STATUTORY INSTRUMENTS

2026 No. 312

HIGHWAYS, ENGLAND

The Traffic Management Permit Scheme (England) (Amendment) Regulations 2026

Made - - - -	*16th March 2026*
Laid before Parliament	*19th March 2026*
Coming into force - -	*10th April 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by section 37(1) of the Traffic Management Act 2004(**a**).

Citation, commencement and application

1.—(1) These Regulations may be cited as the Traffic Management Permit Scheme (England) (Amendment) Regulations 2026 and come into force on 10th April 2026.

(2) These Regulations apply to England only.

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

2. The Traffic Management Permit Scheme (England) Regulations 2007(**b**) are amended in accordance with these Regulations.

Amendment to regulation 2 (interpretation)

3. In regulation 2(1)—

(a) omit the definition of "statutory undertaker";

(b) after the definition of "street authority" insert—

> ""street works permit" has the meaning given in section 105(1) of the 1991 Act (minor definitions)(**c**);";

(c) after the definition of "traffic-sensitive time" insert—

> ""undertaker" means—
>
> (a) a person entitled by virtue of a statutory right to carry out street works; or

(**a**) 2004 c. 18. Section 37(1) is amended by Schedule 10, Part 2, Paragraph 9 of the Deregulation Act 2015 (c. 20).
(**b**) S.I. 2007/3372 as amended by S.I. 2015/958 and S.I. 2022/831.
(**c**) The definition of "street works permit" was inserted by section 49(7)(a) of the Planning and Infrastructure Act 2025 (c. 34).

(b) a person entitled by virtue of a street works permit to carry out street works described in section 48(3ZA) of the 1991 Act(**a**);".

Consequential amendments

4.—(1) In regulation 18(3), regulation 19(1) and regulation 20(1), in each place it occurs, for "a statutory undertaker" substitute "an undertaker".

(2) In regulation 29 and regulation 38B(1)(h), in each place it occurs, omit "statutory".

(3) In regulation 38B(1)(c)—

(a) for "a statutory undertaker" substitute "an undertaker";

(b) for "that statutory undertaker" substitute "that undertaker".

Signed by authority of the Secretary of State for Transport

Simon Lightwood
Parliamentary Under Secretary of State
Department for Transport

16th March 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Traffic Management Permit Scheme (England) Regulations 2007 (S.I. 2007/3372) ("2007 Regulations"). Section 49 of the Planning and Infrastructure Act 2025 introduced the legislative provisions granting Electric Vehicle Charge Point Operators ("EV CPOs") the legal right to carry out street works using a permit-based system rather than the licensing regime created under section 50 of the New Roads and Street Works Act 1991 ("1991 Act"). These Regulations make consequential amendments to the 2007 Regulations to apply enforcement provisions to EV CPOs. It inserts a new definition of "undertaker" and omits the definition of "statutory undertaker" to reflect the widened definition of street works under the 1991 Act whereby installation of charge points is now included in the permit scheme. A full impact assessment has not been prepared for this instrument as it was previously prepared as part of the electric vehicle charge point measures in the Planning and Infrastructure Act 2025. The relevant excerpt of the impact assessment to these Regulations is annexed to the Explanatory Memorandum which is available alongside the Regulations on www.legislation.gov.uk. Hard copies may be obtained from the Department for Transport, Great Minister House, 33 Horseferry Road, London SW1P 4DR, United Kingdom.

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(**a**) Section 48(3ZA) was inserted by section 49(2) of the Planning and Infrastructure Act 2025 (c. 34).

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