Highways, Transportation and Waste Disposal

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The author is indebted to Allen Smith’s book for much of the historical information. The need for better roads was one of the reasons for the creation of the County Councils in 1889. Counties were given the responsibility for main roads whilst Borough, Urban and Rural Districts became responsible for other roads. The Parish Councils had looked after roads since 1555 and originally relied on a system of statute labour. Each parishioner was supposed to work for three days a year maintaining the roads. Later the idea of paying to avoid duty became accepted and the Parish used the money to employ paupers. Road maintenance was not popular, particularly since it seemed to be for the benefit of longer-distance travellers. Even the creation of the Highways Boards in 1862 caused resentment, as the cost of highway works continued to be met by the local population.

On the other hand, bridges were in a better situation. They had been the responsibility of the County Quarter Sessions since 1530 when the Bridge Act gave them the power to appoint a surveyor, the forerunner of the County Surveyor. The county bridges could be kept in reasonable condition because the cost was spread over the whole of the county population.

There is nothing new in many of the problems facing us today. Highway grants have existed for over 100 years and an early debate in the County Surveyors’ Society considered the pros and cons of using contractors or direct labour. Pressure groups were also in existence and, in 1901, the Roads Improvement Association was pressing for better roads for the growing volume of motor vehicles. By the outbreak of the First World War, a Roads
Board had been established and more grants were made available for the construction and maintenance of roads. However, the County Councils’ Association (CCA) was soon sending deputations complaining about the way the grants were administered.

The aftermath of the first World War saw a considerable backlog of highway maintenance, but also a recognition that highway construction could play a major part in relieving unemployment. The government tackled the first problem by creating a new Ministry of Transport to take over from the Roads Board, but the counties were concerned in case this led to centralised control. Unemployment relief schemes became a national priority throughout the 1920s and 1930s and grants of 75 per cent, or even 100 per cent, were made available for approved road works.

In spite of high unemployment, vehicle usage grew from 650,000 in 1920 to 2.275 million in 1930, and the 1930s saw a doubling of private cars. This led the CCA to advocate a new type of road for through traffic but, in 1936, the government’s response was to take direct control for 3,685 miles of designated trunk road. For the first time the government was to become an operational Highway Authority.

The CCA persevered and, in 1938, supported the County Surveyors’ Society’s National Motorway Plan – the forerunner of today’s motorway system. War intervened, however, and an important phase in highway development drew to a close. Whilst many new roads had been built, the growth in traffic was even faster. Road safety was becoming a major problem and with 6,500 killed on the roads in 1935, the 30 mph speed limit was introduced in urban areas.

All road improvement work was stopped during the Second World War and main roads were marked with white centre lines to aid movement during the blackout. County Councils then became involved in building access roads to airfields or hardstanding for searchlight batteries. Speed was essential and survey, design, land acquisition and construction were all completed within a few months.

The prospect of peace saw the CCA again pressing for the construction of motorways. In 1946, the Ministry of Transport announced a 10-year plan for roads, a two-year catching up period followed by the first motorways; it also extended its control, with the trunk road network being expanded to 8,190 miles. Unfortunately the country’s economic difficulties in 1947 resulted in cuts in maintenance and a halt to improvement work.

By 1954, car ownership was over 3 million and attitudes were beginning to change. The following year the government announced an expanded road programme including the first motorways, and counties were invited to submit
schemes. Those with the faith and foresight to prepare plans benefited; Lancashire was at the forefront and the Preston Bypass was completed in 1958.

While maintenance was still a matter of concern, the pendulum had swung completely and the CCA was soon discussing ways of speeding up road construction and the problem of duplication by the Ministry of Transport. The CCA submitted another motorway plan in 1962, which was rejected by the Ministry of Transport for ‘lack of justification’. It appears that the CCA had been somewhat premature since the government announced its own proposals later in the year.

The motorway programme moved ahead in the 1960s but the government was impatient for faster progress. Administrative difficulties arose in building motorways across several counties and the government proposed a unique partnership: the setting up of road construction units. The Ministry of Transport would have direct control over the RCUs, as they were known, but they would be staffed largely by County Councils and their County Surveyors. All major schemes would be undertaken by the RCUs, while counties would have direct control over smaller schemes and maintenance work.

Local government reform in 1971 proposed that counties should have all-embracing transport responsibilities, including the co-ordination of public transport. The 1974 reorganisation of local government also gave the counties responsibility for waste disposal, where strategic solutions required a wider geographic base.

The year 1974 was not a good start for the new counties since the effects of the 1973 oil crisis were already being felt. The public had a high expectation of the new local government bodies but the government was soon having to reduce expenditure; highways, transport and waste disposal were all affected. The ACC (as the CCA had become) was again complaining about poor road conditions and agreed to the setting up of a unique monitoring arrangement called the National Road Maintenance Condition Survey. This forward-looking partnership began in 1976 and is now beginning to bear fruit. The government has, since 1986, acknowledged the need for higher levels of expenditure on highway maintenance.

The oil crisis, together with a temporary halt to expanding car ownership, led to another change in attitude towards road schemes. The planning of the motorway programme and the new urban roads had often paid insufficient attention to the local environment and the public reacted unfavourably. Planning periods extended from 5-7 years in the 1960s to 10-12 years in the 1970s, and the ACC supported the Department of Transport (as it now was) in its wish to improve the quality of road design and construction. These new concepts were put into practice in the 1980s, and the public is again pressing today for new roads and better standards of maintenance.
Major changes in government policy have occurred since 1979 with the closure of the RCUs and the increased use of the private sector for design work. County direct labour organisations have been forced to become more commercially orientated and have to win most of their work in open competition. These changes have only been symptomatic of a wider review of the role of local government which means that county services are now at an important crossroads.

Public expectations and market forces
There is no justification for poorly maintained roads nor for the environmental damage to our towns and cities by heavy lorries. The public at large, and road users in particular, pay enough in transport-related taxes to ensure a modern highway system: £14 billion in taxes in 1988 compared with £3 billion spent on building and maintaining roads. It is no good telling the public that there is no money – they know that is not true. So what is the problem?

Like so many other problems, local government has been given the responsibility for 95 per cent of the country’s road network but has no realistic means of financing the necessary work. All the transport taxes go direct to the government and there is no discernible link between the money paid by the users and the provision of the service they require. Thus public expectations are completely frustrated. The public are not getting the service paid for and, as far as they are concerned, the County Council is responsible. Counties are also frustrated in not being able to respond to market forces.

This dilemma imposes a challenge both to counties and to government. Is the government prepared to direct a sufficient amount of these taxes to the local highway authorities, and are the counties prepared to accept the constraints which specific funding for a major service implies?

As far as the government is concerned there has been a marked reluctance, ever since the Road Fund was abolished in 1926, to see a direct link between transport taxes and road building. This policy has now been reinforced by the government’s belief that local government cannot be trusted to spend wisely any money allocated to it. For their part, counties have tended to resist specific funding for services and have claimed continued freedom to spend money on whatever priorities they wish.

It seems that attitudes have got to change if the present responsibilities are to remain. The public see only one road network and are looking for a consistent approach across the whole country. They cannot understand why more money is being poured into motorways and trunk roads whilst other roads, often viewed as of greater importance, are left in a poor condition. The government’s recent announcement to double capital investment in new and
improved motorways and trunk roads is welcomed but increases the disparity with local roads which carry 75 per cent of all traffic.

Pressure from the public could lead to either a takeover of more roads by the Department of Transport (with the possible creation of a Regional Roads Board) or an acceptance by counties of the constraints of specific funding. It is unlikely that the Department of Transport would wish to take over all roads (and the many minor problems resulting); therefore the real initiative lies with the counties to put forward new financing proposals for highways. County Councils should not minimise the likelihood of a major transfer of responsibility to the Department of Transport. There are signs of this occurring in the metropolitan areas where Metropolitan Councils, unable to fund the major investment necessary, have invited the government to take direct responsibility for several major roads.

The enabling authority – client or consultant?
If the highway service remains with local government, how should it be discharged? Should local government become an enabling authority, employing only a minimum number of staff, whilst using other agencies to supply services? Applying this idea to a County Surveyor’s Department would result in a split between a client and a consultant group, with the client group developing strategic policies and arranging implementation through the consultant group which may in turn have to compete with the private sector. However, would such a change be in the long-term interest of County Councils?

For over 250 years experienced surveyors or engineers have been directly employed by local government. In the early years the surveyor may well have been a private consultant, but there was a long association with the appropriate County Council or Quarter Sessions. This resulted in a personal relationship developing between those with political responsibility and their professional advisers and a great deal of local knowledge was acquired. History shows that, as far as highways are concerned, it was generally the County Councils who pressed the need for a new form of motor road and the bypassing of towns. When the government decided to promote the motorway programme, it relied entirely on those counties with local knowledge and readily prepared plans to set the programme rolling.

If the counties do not continue to employ a wide-ranging County Surveyor’s Department, where will future County Surveyors come from? Experience has shown the need for a proven manager and professional engineer who can work easily in the political system of local members and committees. Every organisation should have the ability to recruit and train its own managers, but graduate engineers cannot be trained solely in a client department. They need
the design and construction experience which a consultant group would provide. Even assuming that the salary is attractive, will it be possible to recruit the necessary senior staff from the private sector? Will they have the skills to work in the political environment? Experience has again shown that the move from the private to the public sector is not as easy as was imagined, indeed it is much easier to move from public to private sector!

There are two examples of the enabling authority worth considering; the first is the Development Corporation, and the second the Department of Transport. The new Development Corporations operate on an enabling basis employing only a small core of client technical staff. Their job is to brief and control private sector consultants. Development Corporations have been able to recruit appropriate staff but many have come from local government. They also operate with an appointed Board and not elected members. Development Corporations have functioned well but have a short-term life for the redevelopment of an area. Having completed this task, the redeveloped area is then integrated back into local authority administration. As far as highways and transport are concerned, it would be unwise to use Development Corporations as a model for long-term local administration.

The Department of Transport gives the appearance of a strong enabling authority but a closer examination reveals real problems. The RCUs (in existence between 1966 and 1981) provided a major injection of new and experienced staff into the Department of Transport but this legacy is now becoming diluted. Recruitment has become progressively more difficult; experienced staff often find little job satisfaction and graduate recruitment ceased due mainly to the difficulty in providing professional training. The Department of Transport’s recruitment problems are now leading to a shortage of senior engineers, with more of the higher levels of management being filled with non-engineering staff. A new Roads Programme Directorate has been set up to manage the expanded roads programme (shades of the old RCUs !) but consultants have been asked to provide staff to the Directorate because of recruitment difficulties. It may be argued that part of the problem relates to the salaries paid, but there appears to be a strong tendency amongst many engineers to prefer the consultant to the client role.

If the example of the Department of Transport was to be followed then serious concern must be expressed about the long-term abilities of the counties to sustain the quality of client advice that currently exists in the form of the County Surveyors’ Department.

**Privatisation**

If the enabling role is to be pursued, then a further option needs to be considered – the privatisation of the County Surveyor’s Department but
having a long-term contract to provide advice and support to the Council. Strategic and long-term advice for a community cannot be purchased on a short-term basis. There has to be a high degree of local knowledge allied to political understanding and driven by long-term commitment. These are not the qualities of one person but of a complex team. In Shropshire, for example, having locally based engineers enables a large amount of land purchase to be agreed without the need for compulsory purchase orders. There is a role for the traditional consultant, but many local landowners turn first to the County Council for advice when dealing with unknown consultants.

Provided that a long-term agreement can be arranged (a minimum of five years and preferably ten years so that staff can live in the area), then the arrangement could have advantages. It would free the members from the concerns of recruitment or redundancy as workloads change, and from the day-to-day management problems of the department. Whilst the staff would lose the apparent protection of working in local government (but this is disappearing anyway), they would have a more direct involvement in the ownership of the new organisation. There would be more freedom to manage and respond to the changing challenge of the private sector. There is likely to be an increased cost to the County Council but this will occur with any move towards an enabling authority. On the other hand, members may become more selective in the work that they require the organisation to undertake.

**Competition**

The new area for competition will be professional services but Direct Labour Organisations (DLOs) have operated with growing competition since 1981 and arrangements are now in hand for this to extend to grounds and vehicle maintenance. Looking back at the way the government has continually changed the rules, it is a tribute to the flexibility and quality of local government that so many Highway DLOs have survived, and one must admit that many are stronger and fitter as a result. Whilst there has always been some concern, County Surveyors have generally welcomed the opportunities presented by the competition legislation provided the competition is fair.

There is now no doubt that local government can organise the delivery of services on a competitive basis but, in the highways field, there is a growing conflict between the basic duty of counties to deal with emergencies and the need for competition. The competitive, profitable DLO may have a much smaller workforce than is required to meet the demands of emergencies such as a severe winter. Two questions then arise: to what extent can emergency work be undertaken by the private sector? and what minimum size of workforce should the Council have to meet emergencies? In practice the questions revolve around winter maintenance since this has the greatest call
on manpower, but the October 1987 gales in the south (and more recently in the north), together with flooding and special emergencies such as Lockerbie or the M1 plane crash, all demand a front-line local authority response.

The private sector is willing to provide an emergency service but would prefer additional work to be allocated to provide a more consistent and economical workload. In reality this occurs on privately maintained sections of motorway. Reliance on a private sector-only emergency service will be very costly and difficult to control even when backed up by high penalties for failure to turn out. The public will be very critical of any Council which fails to deal with an emergency and, therefore, total reliance on the private sector is a major political and practical risk.

Counties have a good reputation for coping with emergencies but it is likely that we do not know the real cost of providing this service. Present costs are offset by the ability to provide profitable employment to the manpower for the rest of the year. The problem will become more acute as DLOs reduce manpower, partly because of a reducing market and partly because of improvements in productivity. Some authorities, of which Shropshire is one, are already having to consider whether the minimum workforce of the DLO should be determined by the need for emergency services or allowed to follow market forces. If the cost of private sector support is too high (or the service unreliable – particularly in rural areas), DLOs may have to provide the full service and find other work for the manpower for the rest of the year. DLOs should then be able to win more competitive work since, in effect, more of their overhead costs would be charged to the emergency services budget. While such an arrangement would be perfectly proper and demonstrably cost-effective, it is nevertheless bound to raise claims of unfair competition from the private sector.

An unexpected result of the attention focused on competition has been the endorsement by the Audit Commission of the role of DLOs. Whilst Audit Commission studies have shown some divergence between the best and worst DLOs, they have concluded that in many cases it is the presence of the DLO that provides for real competition. In view of the limited market available for DLOs, this conclusion strengthens the case for awarding some work to the DLO even when it is not the lowest tenderer.

**Public transport**

The need for integrated transport planning has been a postwar feature which reached a climax in the 1970s with the creation of County Councils as transportation authorities. Since then the oil crisis and economic uncertainty have put the whole ethos of planning in doubt. Faced with the growing congestion in urban areas, counties grasped the new powers with vigour and
developed radical ideas for transportation planning in general and public transport in particular. The principle was that highway development should never be considered separately from public transport and that effective public transport planning required a direct involvement in its operation.

The government encouraged this approach with the development of the Transport Policies and Programme (TPP) framework—a means of setting out the co-ordinated policies of the Council to which the government would respond with the award of grant aid. It even indicated that the amount of grant would depend on the quality of the integrated plans and their justification. In practice government was never able to evaluate integrated plans and took a national view of the amount of money to be spent separately on highway maintenance, highway construction and public transport.

In view of the long-term nature of developing new public transport systems (busways or light rail, etc.), most counties opted for a pricing mechanism to encourage the use of public transport and reverse its decline. This approach was quite justified in transportation terms but some counties began to use the pricing mechanism for social purposes. The cost of public transport support grew rapidly and, by 1985, appeared to the government to be getting out of control. There was also concern that the large Passenger Transport Authorities in Metropolitan counties had become a public monopoly. Deregulation was introduced in 1986 as a means of bringing competition to public transport but it also had the effect of making integrated transport planning more difficult. The pricing mechanism can no longer be used to attract users to public transport, and market forces are relied upon instead to justify both the level of service and the price charged.

The main challenge for counties has been to move from a planning to a reactive role. The lead must be taken by the private sector with the county subsidising selected additional services. There have not been the expected cost savings in rural counties but neither has there been a crisis. There have been cost savings in urban areas but other problems are now appearing. Carefully integrated bus and rail services are beginning to fall apart, with buses competing directly with rail. This will have an adverse effect on systems such as the Tyne and Wear Metro where local bus services were targeted towards rail stations. The Travel Card or flat fare systems are also breaking down as competing operators refuse to participate. It will be interesting to see how the government reacts to the new generation of rapid transit systems being proposed; these systems are needed in major urban areas but require a co-ordinated approach between road construction, bus operation, fare structure and parking charges. In the meantime, the carefully broken up National Bus Company, to provide separate competing companies, is being quietly reassembled and could become a private monopoly in some areas.
Traffic growth is now higher than ever with serious congestion an everyday occurrence. Road pricing is again on the agenda but, if introduced, there should be a relationship with local bus and rail fares. It is interesting to note that, although promised, deregulation has not yet been implemented in London where there continues to be a high level of integration between all forms of public transport and a unified fare structure. London will almost certainly be the acid test for co-ordinated transport and, if the present arrangements are retained, then some modification to existing legislation will be required for other urban areas and probably the rest of the country. Counties must be prepared to pursue this argument and not allow themselves to be forced to tackle urban transport problems with one hand tied behind their backs!

Waste disposal
Waste disposal was another function taken on by counties in 1974 and considerable improvements have been made in the quality of waste disposal despite severely limited resources. Prior to 1974 each district had one or more waste disposal sites which counties have been able to rationalise, concentrating on a few large well prepared sites. Some counties soon realised that landfill sites would run out and with the benefit of a sizeable area took new initiatives in the construction of incinerators or recycling facilities such as fertiliser plants, waste-derived fuel plants, or using waste for furnaces providing heat and power for local industry. Unfortunately most of these waste reduction measures (for there was always some waste left over to be tipped) proved expensive and, with government pressure for cost savings, the use of landfill was pursued more vigorously. Counties faced yet another conflict. Pressure for cost reduction was matched against rising environmental expectations particularly for landfill sites. Preparation, operation and final restoration costs all increased. It may be a coincidence but, as waste disposal sites increased in size and covered more assiduously, thereby preventing the natural escape of methane gas, so the gas sought other escape routes and began appearing in basements or foundations of adjacent property. Seeking to solve one environmental problem may have created another.

Counties were not only given responsibilities for waste disposal but also for the licensing of private waste disposal sites and the movement of waste. However, the powers were relatively weak and the Waste Disposal Authorities (as the counties became) could refuse a site licence only if there was a measurable risk to water supplies or public safety. Numerous conditions were attached to site licences but with little real power for enforcement. Withdrawing a licence was no deterrent to an operator who could leave the site unfinished without penalty, having made sufficient profit already. Counties could only exhort improvements and it is much to the credit of the
new breed of waste disposal officers that standards did improve well before environmental issues became popular.

New legislation is now proposed for waste disposal which will strengthen the regulatory powers of County Councils. At long last a duty of care will be imposed on the waste producer; in the past it was all too easy to claim ignorance of the actual disposal once it had been given to an unscrupulous disposal operator. Competition is also proposed in waste disposal, with counties having to tender alongside private operators for the disposal of household waste. Unlike previous competition regulations, it is proposed that the counties set up a Local Authority Waste Disposal Company (LAWDC), which is described as an ‘arms length controlled company limited by shares’. The local authority may own the shares in the company but will only be allowed to appoint up to 20 per cent of its directors. The aim is to reduce political control over the company and ensure that it acts commercially. Unfortunately its commercial freedom will be seriously impaired because the LAWDC will be subject to the general control of capital imposed on the local authority. The ACC objected to these proposals and recommended that the same objectives could be achieved by expanding the role of existing DLOs. A separate LAWDC will require some duplication of technical and commercial management skills but the Government would then find it easier to require the company to be sold off to the private sector – an objective not denied by government ministers. Competition may bring some benefits but the spur of profit will conflict with the need to make the best community and environmental use of waste disposal sites, the planned use of waste as a means of land reclamation and new initiatives in recycling waste. The counties will continue to prepare a strategic waste disposal plan but its implementation will be seriously weakened.

The county will continue to have a duty for the disposal of household waste, but there will be less incentive to continue with waste disposal operations. The withdrawal of the public sector could result in private monopolies developing in many parts of the country and some counties have already decided to sell their waste disposal sites. One practical way of avoiding such monopolies would be to grant more planning permissions for waste disposal sites – an option which would not find favour with the public and would certainly not be an efficient use of land.

The government’s proposals are another new challenge for County Councils but an immediate concern is the suggestion that counties should separately manage different aspects of the waste management function. The current vogue from government is to separate functions into watertight compartments in order to give clarity of role and purpose, hence the argument in favour of client, consultant and contractor. In waste management terms this
is interpreted as Waste Disposal Authority (Client), Waste Disposal Operations (LAWDC – Contractor) and Waste Regulation Authority.

The separation of functions creates its own problems, takes no account of the limited skilled and experienced staff in existence and makes career development in waste management much more difficult. It also goes against experience which has shown that major problems are best tackled by a task force approach – bringing together the necessary skills into one team. Indeed, the private sector has long moved away from separation and looks now for an integrated approach to problem solving; e.g. design and build, management contracting, etc.

Counties have begun to demonstrate a dynamic approach to waste management, linking waste collection and disposal, minimising waste production and maximising recycling opportunities. The new arrangements for waste disposal are an unhappy mix of environmental benefit and commercial opportunity which the counties are being urged to manage through separate specialist teams. The risks are higher than need be and some of the benefits unproven. This new challenge is somewhat unnecessary but county government will continue to deliver the best local service possible in spite of irritating constraints.

References