

# Brighton & Hove City Council

## Place Overview & Scrutiny Committee

## Agenda Item 58

**Subject:** BHCC Highways Permitting Scheme for Street Works

**Date of meeting:** 21<sup>st</sup> January 2026

**Report of:** Chair of Place Overview & Scrutiny Committee

**Contact Officer:** Name: Natalie Sacks-Hammond

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**Ward(s) affected:** (All Wards);

**Key Decision:** No

**For general release**

### 1. Purpose of the report and policy context

- 1.1 This report was requested by Place Overview & Scrutiny Committee in response to councillors' concerns about how utility companies operate in the city. Issues raised included equipment being left on streets for extended periods, poor coordination of roadworks, and the handling of emergency works.
- 1.2 Appendix 1 presents an overview of the street works permit scheme that the council introduced in 2015; how it works, its limitations and plans for the future.

### 2. Recommendations

- 2.1 That Place Overview & Scrutiny Committee notes the report.

### 3. Context and background information

- 3.1 The permit scheme for street works was introduced in 2015 and requires anyone planning works on the highway to obtain permission. This includes all utility companies for gas, water, electricity, and telecoms.
- 3.2 Permits are applied for via a national online system, which are then granted or rejected following an assessment. The council receives around 20,000 applications per year. Permits that are issued will have certain conditions attached to reduce the impact on people in the city. The permit system allows for better network management, enhanced coordination of works, and aims to reduce disruption and duration of works, particularly on the busier streets.

- 3.3** The council can issue a Fixed Penalty Notice to anyone not meeting the conditions of the permit, the maximum fine being £120.
- 3.4** Limitations of the scheme include relatively low fines for breaking permit conditions, a tight response time for applications, and no legal requirement for companies to consult. Consideration is being made to introduce a Lane Rental Scheme which would give companies more of an incentive to finish works faster.
- 3.5** The introduction of a Lane Rental Scheme allows for additional charges to apply to works on our busiest roads at the busiest times. This encourages those working on the highway to avoid peak times (to avoid the charges) or pay the charges (completing the works in shortest possible timeframe), the maximum for which is £2,500 a day.
- 3.6** Lane Rental is being actively encouraged by the DfT as trials in Kent and TfL have been shown to deliver positive benefits in terms of reduced disruption from the financially incentivised behavioral change. Cabinet decision is expected on applying to the secretary of state to receive powers to develop this scheme in February.

#### **4. Analysis and consideration of alternative options**

- 4.1** Not specifically for this scrutiny report

#### **5. Community engagement and consultation**

- 5.1** Not specifically for this scrutiny report

#### **6. Financial implications**

There are no direct financial implications arising from this report which is for noting. Consideration of a Lane Rental Scheme would require further assessment of the potential incomes and expenditures before being implemented.

Name of finance officer consulted: John Lack

Date consulted: 18/12/2025

#### **7. Legal implications**

- 7.1** There are no direct legal implications arising from this report, as it is for noting. Any future proposed Lane Rental Scheme would need to be considered against the legislative requirements in due course.

Name of lawyer consulted: Katie Kam

Date consulted (22/12/2025):

#### **8. Equalities implications**

- 8.1** Poorly positioned roadworks or inaccessible diversions will have an adverse effect on certain groups with protected characteristics such as people with a

physical disability or the elderly. The permit scheme mitigates these issues by enabling officers to plan works better to minimise disruption.

## **9. Sustainability implications**

- 9.1 While a permit is an administrative requirement, it acts as a regulatory tool for authorities to enforce environmental standards and push for more sustainable practices in street works operations. This is achieved by improving the management and coordination of works on the roads.

## **10. Health and Wellbeing Implications:**

- 10.1 Permit schemes aim to protect people's health and wellbeing by requiring clear signage, adequate lighting, and accessible diversions when footways are blocked, ensuring the safety of pedestrians and road users. These schemes also impose specific conditions, such as mandatory safety measures, coordinated traffic management plans, and restricted working hours, to minimise noise, enhance safety, and reduce congestion.

## **11. Conclusion**

- 11.1 Place Overview & Scrutiny Committee to note the report.

## **Supporting Documentation**

### **1. Appendices**

- 1. BHCC Highways Permitting Scheme for Street Works presentation.

