



Llywodraeth Cymru
Welsh Government

**UNADOPTED ROADS IN WALES
FINAL REPORT TO THE
MINISTER FOR ECONOMY AND
TRANSPORT
September 2020**

Executive summary

The Unadopted Roads Taskforce was established at the Minister for Economy and Transport's request to look at the issues in Wales and in so doing identify the extent of unadopted roads and what could be done to improve the situation. Following initial investigation and a comprehensive consultation exercise involving key stakeholders, a [preliminary report](#) was submitted to the Minister in the Spring of 2019. This current report build on the initial work and addresses the recommendations emanating from the initial report.

The Taskforce has been very mindful of the useful feedback from the November 2018 consultation exercise and has considered all the issues raised. These have been varied and have included matters to do with all types of unadopted roads, and the difficulties that arise as a result of no clear ownership or responsible bodies for particular unadopted roads. The Taskforce membership included skilled practitioners and professionals that have been able to recognise and recommend certain actions that are leading to a better understanding of the nature and quantum of the issues across Wales. Importantly, recommendations are made that will start to address the enormity of the issue on a priority basis, but also through the Good Practice Guide and Common Standards, will reduce significantly the chances of any further 'unadopted road' being created.

All the actions from the recommendations of the initial Unadopted Roads report of Spring 2019 have completed successfully and are summarised as follows:

- » Work has progressed in establishing a DATABASE to provide a comprehensive record of all unadopted roads in Wales
- » The emerging database has been used to provide the quantum of unadopted roads throughout Wales and in so doing, has enabled outline estimates to be provided for improving unadopted roads to reasonable adoptable standards

- » The database will be maintained as part of the management of the National Streetworks Gazetteer with the assistance of Local Authorities
- » Budgets were identified for the work involved in establishing the said database
- » Local Authorities and housebuilding federations have signed up to the GOOD PRACTICE GUIDE
- » A working group has been established to develop a set of highway design and construction COMMON STANDARDS for use by Local Authorities and housing developers for adoptable roadways

Further Recommendations are as follows :

RECOMMENDATION 1 –

that Local Authorities initially identify the priority unadopted road issues within their Council areas, and that cost estimates be provided for improvement to adoptable standards. Such proposals would need to be justified in terms of need based on national and local priorities.

RECOMMENDATION 2 –

that consideration be made for some form of central resource to be made available to assist with the funding of necessary works to address local unadopted road priorities

RECOMMENDATION 3 –

that the usage of the Good Practice Guide be monitored, and that further dialogue with Local Authorities takes place later in 2020 to evaluate the benefits of using the Good Practice Guide

RECOMMENDATION 4 –

that a suite of Common Standards for use by Local Highway Authorities and Housing Developers be published

RECOMMENDATION 5 –

that the Common Standards suite of documents are reviewed annually and amended as necessary to reflect changing requirements as a result of other emerging initiatives, and that annual funding be provided to enable this

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Background

Following the Welsh Assembly Member Debate in Plenary in February 2018 regarding the issues around unadopted roads, the Minister for Economy and Transport committed to establishing a Taskforce to investigate the issues and to report with initial findings and recommendations in the Spring of 2019.

Accordingly, the Taskforce was set up and undertook a review of unadopted roads and reported back to the Minister in April 2019. The outcomes of the initial investigations were as follows:

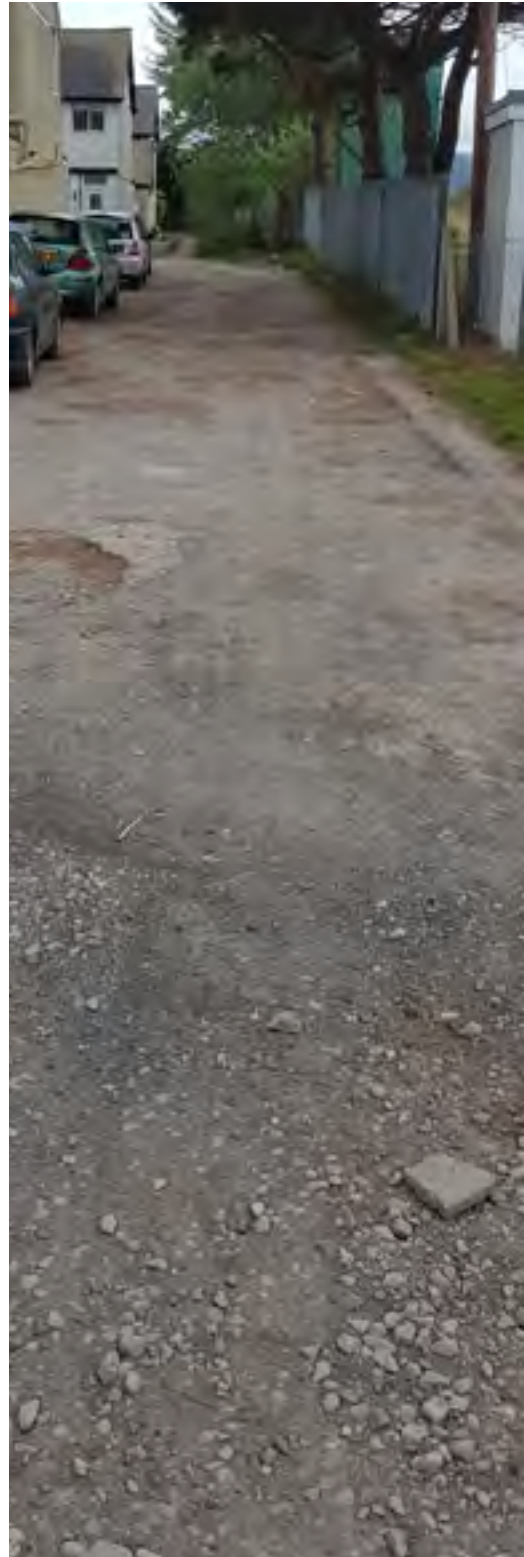
- » There is currently little reliable, managed information available and it is difficult therefore to quantify the extent of unadopted roads, and the cost of remediation
- » Investment is required to develop a database to provide consistent and robust information on unadopted roads that would enable a more accurate picture to be generated and to understand the cost of remediation
- » Unadopted roads fall broadly into six categories
- » Unadopted housing estate roads are the type of unadopted road which was numerically most referred to by consultation respondents (both historic situations and new build)
- » A number of steps have been identified that could prevent the problem from becoming worse over time. Based on these, a flow chart has been developed that sets out the basis for a future good practice guide for use by Local Highway Authorities and housing developers. Applied consistently, this could help reduce new housing estate roads not being adopted. This would enable efforts to be focussed on dealing with the backlog of unadopted roads, and how to reduce this in a prioritised way over time, subject to resource availability
- » The need for a common standards approach has been identified to accompany the good practice guide



Introduction

The following recommendations were made, and subsequently endorsed by the Minister:

- » That work progress to establish a DATABASE to provide a comprehensive record of all unadopted roads in Wales
- » That the database be used to provide cost estimates for improving unadopted roads to reasonable adoptable standards
- » That the database be managed and maintained with the assistance of local authorities
- » That a budget be established to set up the database
- » That Local Authorities and housebuilders develop a GOOD PRACTICE GUIDE to significantly reduce the chances of any new housing estate roads ending up in an unadopted state
- » That Local Authorities and the house building federations sign up to the suggested good practice guide
- » That a working group be established to develop a set of highway design and construction COMMON STANDARDS for use by Local Authorities and housing developers for adoptable roadways.



This report focusses on addressing the above recommendations and providing a position statement specifically on the DATABASE, GOOD PRACTICE GUIDE and COMMON STANDARDS.



Findings and outcomes

The following recommendations were made, and subsequently endorsed by the Minister:

DATABASE

That work progresses to establish a DATABASE to provide a comprehensive record of all unadopted roads in Wales

In response to this, 'Geoplace' was engaged to undertake a data mapping exercise of unadopted roads in each County area in Wales. Geoplace already works closely with Welsh Local Highway Authorities and the Public Utility Companies and produces and manages the National Streetworks Gazetteer. Moreover, Geoplace is a jointly owned company of the Local Government Association and Ordnance Survey, making it ideally suited to take on this role.

Currently Local Authorities do not hold consistent or accurate data on unadopted roads. The desktop analysis that has been undertaken has produced draft data maps initially for a limited number of Councils that identify unadopted roads on an OS based data layer. The six Councils in question (see Appendix 1) have been sense checking the data to ensure that the information produced is sufficiently robust and a good representation of what is the actual unadopted roads situation in each of these Council areas.

Early indications are promising with agreement that there is good correlation between the emerging data and the known situation on the ground. This gives confidence as to the totality of Unadopted Roads in Wales.

Also, once all the data sets are complete, consideration was to have been given to making all unadopted roads mapping information available in one central location so as to enable public access to the data.

However, the web based 'Find My Street' tool already exists and is freely available to all; this shows all adopted highways, and therefore any road not shown as adopted can be considered 'unadopted'. 'Find My Street' already provides a caveat to say that the data may not be 100% accurate and that the adopted roads status should be checked locally via the statutory adopted roads data held by each individual Local Authority. 'Find My Street' is maintained and updated by Geoplace alongside the Streetworks Gazetteer work and predicated on the same data.

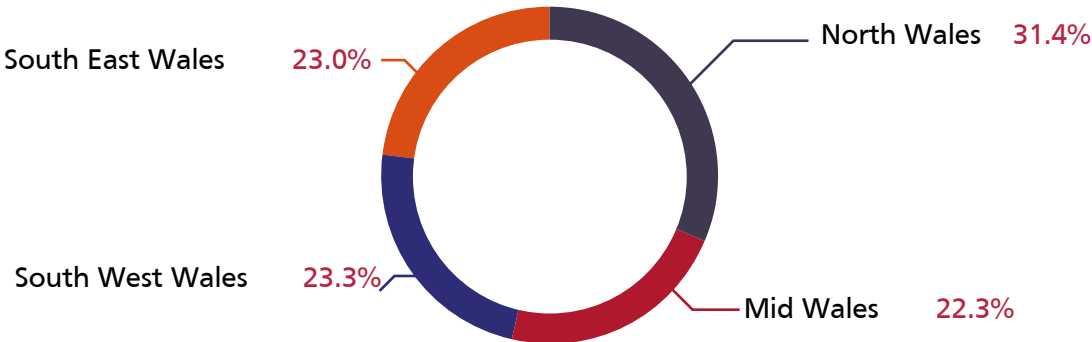
[Details on how Geoplace undertook the data mapping exercise can be viewed here](#)

That the database be used to provide cost estimates for improving unadopted roads to reasonable adoptable standards.

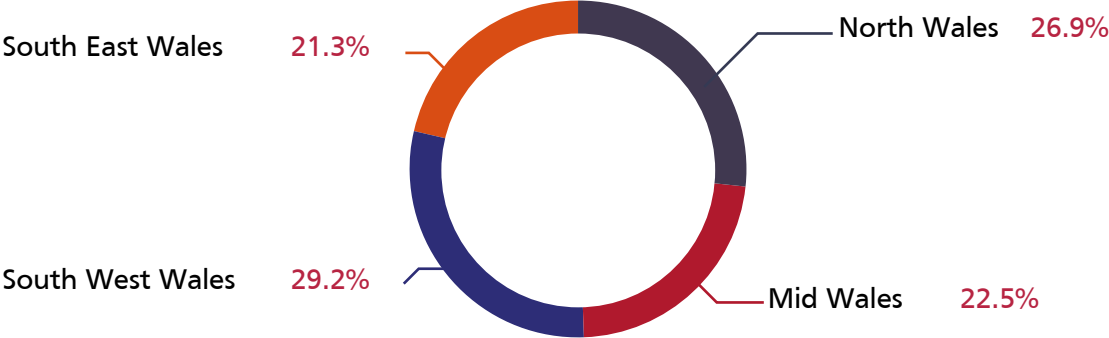
Prior to now, the only available information that appears to be available is that in the early nineteen seventies, a total length of 4000 miles (6437 kilometres) was identified as being the total length of unadopted roads in England and Wales.

Based on the emerging data produced by Geoplace, it appears that there are some 25,000 kilometres of unadopted roads in Wales alone. Such a figure includes all 6 categories of unadopted roads identified and reported initially (see Appendix 2). However, in terms of unadopted roads that serve 5 properties or more (as would typically be the case for an unadopted housing estate road), then the length is some 2,600 kilometres for the whole of Wales.

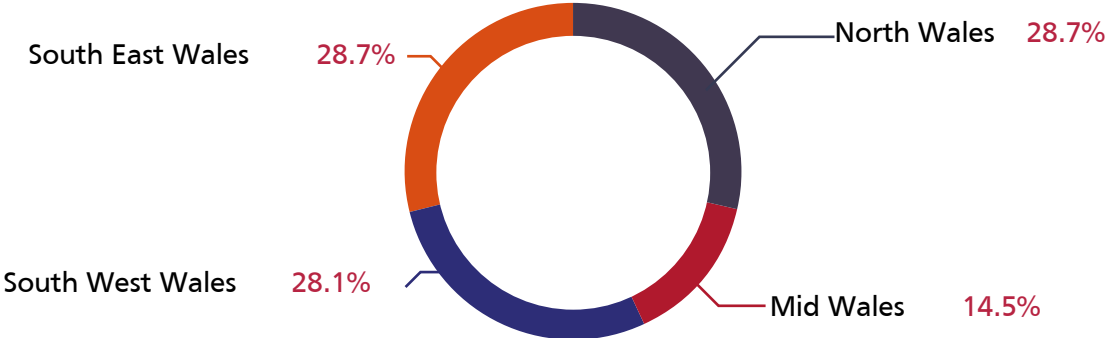
Overall length of Unadopted Roads in Wales is 25,374 kilometres broken down as follows



Length of unadopted roads serving 2 or more properties is 5,557 kilometres



Length of unadopted roads serving 5 or more properties is 2,617 kilometres



Through the feedback to the initial consultation on unadopted roads, and through discussion with practitioners serving on the Taskforce, an agreed typical cost for making up a roadway to an adoptable standard would be of the order of £600 per linear metre.

Clearly, this is very much a typical average figure and some situations would obviously require more or less per linear metre dependent on individual circumstances.

The unadopted roads infrastructure is extensive, and it is inconceivable to consider improvements to every individual section. However, based on the £600 / linear metre cost, then a £10 million pound investment will improve approximately 16 kilometres of road. Whilst unadopted housing estates roads are numerically dominant, there are also concerns over other types of unadopted roads in some areas. Such examples include rural lanes serving remote properties, some back lanes, and former holiday chalet parks now being used as permanent residences etc.

Local Authorities have no statutory responsibilities in respect of unadopted roads. There are however discretionary powers under the Highways Act 1980 that enable Highway Authorities if they so choose to make good and improve highways to an adoptable standard.

Following years of difficult funding settlements, Councils have no budgets and no plans to invest in resolving unadopted roads issues and enabling improvement work; some form of central funding may allow Highway Authorities to undertake the improvement of the worst unadopted road issues within their Local Authority areas.

The value of any central investment could be increased if potential beneficiaries (e.g. residents who would benefit from improvements to their unadopted streets) were to contribute also. This principle is already enshrined in the Private Street Works mechanisms that exist as part of the Highways Act 1980.

Accordingly, an emerging recommendation is that Welsh Government in principle set aside funding to address the worst unadopted roads throughout Wales, and that Highway Authorities provide details as to how they would use any funding and articulate the benefits of such an investment.

Dependent on the responses, consideration could be given as to how it would be best to distribute funding; this could be on a formula funding basis similar in principle to how revenue funding is distributed to Local Authorities for road maintenance of adopted roads.

That the database be managed and maintained with the assistance of local authorities

Through discussions with the Welsh Route Custodians (Local Authority Highway staff who are responsible for inputting and maintaining the National Street Gazetteer in conjunction with the Public Utilities organisations), it appears that once the unadopted roads data base is established, records can be maintained and updated through the Streetworks Gazetteer processes; hopefully no known new unadopted roads will be created (or identified).

Those associated with housing developments will be subject to legal agreements and widely known to the individual Highway Authority and the Utility companies who will be servicing such developments. The 'Find my Street' tool is automatically updated as part of this process.

That the budget be established to set up the database.

Funding of less than £5,000 was required to establish the 22 unadopted databases throughout Wales. The Welsh Government made financial provision for this.

That Local Authorities and housebuilders develop a GOOD PRACTICE GUIDE to significantly reduce the chances of any new housing estate roads ending up in an unadopted state

A Good Practice Guide (GPG) has been developed by the Taskforce together with specialist legal input from Geldards Solicitors. (The GPG appears in Appendix 3).

The GPG has been widely disseminated to Local Authorities through Highway officer links (County Surveyors Society Wales), Planning officer links (Planning Officers Society Wales) and the WLGA Environment Directors Group.

Also, the Homebuilders Federation Wales and the Federation of Master Builders who are represented on the Taskforce have disseminated the GPG to their members.

Another matter that has been considered alongside the development of the GPG is that of the Bond required as part of the standard road adoption agreement between Highway Authorities and housing developers.

Such Bonds are problematic in terms of many factors such as the availability of finance, ease of process, release mechanisms etc. It appears that there is improving consistency in the way that Local Authorities are dealing with Bonds, and that also, the housing developers are similarly aware and responding accordingly.

Use of the GPG and the Common Standards approach (see later) will bring further improvement as will the explanations and approaches outlined in the emerging UK DfT Advice Note on Road Adoption. No further actions or recommendations are proposed at this time.

That Local Authorities and the house building federations sign up to the suggested GPG.

The GPG is primarily aimed at Local Authority Highway officers who have powers under the Highways Act 1950 to direct the completion of agreements for highway adoption at an early stage.

Housing developers will be aware of such powers and their consistent application through the GPG, and will be better placed to expeditiously complete such agreements early in the process thus avoiding any complications or difficulties later on.

At the time of writing, 17 out of 22 Highway Authorities have confirmed that their processes are aligned with the GPG.



That a working group be established to develop a set of highway design and construction COMMON STANDARDS for use by Local Authorities and housing developers for adoptable roadways.

A Common Standards Review Group has been established in line with this recommendation. The Review Group is led by the Chairman of the County Surveyors Society Wales Development Control Forum, and its membership includes Local Authority Highway Engineers and Planners, together with House Building Federation members and representatives from housing developers both large and small in scale.

Rondda Cynon Taf County Borough Council (RCT) already have a comprehensive set of documents recently completed which are ideal as a basis to work on to achieve an all Wales set of Common Standards for highway alignment and construction. The Review Group is reviewing the RCT documentation and where necessary proposing amendments and changes that would make this suitable for the whole of Wales.

Once completed, the Common Standards documentation will reflect the current situation and will have taken on board all other matters that will impact on current development including sustainable drainage design (SUDS), Active Travel measures, Placemaking requirements etc.

As these other matters evolve, it will thus be necessary to annually monitor and review the Common Standards documentation to take account of any future changes. It is envisaged that the County Surveyors Society Wales would be best placed to undertake the required monitoring and reviewing. Modest funding would be required to facilitate this.



Summary

All the actions from the recommendations of the initial Unadopted Roads report of Spring 2019 have completed successfully as noted earlier in section 3 of this report and are summarised as follows:

- » Work has progressed in establishing a DATABASE
- » The emerging database has been used to provide outline costings for improving unadopted roads to reasonable adoptable standards
- » The database will be managed and maintained with the assistance of Local Authorities
- » Budgets were identified for the work involved in establishing the said database
- » Local Authorities and housebuilding federations have signed up to the GOOD PRACTICE GUIDE
- » A working group has been established to develop a set of highway design and construction COMMON STANDARDS for use by Local Authorities and housing developers for adoptable roadways



Further recommendations

It has emerged that a reasonable typical cost for 'making up' roads to adoptable standard is of the order of £600 per linear metre. The database outputs are detailed above and are summarised in Table 1 below:

Category	Linear length (km)	Cost (£) per linear meter	Cost (£) billion
All unadopted roads (UR)	25,000	600	15
URs serving 2 or more properties	5,600	600	3.36
URs serving 5 or more properties	2,600	600	1.56

ADDRESSING PRIORITY SITUATIONS

As mentioned earlier, whilst unadopted housing estate roads appear generally the source of most concern for most local authorities, there are other types of unadopted roads that may be more of an issue in other local authority areas; such examples include rural lane serving isolated remote properties, unadopted back lanes, former holiday chalet developments now being used as permanent residences etc. From this the Taskforce makes further recommendations as follows:

RECOMMENDATION 1 –that Local Authorities initially identify the priority unadopted road issues within their Council areas, and that cost estimates be provided for improvement to adoptable standards. Such proposals would need to be justified in terms of need based on national and local priorities.

RECOMMENDATION 2 - that consideration be made for some form of central resource to be made available to assist with the funding of necessary works to address local unadopted road priorities

GOOD PRACTICE GUIDE

It is encouraging to note the widespread use and adoption of the Good Practice Guide. However, it is too early to properly understand how effective its use has been and what measurable improvements have been realised. There needs to be a follow up discussion with Local Authorities during the latter part of 2020 to assess the continues level of usage and to measure any improvements; housing developments and the associated adoption of roads take time and other factors affect timelines also such as any current economic climate so getting robust data here will be difficult. Nevertheless, through dialogue with Local Authorities, it is hoped that an emerging view as to the effectiveness of the Good Practice Guide can be achieved.

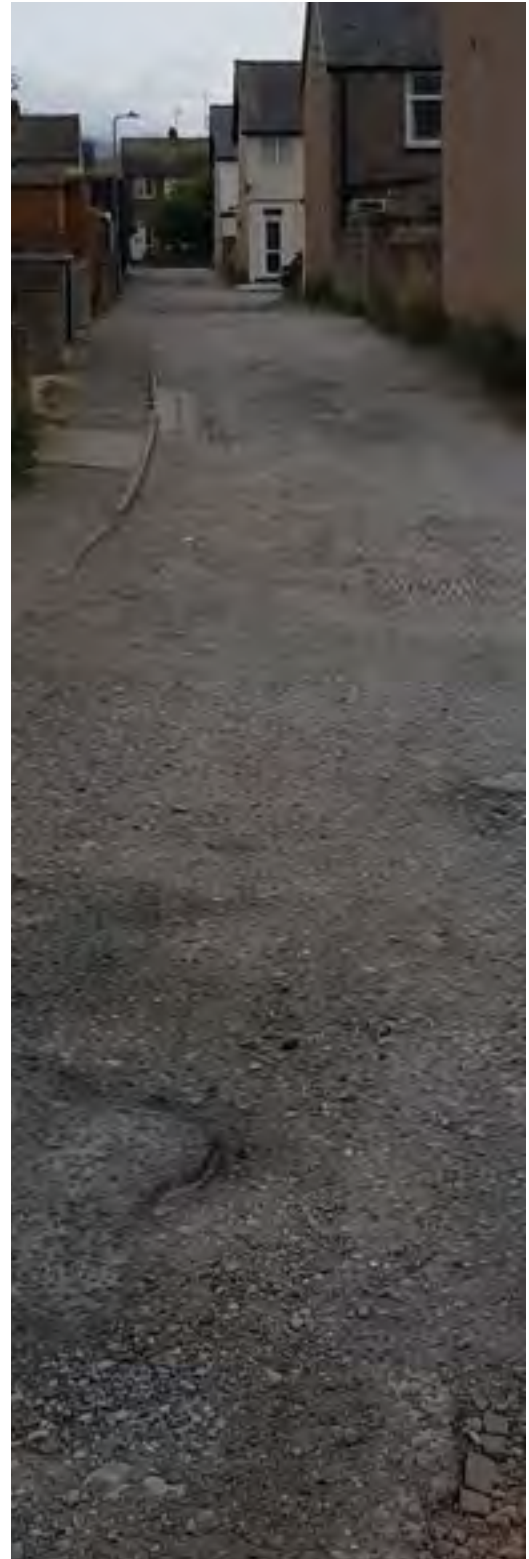
RECOMMENDATION 3 – that the usage of the Good Practice Guide be monitored, and that further dialogue with Local Authorities takes place later in 2020 to evaluate the benefits of using the Good Practice Guide

COMMON STANDARDS

The emerging Common Standards suite of documents is nearing completion, and it is proposed to disseminate this widely to all Local Authorities and housebuilders (via the housebuilding federations). There is early positivity here with all parties acknowledging the potential improvements to process and relationships that a 'common standards' approach will bring to new housing estate road adoption. Whilst the Common Standards documents will properly reflect how best to integrate other major considerations into current highway design and construction detail, there will be a need to review and amend 'common standards' regularly as other factors change; such other factors include emerging SUDS requirements, changing Active Travel requirement, Pavement Parking etc. etc.

RECOMMENDATION 4 – that a suite of Common Standards for use by Local Highway Authorities and Housing Developers be published

RECOMMENDATION 5 – that the Common Standards suite of documents are reviewed annually and amended as necessary to reflect changing requirements as a result of other emerging initiatives, and that annual funding be provided to enable this



APPENDIX 1 – List of sense checking Councils (and rationale for selection)

The following Local Authorities were requested to assist with checking early outputs for their own geographic areas from the initial data assembly and presentational work undertaken by Geoplace. These Local Authorities were chosen to give a fair representation geographically across Wales, but also to represent urban, valleys and rural type Council areas:

- » Bridgend County Borough Council
- » Conwy County Borough Council
- » Ceredigion County Council
- » Neath Port Talbot County Borough Council
- » Powys County Council
- » Torfaen County Borough Council



APPENDIX 2 – Categories of Unadopted Roads

Early on in the process, the Unadopted Roads Taskforce identified 6 main categories of Unadopted Roads. The comprehensive consultation exercise undertaken in the Autumn of 2018 resulted in endorsement of these categories with no other or new categories coming forward.

The categories are as follows:

- » unadopted former chalet developments.



- » unadopted minor roads not specifically serving households



- » unadopted housing estate roads



- » unadopted urban back lanes



- » unadopted privately managed estate roads



- » unadopted industrial / business development sites



ROAD ADOPTION MODEL GUIDE

**FOR HIGHWAY AUTHORITIES
AND HOUSING DEVELOPERS**



EXPLANATORY NOTES

Pre Application Stage

Discussions between Applicant and Planning Authority prior to submission of Planning Application.

Building Control Submission

Required as part of 'Building Regulations' made pursuant to the Building Act 1984.

Private Shared Access

Providing access for residents only to developments such as gated cul de sacs, complexes of flats concierge controlled etc and does not include any thoroughfares.

Advanced Payment Code

The statutory code provided by sections 219 to 225 of the Highways Act 1980. The code secures payment of the costs of street works in private streets adjacent to new buildings. This means works for the construction of estate roads in a scheme for built development such as a housing estate.

Section 38 Agreement

An agreement for carrying out highway works made pursuant to section 38 of the Highways Act 1980, usually associated with the construction and adoption of estate roads normally within residential developments.

