



# **The County Council of Durham Lane Rental Scheme**

## **Evaluation Plan**

## Document Control

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## **1 Introduction**

The New Roads & Street Works Act 1991 (NRSWA), as amended by the Transport Act 2000 and the Traffic Management Act 2004 (TMA), contains provision for Highway Authorities to operate Lane Rental Schemes that involve charging Promoters for the time their activities (road and street works) occupy the highway during Traffic-Sensitive times.

The Durham Lane Rental Scheme (DLRS) has been introduced to enable Durham County Council (DCC) to support their duty to co-ordinate and manage all activities on the highway in order to minimise disruption.

The DLRS will be evaluated on an annual basis. The first evaluation report will cover a full year from the commencement date specified in the Statutory Instrument / Lane Rental Scheme Order.

The DLRS Evaluation Report will be based on the original assumptions made within the DLRS Cost Benefit Analysis (CBA), data collected by the Durham County Council Permit Scheme and various DLRS data and monitoring reports.

This document provides details on the evaluation methodology, and the baseline data to be used for assessment and comparison purposes.

In the interests of parity and transparency, representatives of both DCC and Promoters will be actively involved in monitoring and the evaluation process.

The Regulations permit a portion of Lane Rental revenues to be applied for the purposes of Lane Rental Scheme evaluation.

The evaluation plan includes provision for independent evaluation of the DLRS performance, including an assessment of the overall balance between costs and benefits arising from the DLRS.

## **2 Joint Working Arrangements**

The joint working arrangements for the DLRS will be a group made up of Officers of Durham County Council, local Utility representatives who are members of the Joint Utilities Group (JUG) and any consultants or support staff employed by Durham County Council. The Chair will be the Lead Officer from Durham County Council.

## **3 Durham Lane Rental Scheme Scope**

The DLRS has been designed to ensure that charges are only applied when Promoters occupy Lane Rental Streets at Traffic-Sensitive times and to allow waivers or reduced charges at other times or for different ways of working to encourage Promoters to adopt less disruptive working practices.

## **4 Background**

The Government's expectation is that a robust evaluation plan will be built into any proposed Lane Rental Scheme that is submitted for Secretary of State approval.

As the evaluation plan is an integral part of the DLRS, there is a need to adhere to the plan in order to comply with the terms of any Secretary of State approval.

The DLRS Evaluation Report will inform Central Government's overall assessment of the effectiveness of Lane Rental Schemes nationally.

The DLRS Evaluation Plan is based on the principle that the original DLRS Cost Benefit Analysis output is repeated using actual data produced over the initial and following years of operation.

Actual impacts and benefits are therefore calculated in a manner consistent with the original assumptions.

## **5 County Durham Lane Rental Scheme Evaluation Plan Objectives**

The principle objective of the DLRS Evaluation Plan is to assess the extent to which the DLRS objectives are being met and the ongoing appropriateness of key parameters, such as the list of Lane Rental streets and charge levels.

The DLRS seeks to limit the amount of disruption to County Durham roads by encouraging the undertaking of activities at the least disruptive time for road users, and for the early completion of activities.

The DLRS is designed to limit the carrying out of activities at specified locations at specified times by applying a daily charge for any part(s) of the day that the highway is occupied by the activities during chargeable hours.

The daily charge will not apply if the activities take place outside of the specified times.

The DLRS therefore provides a mechanism for providing all activity Promoters with an incentive to change behaviour and minimise their occupation of Lane Rental Streets at Traffic-Sensitive times which are the most critical parts of the Durham County Council's Highway Network.

The DLRS applies the following guiding principles:

- The cost of disruption from activities on the highway network must be recognised.
- Inconvenience to all people using a street must be minimised, but particularly to people with accessibility requirements, and other vulnerable road users such as people walking or cycling.

The objectives of the DLRS are to:

- Apply the scheme to all work Promoters on a consistent basis.
- Promote behavioural change to minimise the duration of occupation of the highway at the busiest locations at Traffic-Sensitive times.
- Minimise the number of activities taking place during the most Traffic-Sensitive times.
- Contribute towards reducing disruption to all road users.

Durham County Council will measure against these objectives and evaluate whether they are being met.

The means by which that will be achieved are set out in the Evaluation and Governance section of the Durham Lane Rental Scheme Document, and this DLRS Evaluation Plan.

## 6 Improvements Expected

The expected improvements from the DLRS are:

- Behavioural changes that minimise the duration of occupation of the highway at the busiest locations at Traffic-Sensitive times.
- Reductions in the proportional number of activities taking place during Traffic-Sensitive times.
- Contributions towards maintaining or improving journey time reliability on the highway network.

## 7 Evaluation Plan Assessment Parameters

The DLRS Evaluation Plan sets out the evidence and data that will be collected to enable a proper evaluation to take place, and the pre-Lane Rental benchmarks against which the before and after comparison will be made. Therefore, the DLRS Evaluation Plan defines;

- The success criteria by which it will be measured.
- The information used for monitoring and assessment, please refer to table 1.
- Surplus Revenue Allocation.
- Base Innovation and Disruption Saving Assumptions.
- Customer Satisfaction Monitoring.
- Updating the Lane Rental Streets List.

### 7.1 Success Criteria

The principal success criteria of the DLRS is delivery of benefits arising from the DLRS, which are defined as:

- Reductions in disruption and congestion delay for road users where activities are carried out in a less disruptive way, benefiting both business users and private individuals.
- Improved journey time reliability for road users where activities are carried out in a less disruptive way, benefiting both business users and private individuals.
- Revenue generated by DLRS. The regulations require the revenue generated from lane rental to be applied to measures that will help to reduce the disruption caused by future activities. Such measures would be expected to deliver further benefits to Promoters, activities undertakers and road users.
- Environmental benefits. By reducing the congestion arising at activity sites, the DLRS has the potential to reduce road transport-related emissions – particularly local air quality pollution that is exacerbated by stationary or slow, stop-start traffic.

## 7.2 Table 1 – Summary Monitoring and Assessment Table

Baseline Costs and Benefits Parameters	Year 1	Year 2 +	Net Present Value
<b>COSTS</b>			
Lane Rental Scheme charges paid by Promoters	£	£	
DLRS administration costs	£	£	
<b>TOTAL COSTS</b>	£	£	
<b>BENEFITS</b>			
DLRS surplus revenue allocation	£	£	
<b>TOTAL BENEFITS</b>	£	£	

The monitoring will take into account, for each year of operation;

- The costs, which will be income generated through the scheme minus the administration costs of the scheme.
- The benefits, which will be the grants allocated from the scheme.

## 7.3 Surplus Revenue Allocation

An important element to the DLRS Evaluation Plan is an assessment of the allocation and subsequent impacts of any surplus revenues generated.

Surplus revenues will be applied towards initiatives that are associated with, and aligned to, the objectives of the DLRS, within the areas shown below;

- Investments in innovation and developing new disruption saving products, services or techniques.
- Trials of new disruption saving products, services or techniques.
- Transportation.
- Installing infrastructure to enable apparatus to be accessed without disruption.
- Measures to improve systems and records.
- Measures to improve noise, pollution or safety relating to activities.
- Measures to mitigate congestion and disruption caused by activities, particularly major projects.
- Enabling infrastructure.
- Industry practices and research and development.
- Repairing potholes caused by utility street works (where permitted by regulations).
- 

## 7.4 Base Innovation and Disruption Savings Assumptions

It is assumed that;

- Significant progress will be made in developing and applying new, less-disruptive techniques by the third year of the DLRS.
- There will be increased scope to work in less disruptive ways in years three (3) to five (5) onwards, therefore; in following years Promoters and undertakers are able to reduce their exposure to lane rental charges by increasing their expenditure on, and use of, less disruptive working practices.
- Lane rental charges will also provide an incentive for Promoters and undertakers to further invest in the development of less-disruptive techniques.
- There will be an increased use of innovative traffic management.
- There will be an increased use of innovative techniques.

## 7.5 Customer Satisfaction Monitoring

Another important element to the DLRS Evaluation Plan is an assessment of changes to the public perception activities on the highway network.

Wherever possible, monitoring of customer satisfaction, public perception and stakeholder communication will be undertaken and reported on.

Examples of surveys and monitoring could include;

- Frustrations associated with activities carried out at busy times.
- Frustrations associated with repeated activities on the same stretch of road.
- Streets partially closed, but no-one working on site.
- Future activities communicated effectively.
- Acknowledgement that the cost of activities to society are being recognised.
- Understanding that the cost of activities to society are being repaid through network and operational improvements.

## 8 Updating the Lane Rental Street List

Part of the assessment of the DLRS is a review of the Lane Rental Streets Lists.

It is anticipated that, depending on the extent of changes and developments to the Durham County Council Highway Network, the list of Lane Rental streets will be reviewed every, one (1) to three (3) years.

This is to ensure that the list is always appropriate and takes account of changes to the highway network.

### 9.1 Lane Rental Charges

In accordance with the Regulations and the Scope of the DLRS, DCC will apply a daily rate of charge for the duration of the specified activities carried out by the promoter at the specified location during the specified times and days.

### 9.2 Calculating the Charge

To calculate the daily rate of charge, other than for immediate works, the duration of the activities shall begin on the date specified in the actual start of works notice and end on the date specified in the works stop notice, the date of works ended.

For all types of immediate works, charges will be waived for a period of 48 hours after which time the normal lane rental rules for the location will apply – taking the works start as stated within the relevant permit application and ending on the date stated on the relevant Section 74 works clear or works stop notice.

Promoters are strongly encouraged to consider the carrying out of immediate works or urgent activities outside of specified days and times wherever possible.

When calculating the actual work start and finish dates for all activities, the Permit Authority or the promoter may provide additional information to prove a variation to the duration and activity type, if different to any submitted notice. In all circumstances any charge will be applied according to the actual occupation and activity.

Section 74 overrun charges will apply in accordance with the Section 74 Regulations

following the end of the agreed reasonable period, in addition to the DLRS charges.

### **9.3 Identifying Lane Rental Charge Periods**

Within the CBA, a traffic model is used with an assumption being that activities are done outside Traffic-Sensitive times and / or with a shorter duration.

A comparison with normal behaviour is then possible, and this is done by simulation with normal activities creating reduced traffic flows using a traffic profile run in a Quadro model.

DfT Guidance states:

‘An application must demonstrate how the scheme will deliver the benefits and it must also justify the details of the scheme, including which roads which are included in the scheme, the charging structure etc. The application must include a full cost benefit analysis of the scheme with all the underlying data used to create the assumptions in that analysis.

Benefits attributed to lane rental should not include those benefits that could reasonably be expected to arise in the absence of lane rental under other mechanisms already in place within the area of the proposed scheme.’

To support promoters in identifying the times Lane Rental Charges apply to Lane Rental Streets the journey time profile has been aligned to the Traffic-Sensitive Streets times so Lane Rental Charges apply during Traffic-Sensitive times on the identified streets.

### **9.4 Lane Rental Charge Categories**

The Regulations allow for a prescribed daily rate of charge, which may be waived or reduced in particular cases.

In accordance with the Regulations and with consideration to the objectives of the DLRS, there are a range of charge categories depending on the traffic control type, works type, location, times and days of work.

The DLRS ‘Durham County Council Lane Rental Scheme Charges Policy and Table’ sets out the traffic control type, works type, location, times and days of work and any applicable charge.

If an activity spans more than one traffic control type at any time during duration of the activities, then the daily rate of charge will apply for the days the different traffic control type is in place.

In instances where the activities have fully moved to a lower traffic control type, thereby changing the charging to be applied, the promoter must submit a timely permit variation. If the permit variation is solely for the purpose of notifying that the activities have transferred from one traffic control type to another then this permit variation would not be subject to a permit fee.

For the calculation of charges in such instances the Permit Authority will determine the timings for such changes based on the receipt of the associated permit variation.

In accordance with the Regulations 4(4) the Permit Authority reserves the right in exceptional and unavoidable circumstances, to apply a discretionary discount to the lane rental charge.

## 10 Reference to Previous Lane Rental Trials Cost Benefit Analysis

Prior to the introduction of the lane rental scheme a cost benefit analysis was carried out. This was based on a QUADRO programme.

A range of activities scenarios were modelled at selected locations across the network to establish representative values for the costs of the roadwork.

For each site, tests were carried out for lane closure and for full road closure, with and without the lane rental scheme in place, and for activities outside the time sensitive periods.

The QUADRO output was collated to determine average values for each charge band and network type.

These average values were used for the original cost benefit analysis and have been adopted for the post scheme monitoring of the trial schemes.

The cost benefit analysis, prior to the introduction of trial lane rental schemes, was based on the average values per activity and on assumptions about the potential behaviour change by Promoters.

## 11 Average Cost of Activities on the Highway

The average costs of activities on the highway established for the trial cost benefit analysis were based on outputs from the QUADRO program.

The costs per day of activities include vehicle delay, diversion, consumer and business impacts, accident costs, fuel carbon emissions, fuel tax revenue etc.

In order to maintain a consistent approach, these average representative costs have been used for the original DLRS Cost Benefit Analysis and any DLRS Evaluation Reports unless more accurate data is identified.

## 12 Evaluation Principles

In the DLRS CBA a traffic model is used with an assumption based on those activities being moved to outside Traffic-Sensitive times and a comparison made of the different impacts.

These Lane Rental Charge periods can also be shown for weekday and weekend days.

The assumption is that a % of activities move to times outside Traffic-Sensitive Times.

This is shown as the total workdays that move from peak to off peak times.

Another factor considered is improved efficiency of work during peak hours or Lane Rental Charge Periods.

Analysis of whether activities are completed quicker will be evidence based and collected throughout the year.

The DLRS Evaluation Plan is an examination of actual data regarding the behavioural change from introducing DLRS with comparison to the original assumptions made in the pre-scheme Cost Benefit Analysis.

## 13 Glossary

Term	Explanation
DCC	Durham County Council
DfT	Department for Transport.
DLRS	Durham Lane Rental Scheme
DPS	Durham Permit Scheme
Immediate Works also known as Emergency Works	As defined in Section 52 of NRSWA, "emergency works means works whose execution at the time when they are executed is required in order to put an end to, or to prevent the occurrence of, circumstances then existing or imminent (or which the person responsible for the works believes on reasonable grounds to be existing or imminent) which are likely to cause danger to persons or property".
Fixed Penalty Notice (FPN)	As defined in schedule 4B to NRSWA, "fixed penalty notice means a notice offering a person the opportunity of discharging any liability to conviction for a fixed penalty offence by payment of a penalty".
HAUC(UK)	The Highway Authorities and Utilities Committee for England
Highway	As defined in Section 328 of the Highways Act 1980, "highway means the whole or part of a highway other than a ferry or waterway".
Highway Authority	As defined in Sections 1 and 329 of the Highways Act 1980.
Highway works	"works for road purposes" or "major highway works".
Lane Rental Regulations	The Street Works (Charges for Occupation of the Highway) (England) Regulations 2012 (as amended)
Major highway works	As defined in Section 86(3) of NRSWA, "major highway works means works of any of the following descriptions executed by the Highway Authority in relation to a highway which consists of or includes a carriageway – (a) a reconstruction or widening of the highway; (b) works carried out in exercise of the powers conferred by Section 64 of the Highways Act 1980 (dual carriageways and roundabouts); (c) substantial alteration of the level of the highway; (d) provision, alteration of the position or width, or substantial alteration in the level of a carriageway, footway or cycle track in the highway; (e) the construction or removal of a road hump within the meaning of Section 90F of the Highways Act 1980; (f) works
Major Infrastructure	Deliver significant infrastructure improvements or upgrades that substantially extend the longevity of, improve, or renew an asset. Are recognised to be nationally significant infrastructure projects; or Install infrastructure specifically to minimise detrimental impact of future works.
Network Management Duty	As stated in Part 2 of TMA.
NRSWA	New Roads and Street Works Act 1991.
Permit	The approval of a Permit Authority for an activity Promoter to carry out activity in the highway subject to conditions.
Permit application	See the County Durham Permit Scheme. The application that is made by a Promoter to the Authority to carry out an activity in the highway. It is equivalent to the notice of

	proposed start of works (Section 55 of NRSWA) given under the Co-ordination regime.
Permit Authority	A Local Authority or other “Highway Authority” which has been given approval by the Secretary of State to operate a permit scheme on all or some of its road network
Permit Scheme	A scheme approved by the Secretary of State or Local Order under which permits for highways activities are sought and given.
Promoter	Any organisation carrying out works in the highway regardless of whether they are working directly for, or on behalf of an authority or an undertaker. See also “Undertaker” or “Works Promoter”.
Remedial work	Remedial works are those required to put right defective reinstatements identified in accordance with the provisions of the Code of Practice for Inspections and regulations.
Road	"highway".
Road category	This means one of the road categories specified in paragraph 1.3.1 of Chapter S.1 of the code of practice entitled “Specification for the Reinstatement of Openings in Highways” dated June 2002 and approved by the Secretary of State for Transport on 30th June 2002, as revised or re-issued from time to time.
Road works	Works for road purposes. See below.
NEHAUC	North East regional group of the Highway Authorities and Utilities Committee.
Specified Locations	Are the locations designated in a Lane Rental record within the current version of TfL’s Additional Street Data (ASD) file, which is published on the National Street Gazetteer hub.
Specified Times	Are the operational times designated in a Lane Rental record within the current version of the Additional Street Data (ASD) file, which is published on the National Street Gazetteer hub.
Statutory right	As defined in Section 105(1) of NRSWA, "statutory right means a right (whether expressed as a right, a power or otherwise) conferred by an enactment (whenever passed or made), other than a right exercisable by virtue of a street works licence".
Street	As defined in Section 48(1) of NRSWA, "street means the whole or any part of any of the following, irrespective of whether it is a thoroughfare (a) any highway, road, lane, footway, alley or passage; (b) any square or court; (c) any land laid out as a way whether it is for the time being formed as a way or not".
Street Authority	As defined in Section 49(1) of NRSWA, "the Street Authority in relation to a street means, subject to the following provisions (a) if the street is a maintainable highway, the Highway Authority, and (b) if the street is not a maintainable highway, the street managers".
Street works	As defined in Section 48(3) of NRSWA, "street works means works of any of the following kinds (other than works for road purposes) executed in a street in pursuance of a statutory right or a street works licence: (a) placing apparatus; or (b) inspecting, maintaining, adjusting, repairing, altering or renewing apparatus, changing the position of apparatus or removing it, or works required for or incidental to any such works (including, in particular, breaking up or opening the street, or any

	sewer, drain or tunnel under it, or tunnelling or boring under the street".
TMA	The Traffic Management Act 2004.
Traffic	As defined in Section 105(1) of NRSWA, "traffic includes pedestrians and animals".
Traffic flow	The number of vehicles using the particular street at specified times of the day and year, measured in accordance with DfT guidelines.
Traffic-Sensitive Street	This means a street designated by a Street Authority as Traffic-Sensitive pursuant to Section 64 of NRSWA and in a case where a limited designation is made pursuant to Section 64(3) any reference to works in a Traffic-Sensitive street shall be construed as a reference to works to be executed at the times and dates specified in such designation.
Transportation	Transport or transportation is the movement of humans, animals, and goods from one location to another. In other words, the action of transport is defined as a particular movement of an organism or thing from a point A to a Point B. Modes of transport include air, land (rail and road), water, cable, pipeline, and space. The field can be divided into infrastructure, vehicles, and operations. Transport enables trade between people, which is essential for the development of civilization.
Undertaker	As defined in Section 48(4) of NRSWA, "undertaker in relation to street works means the person by whom the relevant statutory right is exercisable (in the capacity in which it is exercisable by him) or the licensee under the relevant street works licence, as the case may be".
Works	"Specified works" as defined in The Traffic Management Permit Scheme (England) Regulations 2007; Works executed under Section 50 of NRSWA; and Works executed pursuant to an agreement under section 278 of the Highways Act 1980
Works for road purposes	As defined in Section 86(2) of NRSWA, "works for road purposes means works of any of the following descriptions executed in relation to a highway: (a) works for the maintenance of the highway; (b) any works under powers conferred by Part V of the Highways Act 1980 (improvement); (c) the erection, maintenance, alteration, or removal of traffic signs on or near the highway; or (d) the construction of a crossing for vehicles across a footway or grass verge or the strengthening or adaptation of a footway for use as a crossing for vehicles".
Works Promoter	Means a person entitled by virtue of a statutory right to carry out street works or works for road purposes.

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