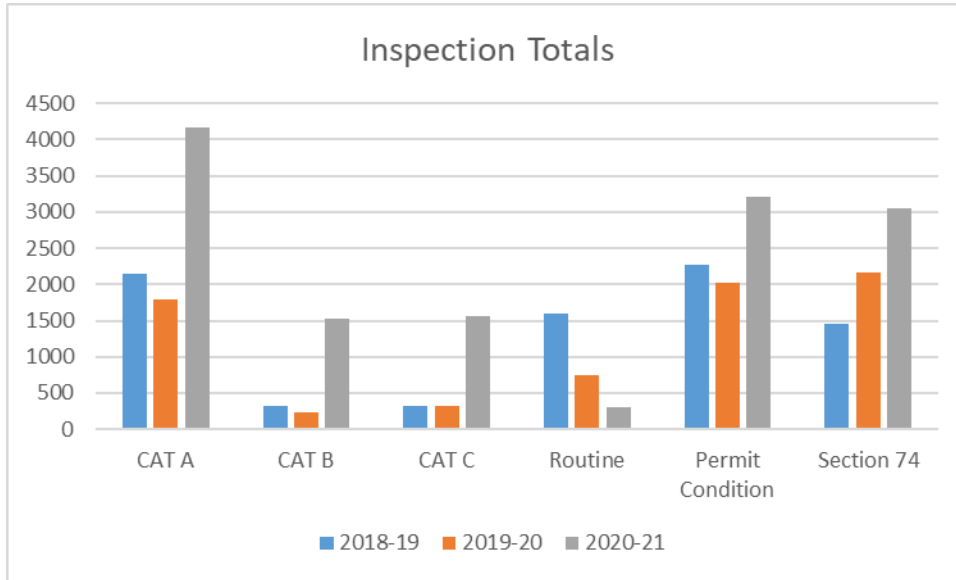
2.57. Monitoring the reinstatement of street works

2.58. The Council has a duty to ensure that the Highway Network is fit for purpose, and the cost of maintaining the highway is considerable. However, any qualified utility company or sub-contractor can get permission to dig up the highway, provided that it is reinstated in a like-for-like manner. The Network Coordination Team's Network Coordination Officer's monitor street works whilst they are taking place (CAT A Inspections), aiming to inspect 10% of works in progress, 10% of works after 3-6 months (CAT B Inspections - to ensure reinstatement is up to standard), and 10% at the end of a 2-3 year guarantee period (CAT C). If findings are unsatisfactory, compromising the safety or structure of the highway, a contractor is asked to return and rectify the work to ensure that the Council doesn't end up carrying the cost of future repairs.

2.59. Monitoring street works (inspections)

- The Network Coordination Team also performs a number of other inspections associated with road and street works.
- Category A – In progress works sites
- Category B – Recently completed works sites (3-6 months)
- Category C – At the end of guarantee period
- Routine – Return inspections – defect monitoring – defect reinstatement
- Permit Condition – Performed to ascertain compliance with permitting conditions on site
- Section 74 – Works completion inspection to ensure works are finished on time

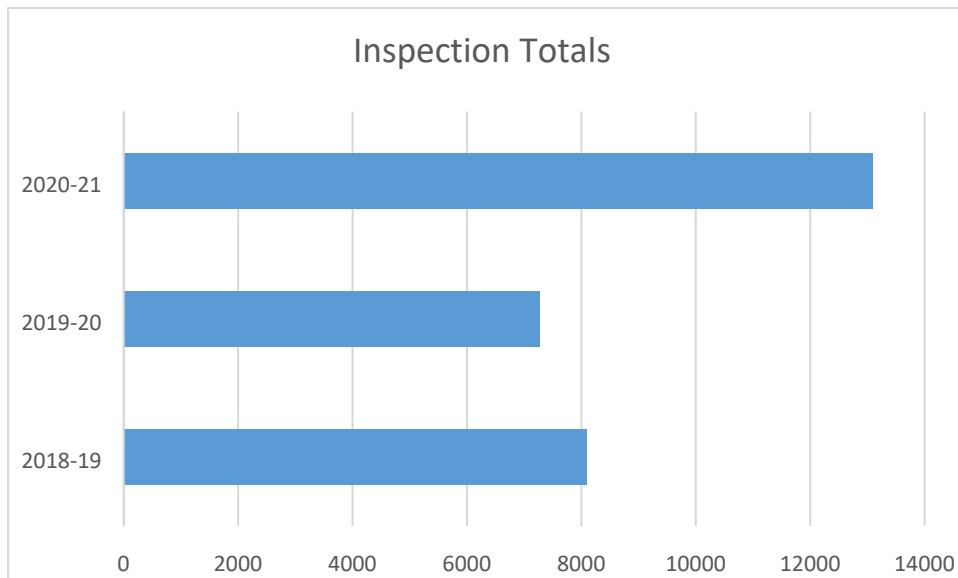
	CAT A	CAT B	CAT C	Routine	Permit Condition	Section 74
2018-19	2140	321	315	1594	2265	1459
2019-20	1793	226	318	751	2018	2159
2020-21	4162	1519	1560	302	3211	3055



2.60. Monitoring street works during Covid-19

2.61. The Network Coordination Team has used the fall in utility work numbers in 2020 to focus on the condition of its assets which has resulted in double the amount of inspections usual performed. This has also been a result of the Network Coordination Team's restructure during 2020.

Inspections	Totals
2018-19	8094
2019-20	7265
2020-21 (To end of November 2020)	13089
Total	28448



### Permit Scheme

2.62. The aim of Merton's Permit Scheme is to improve the management of the road network through better planning, scheduling and management of activities so as not to cause avoidable traffic disruption to any road user. Co-ordination of activities through the Permit Scheme enables differences between those competing for space or time in the street, including traffic, to be resolved in a positive and constructive way.

- The specific objectives for the Permit Scheme are to;
- Reduce occupation of the highway to benefit all highway users
- Improve safety of all highway users at road and street activities
- Enhance the reliability of journey times
- Enhance the journey experience
- Gain greater control of all activities on the public highway
- Minimise, avoid or manage delays to all highway users
- Improve public perception of managing highway activities
- Reinforce co-ordination of all activities on the highway
- Reduce long term damage to the highway asset
- Encourage collaborative working between all activity promoters
- Achieve an improvement in air quality
- Demonstrate parity for all activity promoters
- Strengthen cross-boundary co-operation

2.63. The Network Coordination Team – Permitting Numbers

2.64. The Network Coordination Team usually manages around 14,000 utility permit applications per year. Due to the Covid-19 pandemic these numbers have significantly been reduced due to social distancing and contractors being unable to provide resources for works. This has put an extra burden on undertakers such Thames Water and SGN in delivering their forward programmes before the end of their financial years. Early discussions with utility companies and their contractors enabled Merton to bring forward some of the 'Major' works programs which would have been performed in the next financial year. Giving contractors the ability to concentrate and expedite their major works programmes when the road network is less congested has enabled Merton to reduce the overall effect of disruption and congestion on its road network when normal traffic flows return.

2.65. Permit Types

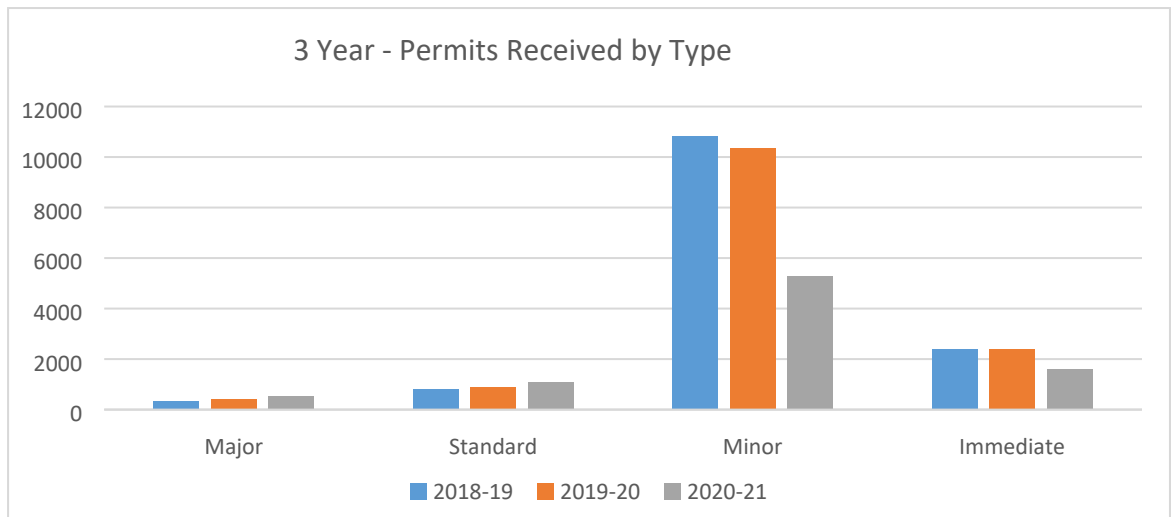
2.66. **Major** – Major works are activities which are planned to take longer than 10 days in duration. These works usually involve complex traffic management, road closures or are estimated to be highly impacting on network traffic flows. Network Coordination Officer's have 30 days to assess the impact of major works and to ensure that stakeholder engagement, permit conditions and the health & safety of the public is considered and delivered.

2.67. **Standard** – Standard works are activities which are planned to take between 4 and 10 working days. Network Coordination Officers have 5 working days to assess standard permit applications.

2.68. **Minor** – Minor works are activities which are planned to take between 1 and 3 working days. Network Coordination Officers have 2 working days to assess minor permit applications.

2.69. **Immediate / Emergency** – Immediate and Emergency works have to be applied for within two hours of starting works by the relevant utility company. Due to the nature of immediate and emergency works, information is normally limited and requires investigation by the Network Coordination Officers. Immediate and Emergency works by their nature are very difficult to plan for and given the urgency of the works, traffic management, diversions and stakeholder engagement, the process is normally a reactive and fluid process. Network Coordination Officers have to be able to be reactive to certain emergency works which can involve road closures or extensive diversions. (Immediate or emergency works which are deemed to be dangerous to people or property will in most cases be agreed immediately).

	Major	Standard	Minor	Immediate / Emergency	
2018-19	345	818	10847	2394	14404
2019-20	396	893	10357	2391	14037
2020-21	536	1101	5276	1610	8523
Total	1277	2812	26480	6395	36964



Where issues or opportunities are identified, the council will explore ways to improve the permit scheme in further detail, learning from others as and where appropriate. Consideration will be given to a 'lane rental' scheme for use on major strategic routes, although at present new legislation and trials are ongoing. Merton's Network Manager is currently part of the London-wide working group currently investigating the potential of implementing such a scheme if it is deemed likely to benefit the borough.

### **Highway Activities (Licences) managed by the Network Coordination Team**

- 2.70. The Network Coordination Team manage a number of activities, which have an effect on the road network. These activities by their nature can cause congestion and delays to traffic if not properly assessed, managed and coordinated with other highway activities. A number of activities are currently coordinated by the Network Coordination Team such as Skips which are checked for conflicts with other works and issued a road space booking on the Street Manager system.
- 2.71. It is the Network Coordination Team's responsibility to manage all highway activities to ensure their placement and location is fit for purpose and that the highway activity is safe for all road users.
- 2.72. Highway licences which are currently managed by the Network Coordination Team include:
- Scaffolding
  - Hoardings
  - Mobile Cranes
  - Builders Materials
  - Temporary Traffic Regulation Orders – (TTRO)
  - Section 171 Licence – Private Highway Works (Development Works)
  - Section 50 Licence – Private Utility Works (Drainage Connections)



- 2.73. Applications are received online through Merton Council's website:  
<https://www.merton.gov.uk/streets-parking-transport/roadworks/roadworks-licences-and-permissions>
- 2.74. Network Coordination – Developments
- 2.75. Developers and their nominated contractors often have to contact the Network Coordination Team once they have been granted planning permission for their proposed developments for assistance with traffic management. A construction management plan (CMP) for major developments is often provided to assist with identifying how a contractor is going to manage deliveries, pedestrian and cyclist movements and how to ensure the site is managed safely for all road users. In many situations the CMP provided doesn't identify or foresee all of the on-site requirements. Officers from the Network Coordination Team often arrange site meetings with contractors to perform site-specific assessments to look at all aspects of the works and to agree the safest way forwards.
- 2.76. The objective of an assessment on a development site is to ensure that the needs of residents, businesses and road users are accommodated correctly and safely. On site issues such as deliveries, pedestrian access, traffic management and site welfare facilities, need to be assessed. It is the teams duty to ensure that the contractor has considered all eventualities.
- 2.77. The team's assessment of developments has to ensure that all road users are considered and that mechanisms are in place to manage all modes of transport. In partnership with external organisations, Merton's officers perform on site assessments for developments with the aims of securing:
- Safe pedestrian passage
  - Safe traffic management for vehicles, pedestrians, cyclists and people with disabilities
  - Safe delivery operations
  - On site security issues
  - Asset protection
  - Continued movement of traffic
  - Engagement with stakeholders
  - Appropriate licences and permissions are granted
- 2.78. Network Coordination – Events
- 2.79. All events on the public highway which effect residents, businesses and the flow of traffic including pedestrians require assessment by the Network Coordination Team. On larger scale event's, the organisers contact Merton Council for approval of their event's which takes place with the Safety Advisory Group (SAG). The SAG is a working group made up of internal and external stakeholders who have an interest in the safety associated with all events. The Network Coordination Team working in collaboration with stakeholders such as the emergency services, transport providers and internal departments such as Parks & Green Spaces, identifies potential

conflicts and assessments of traffic management. Events that require assistance and direction from the Network Coordination Team include events such as Wimbledon Tennis Championships, AFC Wimbledon, Ride London, Eastern Electrics and Winter Wonderland. With larger scale events the Network Coordination Team will coordinate with the event traffic management providers to agree traffic management, liaise with transport providers and engage and consult with other highway authorities. All traffic management is assessed for the safety of all road users and the impact of diversions on transport providers, neighbouring highway authorities, residents and businesses.

2.80. Network Coordination Team – Local Events and Street Parties

2.81. For smaller events the Network Coordination Team manages these from application to delivery. All event applicants contact the team with their applications which in turn requires a team officer to assist the applicant to ensure the event is delivered safely. Small events such as street parties and play streets are promoted and delivered on behalf of the Council by the Network Coordination Team.

2.82. On the 22<sup>nd</sup> September 2019 the Network Coordination Team promoted National Car Free Day which closed 26 residential roads within the borough for Car Free Day.

2.83. Events managed by the Network Coordination Team

- Wimbledon Tennis Traffic Management
- Ride London
- Various religious events including Shree Ghanapathy Temple and Buddhapida Temple
- Armed Forces Day
- Remembrance Sunday
- Armistice Day
- Eastern Electrics
- Fireworks Displays
- Winter Wonderland
- London to Brighton Cycle Ride
- Street Parties
- Play Streets – Car Free Day 26 x 2019



2.84. Events – Covid 19

2.85. Due to the impacts of the Covid 19 pandemic, a number of events which are held within the borough annually have unfortunately been cancelled or postponed to maintain public safety in 2020. The team has ensured that all

government guidance has been followed when assisting events on the network which has enabled the Network Coordination Team to deliver events such as Remembrance Sunday and Armistice Day. Moving forwards we envisage events to increase over 2021 once government guidance allows for increased numbers of attendees.

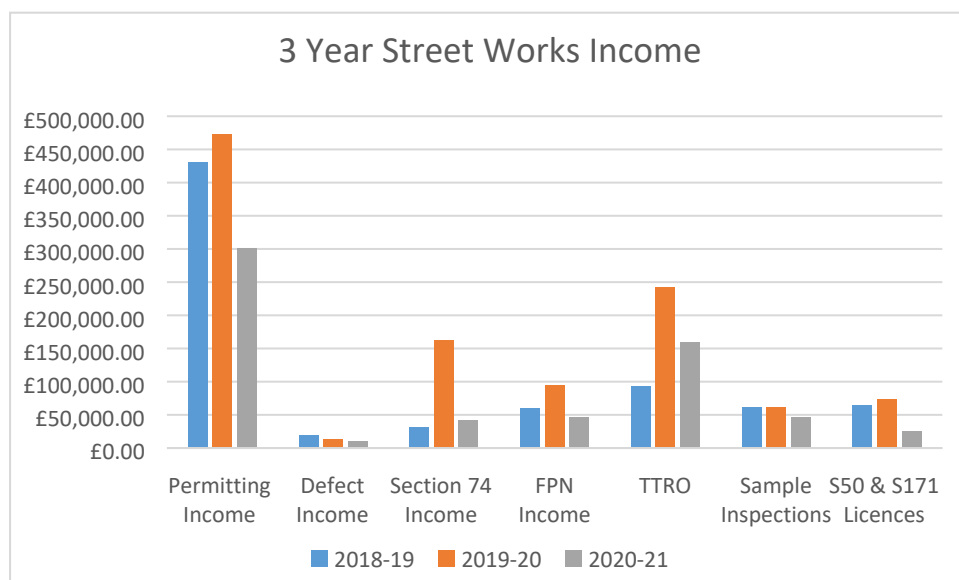
### Network Coordination team.

#### 2.86. Income

2.87. Under permitting legislation, the operation and delivery of a permit scheme by a 'Highway Authority' must be deemed self-funding. The requirement to be self-funding is to ensure that councils operating permit schemes don't get burdened with additional costs associated the operation of the scheme. Yearly fees received by Merton Council for assessing utility permit applications cover the costs of operating the team and all other incomes received through Street Works fines and enforcement are classed as profit.

2.88. Below is a table of the fees and charges related to permitting income, street works enforcement and temporary traffic regulation orders received by the Network Coordination Team over the past three years. Figures for 2020-21 are calculated until 30<sup>th</sup> November 2020

	Permitting Income	Defect Income	Section 74 Income	FPN Income	TTRO	Sample Inspections	S50 & S171 Licences	Totals
2018-19	£430,522.00	£18,227.00	£31,450.00	£59,030.00	£92,635	£61,562.50	£64,375.00	£757,801.50
2019-20	£471,991.00	£12,622.00	£162,250.00	£94,960.00	£242,414.20	£61,312.50	£72,725.00	£1,118,274.70
2020-21	£300,589.00	£9,383.50	£41,750.00	£45,960.00	£158,869.00	£46,712.50	£24,575.00	£627,839.00
Total	£1,203,102.00	£40,232.50	£235,450.00	£199,950.00	£493,918.20	£169,587.50	£161,675.00	£2,503,915.20



#### 2.89. **Planned Utility works: forward planning**

2.90. Through quarterly coordination meetings with Utility Companies, the Council usually holds a forward plan for planned major utility investment. Due to Covid-19 we were initially informed back in April 2020 that most utility companies were dropping all planned works to focus their resources on

ensuring networks are functional and dealing with emergency works only. With London in its third lockdown, it remains unclear when planned works will resume.

2.91. The current situation with utility providers:

- **Thames Water** – Clean water and foul services - All planned works dropped for 2020/21 financial year. Financial year 2021/22 will provide new work streams including planned and major works from Thames Water. Covid-19 allowing.
- **UKPN** - All planned works dropped for 2020/21 financial year. UKPN concentrating on customer connections, immediate and emergency works.
- **BT** – No planned programmed works for 2019/20 – Still awaiting next financial year program.
- **SGN** – Major works and planned works continuing throughout 2020/21. Assistance provided by Merton to expedite works throughout 2020 and 2021 due to Bishopsford Road Bridge and OFGEM deadlines for gas replacement requirements.
- **SESW** - No planned programmed works for 2019/20/21– Still awaiting next financial year program.
- **Virgin Media** - No planned programmed works for 2019/20/21 – Still awaiting next financial year program.

2.92. Throughout 2020 Merton's Network Coordination Team have worked with utility contractors to try and pull forward planned and major works where they were previously planned for later dates. Due to Covid-19, most statutory undertakers took the decision to suspend or postpone their major works programs where resourcing issues and health & safety requirements couldn't be provided. Leakage programs and network improvements have been suspended until the next financial year. Major works for gas supplies which are driven by OFGEM have continued to progress due to the vulnerability of the existing gas network in the borough.

2.93. Forward programs for statutory undertakers will be provided once we are over the current pandemic and can be made available to members when the planned utility programmes are re-established

### **3 ALTERNATIVE OPTIONS**

3.1. None for the purpose of this report.

### **4 CONSULTATION UNDERTAKEN OR PROPOSED**

4.1. None for the purpose of this report.

### **5 TIMETABLE**

5.1. None for the purpose of this report – update only.

### **6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 6.1. The Council's Capital Programme contains relevant information relating to highways maintenance. Section 2.88 of this report provides a summary of the income generated by the service.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. A summary of relevant Highway legislation is provided in section 2.14 of this report.

## **8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 8.1. None for the purpose of this report.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. None for the purpose of this report.

## **10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 10.1. None for the purpose of this report

## **11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

- A. Merton's 4-year indicative programme for planned footway and carriageway renewal
- B. 2020/21 Planned maintenance programme

## **12 BACKGROUND PAPERS**

- 12.1. None

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