

Roadworks (Regulation) Bill

[AS INTRODUCED]

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B I L L

TO

Make provision about the regulation of roadworks; and for connected purposes.

BE IT ENACTED by the King’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Power to refuse permits for street works

- (1) The Traffic Management Act 2004 is amended as follows.
- (2) In section 32 (Meaning of “permit scheme”), subsection (2)(b), after “permit”, insert “, provision for cases where a permit may be refused”.
- (3) In section 37 (Permit regulations), after subsection (3A), insert—
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“**(3B)** Permit regulations must enable a local highway authority, a strategic highways company or (as the case may be) the Secretary of State (“the authority”) to refuse the grant of a permit where, in the opinion of the authority, the works in respect of which a permit has been applied for would cause unacceptable disruption to traffic.”
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2 Duty of street authority to co-ordinate works

- (1) Section 59 of the New Roads and Street Works Act 1991 is amended as follows.
- (2) In subsection (1), leave out “shall use their best endeavours” and insert “must take all practicable steps”.

3 Charges for overrunning street works

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- (1) Section 74 of the New Roads and Street Works Act 1991 is amended by the insertion after subsection (2A) of the following—
“**(2B)** The regulations may provide for an undertaker who has incurred charges on multiple occasions, or payable to more than one highway authority, to incur penalty charges of up to 10% of the annual turnover of the undertaker, and for those charges to be distributed to the authority, or amongst the authorities, concerned.”
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- (2) Regulation 9 of the Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) Regulations 2009 (SI 2009/303), as

amended by the Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) (Amendment) Regulations 2012 (SI 2012/2272), is amended as follows.

- (3) For Table 1, in paragraph (4), substitute—

Table 1

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Charges in relation to works occupying the carriageway during period of overrun

(1) Item	(2) Description of street	(3) Amount (£)(each of first three days)	(4) Amount (£) (each subsequent day)	
1.	Traffic-sensitive street or protected street not in road category 2, 3 or 4.	6250	12500	
2.	Other street not in road category 2, 3 or 4.	3125	3125	15
3.	Traffic-sensitive street or protected street in road category 2.	3750	10000	
4.	Other street in road category 2.	2500	2500	20
5.	Traffic-sensitive street or protected street in road category 3 or 4.	938	938	
6.	Other street in road category 3 or 4.	313	313	25

- (4) For Table 2, in paragraph (5), substitute—

Table 2

Charges in relation to works outside the carriageway during period of overrun.

(1) Item	(2) Description of Street	(3) Amount (£) (each day)	
1.	Street not in road category 2, 3 or 4.	3125	
2.	Street in road category 2.	2500	
3.	Street in road category 3 or 4.	313	30

- (5) After paragraph (5), insert—

“(5A) The amounts specified in column 3 of Table 1 and column 3 of Table 2 increase or decrease on 1 April each year by a percentage equal to the percentage increase or decrease in the consumer prices index calculated by reference to—

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- (a) the index for the month of January that year, and
- (b) the index for the month of January in the previous year.”

4 Commencement, extent and short title

- (1) This Act comes into force on the day on which it is passed.
- (2) This Act extends to England and Wales.
- (3) This Act may be cited as the Roadworks (Regulation) Act 2023.

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Make provision about the regulation of roadworks; and for connected purposes.

*Presented by Mr Mark Francois
supported by Sir James Duddridge,
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