STATUTORY INSTRUMENTS

2025 No. 1074

HIGHWAYS, ENGLAND

The Street and Road Works (Charges and Penalties) (Amendments) (England) Regulations 2025

Made - - - -	*8th October 2025*
Laid before Parliament	*13th October 2025*
Coming into force - -	*5th January 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 74(1), (5) and (5A), 74A(10)(a) and 104(1) and (1A) of, and paragraphs 4(1) and 5(2) of Schedule 4B to, the New Roads and Street Works Act 1991(**a**) and sections 37(1) and (6) and 39(2) of the Traffic Management Act 2004(**b**).

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Street and Road Works (Charges and Penalties) (Amendments) (England) Regulations 2025.

(2) These Regulations come into force on 5th January 2026.

(3) These Regulations extend to England and Wales.

Amendments to the Street Works (Fixed Penalty) (England) Regulations 2007

2.—(1) The Street Works (Fixed Penalty) (England) Regulations 2007(**c**) are amended as follows.

(2) In Schedule 2 (amount of penalty), in the table—

(a) in each entry in column 4, for "£120" substitute "£240";

(b) in each entry in column 5, for "£80" substitute "£160".

(**a**) 1991 c. 22. Section 74 was amended by section 256 of the Transport Act 2000 (c. 38) ("the 2000 Act"), sections 40 and 52 of the Traffic Management Act 2004 (c. 18) ("the 2004 Act"), and Schedule 1 to the Infrastructure Act 2015 (c. 7) ("the 2015 Act"). Section 74A was inserted by section 255 of the 2000 Act and amended by section 40 of the 2004 Act and Schedule 1 to the 2015 Act. Section 95A and Schedule 4B were inserted by section 41 of, and Schedule 3 to, the 2004 Act. Section 104(1) was amended by, and section 104(1A) inserted by, section 57 of the Data (Use and Access) Act 2025 (c. 18). Schedule 4B was amended by S.I. 2007/1952. For the purposes of Part 3 of the New Roads and Street Works Act 1991, section 104(1) of that Act provides that "prescribed" means prescribed by the Secretary of State by regulations.

(**b**) 2004 c. 18. Sections 37 and 39 were amended by section 51 of, and paragraphs 9 and 10 of Schedule 10 to, the Deregulation Act 2015 (c. 20).

(**c**) S.I. 2007/1952, to which there are amendments not relevant to these Regulations.

Amendments to the Traffic Management Permit Scheme (England) Regulations 2007

3.—(1) The Traffic Management Permit Scheme (England) Regulations 2007(**a**) are amended as follows.

(2) In regulation 24 (penalties payable when fixed penalty notice given), in paragraph (1)—

(a) in sub-paragraph (a), for "£500" substitute "£1,000";

(b) in sub-paragraph (b), for "£120" substitute "£240".

(3) In regulation 25 (discounts for early payment) in paragraph (2)—

(a) in sub-paragraph (a), for "£300" substitute "£600";

(b) in sub-paragraph (b), for "£80" substitute "£160".

Amendments to the Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) Regulations 2009

4.—(1) The Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) Regulations 2009(**b**) are amended as follows.

(2) In regulation 9 (prescribed charges), omit "working"—

(a) in both places it occurs in paragraph (3);

(b) in each place it occurs in paragraph (4) (including Table 1); and

(c) in paragraph 5, in Table 2.

Amendments to the Street Works (Charges for Occupation of the Highway) (England) Regulations 2012

5.—(1) The Street Works (Charges for Occupation of the Highway) (England) Regulations 2012(**c**) are amended as follows.

(2) In regulation 7 (application of charges and keeping of accounts), for paragraph (2) substitute—

"(2) An Approved Authority must apply 50% of the net proceeds in accordance with each of the following paragraphs—

(a) for purposes intended to reduce the disruption and other adverse effects caused by street works; and

(b) for the purposes of highway maintenance.

(2A) In paragraph (2)(b), "highway maintenance" means any activity carried out under section 41 of the Highways Act 1980(**d**).".

(**a**) S.I. 2007/3372, to which there are amendments not relevant to these Regulations.
(**b**) S.I. 2009/303, amended by S.I. 2009/1178, 2012/2272, 2020/122, 2022/831; there are other amending instruments but none is relevant.
(**c**) S.I. 2012/425, to which there are amendments not relevant to these Regulations.
(**d**) 1980 c. 66. Section 41 was amended by section 111 of the Railways and Transport Safety Act 2003 (c. 20) and by paragraph 20 of Schedule 1 to the 2015 Act.

Signed by authority of the Secretary of State for Transport

Simon Lightwood
Parliamentary under Secretary of State
Department for Transport

8th October 2025

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make amendments, in relation to England only, relating to street works and works for road purposes.

Regulation 2 amends the Street Works (Fixed Penalty) (England) Regulations 2007 (S.I. 2007/1952) to double the amount of a fixed penalty in respect of certain offences under the New Roads and Street Works Act 1991 (c. 22) relating to notice requirements.

Regulation 3 amends the Traffic Management Permit Scheme (England) Regulations 2007 (S.I. 2007/3372) to double the amount of a fixed penalty in respect of offences under those Regulations relating to working without a permit and breach of permit conditions.

Regulation 4 amends the Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) Regulations 2009 (S.I. 2009/303) to make provision for charges where works are unreasonably prolonged to apply in respect of any day by which the works overrun, not just working days.

Regulation 5 amends the Street Works (Charges for Occupation of the Highway) (England) Regulations 2012 (S.I. 2012/425) to require highway authorities to spend half of the excess proceeds of charges on highway maintenance undertaken under the duty in section 41 of the Highways Act 1980.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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