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### Cabinet Member for City Services

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**Time and Date**

2.30 pm on Wednesday, 22nd January 2025

**Place**

Committee Room 3 - Council House, Coventry

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**Public Business****1. Apologies****2. Declarations of Interests****3. Minutes** (Pages 3 - 10)

(a) To agree the minutes of the meeting held on 9<sup>th</sup> December 2024

(b) Matters Arising

**4. Petition 05/24-25 - Hall Lane Hospital Traffic** (Pages 11 - 22)

Report of the Director of City Services and Commercial

To consider the above petition bearing 102 signatures. The petition is being sponsored by Councillor E Ruane, a Henley Ward Councillor, who has been invited to the meeting for the consideration of this item, along with the Petition Organiser.

**5. Street and Road Work Permit Scheme – Year 9 Service Report**  
(Pages 23 - 124)

Report of the Director of City Services and Commercial

**6. Petitions Determined by Letter and Petitions Deferred Pending Further Investigations** (Pages 125 - 132)

Report of the Director of City Services and Commercial

**7. Outstanding Issues**

There are no outstanding issues

**8. Any other items of Public Business**

Any other items of public business which the Cabinet Member decides to take as matters of urgency because of the special circumstances involved

**Private Business**  
**Nil**

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Julie Newman, Director of Law and Governance, Council House, Coventry

Tuesday, 14 January 2025

Note: The person to contact about the agenda and documents for this meeting is Caroline Taylor / Michelle Salmon, Governance Services Officers, Email: caroline.taylor@coventry.gov.uk / michelle.salmon@coventry.gov.uk

Membership:

Councillor P Hetherton (Cabinet Member)

Councillor S Nazir (Deputy Cabinet Member)

By Invitation:

Councillors M Heaven (Shadow Cabinet Member) and T Sawdon

Councillor E Ruane (for agenda item 4)

**Public Access**

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**Caroline Taylor / Michelle Salmon**

**Governance Services Officers**

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**Coventry City Council**  
**Minutes of the Meeting of Cabinet Member for City Services held at 2.30 pm on**  
**Monday, 9 December 2024**

Present:

Members: Councillor P Hetherton (Cabinet Member)  
Councillor S Nazir (Deputy Cabinet Member)

Other Members: Councillor F Abbott (for Minute 35)  
Councillor T Sawdon (Shadow Cabinet Member)

Employees (by Service):

City Services and Commercial C Archer, D Keaney, J Seddon, M O'Connell, A Walster,  
C Knight

Law and Governance O Aremu, M Salmon, C Taylor, A West

Others in Attendance: Rhiannon Evans, Active Travel England  
Phil Havenhand, Travel for West Midlands

Apologies: Councillor M Heaven (Shadow Cabinet Member)

## **Public Business**

### **33. Declarations of Interests**

There were no disclosable pecuniary interests.

### **34. Minutes**

The minutes of the meeting held on 8<sup>th</sup> November 2024 were agreed and signed as a true record.

There were no matters arising.

### **35. Binley Cycleway - Section 7 (Clifford Bridge Road)**

The Cabinet Member for City Services considered a report of the Director of City Services and Commercial, relating to the remaining section of the Binley Cycleway to be completed along Clifford Bridge Road, between its junction with B4027 Brinklow Road and its junction with Dorchester Way. The consideration of the report also included responding to two petitions, one relating to the proposed Cycleway and one relating to tree felling along the Clifford Bridge Road.

Binley Cycleway, including a section along Clifford Bridge Road, was identified as a strategic cycle route connecting Coventry City Centre with the University Hospital Coventry and Warwickshire (UHCW) via Binley Business Park within the West Midlands Local Walking and Cycling Infrastructure Plan (WM LCWIP).

Funding to construct the Cycleway was secured from the West Midlands Combined Authority (WMCA) and Active Travel England (ATE) from the Transforming Cities Fund, Active Travel Fund Tranche 2, Active Travel Fund 3 and Active Travel Fund 4.

Most of the Binley Cycleway had been completed, including the additional section, funded through Active Travel Fund 4, connecting Allard Way to the New Century Park residential estate. The remaining section to be completed was along Clifford Bridge Road, between its junction with B4027 Brinklow Road and its junction with Dorchester Way.

This remaining section had been subject to four specific rounds of consultation and engagement between 2021 and 2024. The final scheme design had been reviewed by Active Travel England (ATE) and Travel for West Midlands (TfWM).

Following the November 2023 Cabinet Member report, the engagement in January 2024, and advertisement of associated Notice of Proposals (NOP), Notices of Intent (NOI) and Tree Felling Notices (TFN), 178 representations were received across the Notices.

The scheme had generated a lot of public interest, which was why four rounds of engagement had been held whilst developing the proposals, and a wide range of views had been expressed. These included the identification of alternative routes that could be taken for the Cycleway, avoiding this section of Clifford Bridge Road, and comments on detailed aspects of the scheme design, such as the impact on car parking, access to driveways and side roads, pedestrian safety, vehicle speeds, access to the Hospital and the need to deliver high quality cycle routes to encourage cycling. Officers have ensured that the final scheme proposals responded to these key items whilst achieving the objective of delivering a high-quality cycle route, linking the Hospital area with Binley, which would complete the Binley Cycleway.

Once the Clifford Bridge Road (Section 7) was completed, the full Binley Cycleway, would provide a spine route from which further routes could link, with future route options including Hipswell Highway, a connection to Coombe Abbey Park, and a link through Binley to Willenhall and the cycleway along London Road, the first section of which was currently under construction. This section of cycleway was part of a wider network being developed that would link residential areas with key employment sites, education and healthcare facilities, and transport interchanges and would encourage more local journeys to be made by active and sustainable travel in line with adopted transport and climate change strategies.

Subject to approval, the intention would be to construct Section 7 during 2025.

The Cabinet Member also considered two petitions that had been submitted as follows:

## **Petition 32/23 and e44/23 – Clifford Bridge Road Cycle Lane Development**

Petitions bearing 1510 signatures (paper petition 32/23, 1420 signatures, e-petition e44/23, 90 signatures). The petitions had been sponsored by Councillor F Abbott, a Wyken Ward Councillor, who attended the meeting for the consideration of this item along with the Petition Organiser.

### **e-petition e17/24-25 - Save the Trees on the Clifford Bridge Road**

A petition bearing 4273 signatures. The petition had been sponsored by Councillor F Abbott, a Wyken Ward Councillor and Councillor J Blundell, a Wainbody Ward Councillor. Councillor Abbott attended the meeting along with the Petition Organiser and Councillor Sawdon attended the meeting to substitute for Councillor Blundell, who was unable to attend.

Councillor F Abbott, the Petition Sponsor, the Petition Organiser, and Councillor R Thay, spoke in support of the Clifford Bridge Road Cycle Lane Development petitions, highlighting their concerns, including the following:

- Comments made to the original designs were ignored.
- Engagement with Ward Councillors throughout the consultation period had been disappointing.
- Slowing traffic down on Clifford Bridge Road would increase emissions due to stationary traffic.
- Residents would be driving out of their driveways straight onto the road, which was dangerous. The space was not wide enough.
- Residents were not convinced safety concerns had been resolved.
- There were concerns around the junction and the safety of floating bus shelters for the visually impaired.
- Residents' concerns were around the width of the parking bays – currently parking bays were 3 metres wide; the recommendations were to reduce this to 2 metres wide.
- At the November 2023 meeting, the Cabinet Member approved the revised cycleway design on the provision that the safety issues raised by residents were addressed however, residents do not feel these have been actioned.
- The Cabinet Member report indicated that all reports had been issued however, residents had not received the new safety report, visual displays or disability reports.
- The Clifford Bridge Road cycleway was the missing section of the cycleway, and it felt like it had to be completed.

The Cabinet Member invited other members of the public to present their concerns, which included the following:

- Residents had been promised a segregated cycle lane however, only one small section from Tesco's to University Hospital Coventry and Warwickshire (UHCW) was segregated.
- Bromley Drive, Stoke Green – there were safety issues crossing the carriageway for all users.

- No safety improvements were being addressed on the Clifford Bridge Road.
- The projected number of daily users cycling from the City Centre to UHCW would likely be low.
- Residents were not reassured that safety issues had been addressed including reversing vehicles off driveways and crossing the cycle path.
- Speeds that cyclists could achieve of up to 20mph on the downhill gradient, high volumes of traffic and frequent queuing vehicles, had not been taken into account.
- On street parking bays restrict cycle width to a single lane.
- There was a danger to school children walking to and from Caludon Castle School.
- Clifford Bridge Road was not wide enough, and officers had imposed too many additional safety hazards.
- There was a fear that scrambler motorbikes, currently using the Clifford Bridge Road, would use the cycle path, creating a danger.

Officers responded to the comments made and advised the following:

- This was the third reiteration of the scheme and officers had listened to concerns raised, and in response, looked at the scheme with a more shared use path in order to maintain road width. When this was consulted on, residents raised a number of safety concerns and so did cyclists. Officers looked to maintain the width of the road with adequate visibility, and this was the current scheme.
- Officers had listened to residents' safety concerns and worked through the safety standards to address them.
- Safety was the top priority.
- The current scheme best met concerns and standards and had been subjected to Coventry City Council, West Midlands Travel and Active Travel England checks.
- Alternative routes had been thoroughly investigated.
- Residents who reversed onto the cycle path would not encounter a dissimilar situation to that on the Binley Road – not uncommon.
- One issue was cyclists using pavements which was a safety concern particularly on the downhill section.
- Locally and nationally, there was no evidence to suggest having driveway crossings where there were cycle lanes in place, had increased accidents.
- Warning signs could be erected to stop cyclists using the pavements.
- The Royal Society for the Prevention of Accidents (RoSPA) had been thoroughly involved in the Road Safety Audits. A forthcoming Stage 2 road safety audit could be shared with residents.
- Floating bus stops were common and had been implemented around Coundon and Binley cycleways. There would be a suitable bus stop platform for users to embark and disembark safely. There was no evidence of personal injury collisions around a Bus Stop Border in recent years.
- Parking spaces would be narrower to maintain the road width. These were in accordance with the design standard and there was a buffer of 500mm each side.
- Part of the road safety audits covered visibility reports which were all in accordance with safety design standards. The figures could be shared with residents.

- An Equality Impact Assessment Report (EIA) had been completed and could be shared with residents. The completed EIA was a live document which was being kept under review as the proposal for the delivery of the work progressed.
- Officers had met with individual residents regarding specific concerns and alterations had been made accordingly.

The Cabinet Member sought assurances from officers on the following matters:

- Officers had been contacted by residents requesting a site visit to discuss individual concerns and these had been undertaken.
- Officers had posted notices and had met with 13 residents at their request to look at localised matters. From these discussions, amendments had been made, sections of shared space adjusted and misunderstandings clarified.

Councillor T Sawdon, the Petition Sponsor (substitute for Councillor J Blundell), the Petition Organiser, and Councillor F Abbott, spoke in support of the Save the Trees on the Clifford Bridge Road petition, highlighting their concerns, including the following:

- Would the trees be removed if the cycleway was not proposed.
- How many trees were being removed, what species were they, how many were diseased and how many had Tree Preservation Orders (TPO's). Also, could the trees life expectancy be 500 years?
- Similar situations had been seen in both Sheffield and Plymouth Local Authorities who had both removed trees unnecessarily.
- Active Travel England promoted all forms of active travel, this included pedestrians, as well as cyclists and the removal of the trees was not the answer.
- Given the strength of feeling of the residents, it did not seem appropriate to proceed with the proposed scheme which had the support of a 4,000-signature petition. In addition, 920 residents had recently taken part in a tree hug.
- The cycleway could be built without the trees being removed.
- No trees had been removed as part of the London Road cycleway.
- An alternative route could be considered.

The Cabinet Member sought assurances from officers on the following matters:

- Council's lead Arboriculturist had assessed the trees which were to be removed for safety. Seven Ash trees were showing early signs of Ash die back. It would be 10-15 years before these trees were unsafe and needed to be replaced.
- The 26 trees would be replaced with 32 new trees, including 2 Birch trees, Maple trees, 6 Cherry trees, 3 Mountain Ash trees and 8 Ash trees. The Oak tree and a Thorn tree would be retained. Some of these replacement trees were native species and would be planted in a specific growing pit enabling quicker growth.

- The Sowe Valley was felt to be the best alternative route by residents to avoid tree loss however, trees would be required to be felled too on this alternative route. This route was also deemed to be unsafe due to its rural location and lack of lighting at night.
- The London Road had avoided tree loss by working with local Ward Councillors and the community and had achieved it through narrowing the road.
- Where the road had been narrowed to facilitate a cycle lane, officers had monitored the road before and after implementation and confirmed that speed had dropped.
- In respect of Stoke Green cycle path, where trees were identified, the City Council ensured they were looked after. Stoke Green needed to create space around the trees and the width of the road had to be reduced.
- The new trees would be planted in planting pits with support, which will enable them to grow quicker and more successfully.
- Officers were not aware of any trees with Tree Preservation Orders on them on the Clifford Bridge Road.
- Diseased trees were a safety hazard and dependent upon their location, some were left to decay naturally eg. in a woodland, but those posing a risk to public safety, would be felled e.g. on a pavement or highway.
- As trees became older, diseased or stressed, they were less efficient at removing carbon from the air.

The Cabinet Member invited members of the public to present their concerns, which included the following:

- There was nothing wrong with the trees and residents felt that they should not be felled.
- The signs of stress the trees were showing, were due to protection of residents, pedestrians and road users.

The Head of Legal and Procurement Services clarified speaking times for members of the public and also the need to consider the Council's duty to maintain the safe passage and the re-passing on roads and highways for the benefit of all residents. He further clarified the process for Traffic Regulation Orders and the specific rules regulating them.

**RESOLVED that the Cabinet Member for City Services:**

- 1) Notes progress in response to the recommendations made within the 15 November 2023 Binley Cycleway – Section 7 (Clifford Bridge Road) report.**
- 2) Considered the responses, representations and objections to the Tree Felling Notices, Notice of Proposal and Notices of Intent.**
- 3) Considered the petitioners concerns relating to the proposed cycleway and tree felling.**
- 4) Approves the construction of Section 7 – Clifford Bridge Road Cycleway.**



36. **Petition 33/23 - Stoney Stanton Road - Residents Parking Area**

The Cabinet Member for City Services considered a report of the Director of City Services and Commercial, which responded to a petition requesting a residents parking area on part of the Stoney Stanton Road.

A petition with 11 signatures had been received requesting a residents' parking scheme outside 673 to 693 Stoney Stanton Road. A second related petition with 114 signatures had also been received requesting the extension of the adjacent Zone EW1 residents' parking scheme on Bryn Road and Crabmill Lane to include Silverton Road. A previous parking survey showed that Silverton Road met the parking availability criteria (less than 40% of spaces available during the weekday daytime) for a residents' parking scheme. Therefore, the request met all three criteria required for a residents' parking scheme to be considered, as set out in the Council's Residents' Parking Policy.

On receipt of the Determination Letters, the Petition Organisers advised they wanted the issue to be considered at a Cabinet Member for City Services meeting.

The cost of introducing residents' parking schemes was funded from the Highways Maintenance and Investment Capital Programme budget through the Local Transport Plan.

Councillor S Nazir and the Petition Organiser spoke in support of the petition, highlighting their concerns, including the following:

- There was no parking for residents on Stoney Stanton Road and Silverton Road due to businesses parking their cars on the roadside.
- Residents were incurring parking tickets.
- Industrial waste bins meant accessibility to and along the pavements was poor.
- A degree of flexibility was required to allow businesses to park on Stoney Stanton Road during the day and residents to park in the evenings.

Officers responded, advising of the need to be mindful of the potential impact on businesses and that residents of Stoney Stanton Road could park in Crabmill Lane and Silverton Road, if space was available.

**RESOLVED that the Cabinet Member for City Services:**

- 1) **Considered the petitions summarised above.**
- 2) **Approves the advertising of Traffic Regulation Orders as part of the next review of waiting restrictions to:**
  - **Extend the Zone EW1 residents' parking scheme to include Silverton Road.**
  - **Make 673 – 693 Stoney Stanton Road eligible to apply for parking permits for Zone EW1.**
  - **Amend the waiting restriction outside 673 – 693 Stoney Stanton Road to make it shared-use (Limited Waiting Mon-Fri, 8am-6pm, 1 hour, no return within 2 hours / Permit Holders EW1 Only Mon-Fri, 8am-6pm).**

37. **Petitions Determined by Letter and Petitions Deferred Pending Further Investigations**

The Cabinet Member for City Services considered a report of the Director of City Services in respect of petitions received relating to the portfolio of the Cabinet Member.

In June 2015, amendments to the Petitions Scheme, which forms part of the Constitution, were approved in order to provide flexibility and streamline current practice. This change had reduced costs and bureaucracy and improved the service to the public.

These amendments allow for a petition to be dealt with or responded to by letter without being formally presented in a report to a Cabinet Member meeting.

In light of this, at the meeting of the Cabinet Member for Public Services on 15 March 2016, it was approved that a summary of those petitions received which were determined by letter, or where decisions are deferred pending further investigations, be reported to subsequent meetings of the Cabinet Member for Public Services (now amended to Cabinet Member for City Services), where appropriate, for monitoring and transparency purposes.

Appendix A to the report set out petitions received and how officers proposed to respond to them.

**RESOLVED that the Cabinet Member for City Services endorses the actions being taken by officers as set out in Section 2 and Appendix A of the report in response to the petitions received.**

38. **Outstanding Issues**

There were no outstanding issues.

39. **Any other items of Public Business**

There were no other items of public business.

(Meeting closed at 5.50 pm)



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Cabinet Member for City Services

22<sup>nd</sup> January 2025

**Name of Cabinet Member:**

Cabinet Member for City Services – Councillor P Hetherton

**Director approving submission of the report:**

Director of City Services and Commercial

**Ward(s) affected:**

Henley

**Title:**

Petition 05/ 24-25 - Hall Lane Hospital Traffic

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**Is this a key decision?** No

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**Executive summary:**

A petition (reference: 05/ 24-25) signed by 102 signatories has been submitted regarding non-emergency vehicles and pedestrian use of an access from the cul-de-sac section of Hall Lane onto the University Hospital Coventry and Warwickshire (UHCW) site.

To understand the scale, extent and impact of such use on residents of Hall Lane and neighbouring roads, drone surveys have been undertaken to assess the location and monitor the behaviours of vehicles and pedestrians during peak periods.

These surveys have confirmed that Hall Lane is a popular pedestrian access point with many arriving/departing Hall Lane by car to be dropped off or picked up.

The surveys have also identified a small but consistent number of passenger cars using the emergency vehicle access as an alternative to the main site access on Clifford Bridge Road.

To address the concerns raised within the petition several options have been reviewed and considered. In doing so these have been balanced against the scale of operations and importance to the city of the hospital site and the services it provides.

Measures including engaging with UHCW to discourage continued use of the emergency vehicle access by staff and visitors to the hospital, installing a yellow box marking to aid

operation of the Hinckley Road/Hall Lane junction and revised signage and lining at the Hinckley Road/Ansty Road/Clifford Bridge Road gyratory to aid the operation of the surrounding road network, are all proposed to assist and address the matters raised within the petition.

The cost to introduce the changes will be funded from the 2024/25 Traffic Management allocation of the capital funded Local Network Improvement Plan.

**Recommendations:**

Cabinet Member for City Services is recommended to:

- 1) Approve continuing ongoing engagement with University Hospital Coventry and Warwickshire to encourage improved compliance with the emergency vehicle access on Hall Lane.
- 2) Endorse the introduction of a yellow box marking on Hinckley Road at its junction with Woodway Lane/Hall Lane and the proposed changes to lane markings and signage on Hinckley Road/Ansty Road at its junction with Clifford Bridge Road.

**List of Appendices included:**

The following appendices are attached to the report:

Appendix A – Petition Wording

Appendix B – Location Plan

**Background papers:**

NA

**Other useful documents**

None

**Has it or will it be considered by Scrutiny?**

No

**Has it or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

**Report title:** Petition 05/ 24-25 - Hall Lane Hospital Traffic

**1. Context (or background)**

- 1.1. Hall Lane is an unclassified residential road located on the northern periphery of the University Hospital Coventry and Warwickshire (UHCW) site, itself located on the northeastern side of the city. The first part of Hall Lane connects to the A4600 Hinckley Road/Ansty Road at a signalised junction crossroads with the B4082 Woodway Lane. This section of Hall Lane connects and continues as School House Lane which goes on to serve a residential estate before connecting with a large retail and logistics area bordered by the strategic road network including the M6 and A46, both of these roads being managed independently of Coventry City Council by National Highways. The second part of Hall Lane is a residential cul-de-sac which terminates at the boundary of the UHCW site, and has approximately 14 properties located on it, several of which have HMO status. In addition to the residential properties, Walsgrave Health Centre is located on the road and has a private carpark with approximately 10 spaces. A location plan is shown in Appendix B.
- 1.2. Hall Lane has an approximate road width (varying along its length) of between 6 and 6.5m. This is considered sufficient to enable 2 vehicles to pass comfortably and benefits from being within a residents' permit parking scheme area to discourage hospital related all day parking. This scheme prohibits on street parking by non-permit holders and can be an effective means of limiting inappropriate parking. Site observations have found that this is largely effective and that whilst sporadic limited parking may take place from time to time, this can be discouraged by visits from the Council's Civil Enforcement Officers (CEOs) from the Parking Services Team.
- 1.3. At the termination of Hall Lane on the UHCW boundary, a gated access exists which provides emergency vehicle access into the site. The access also provides a pedestrian connection which links the existing footway running on the eastern side of Hall Lane with the network of footpaths and cycleways within the UHCW site. This access has been in place for approximately 18 years and whilst initially gated has remained opened since approximately 2012 at which time additional signage was installed highlighting the intended use by emergency vehicles only. This was subsequently supplemented with additional signage including notification of monitoring to deter use of the access route by vehicles except for blue light response emergency vehicles.
- 1.4. A petition (reference: 05/ 24-25) signed by 102 signatories has been submitted to the Council regarding the use of non-emergency vehicles and pedestrians to access the UHCW site via Hall Lane. The petition (a copy of the full wording of which is set out in Appendix A to the report), sets out the impact that such use has on Hall Lane including for the residents that live there and people seeking to access to the health centre located on the road. The impact of traffic entering the UHCW site via the primary entrance on Clifford Bridge Road on the surrounding road network, including Hinckley Road at its junctions with Hall Lane/Woodway Lane and the gyratory at Clifford Bridge Road have also been referenced as negatively impacting the surrounding road network. The petition seeks a solution to reduce the impact of such activities on residents and the local area.

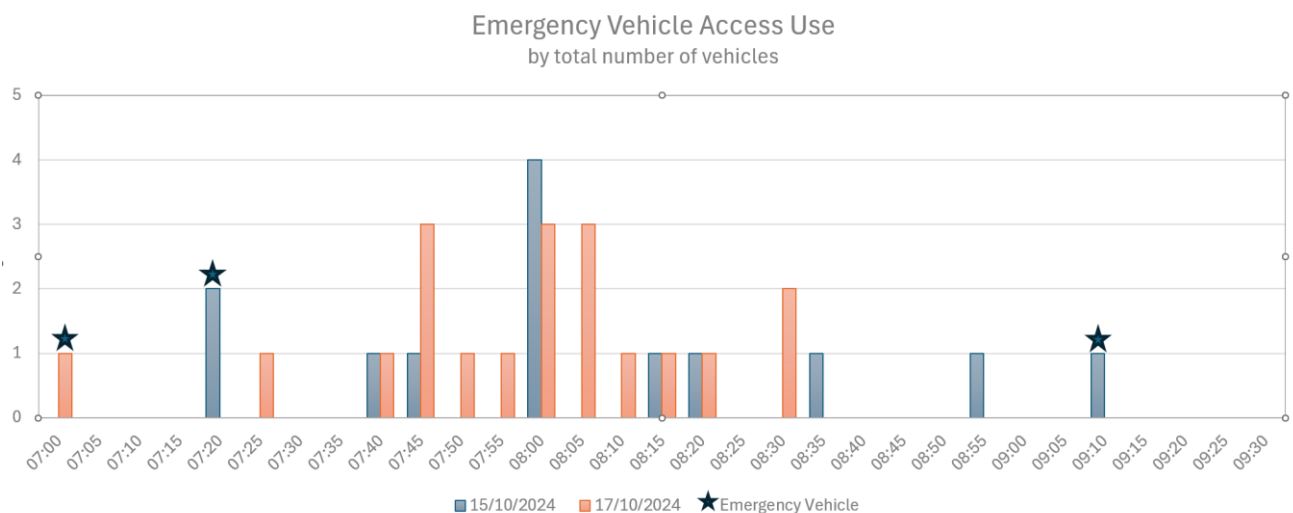
## **2. Options considered and recommended proposal**

- 2.1. UHCW is one of the largest employers in Coventry, employing over 10,000 people with many more daily visitors attending hospital appointments, visiting friends and relatives or providing goods and services to the site. It provides a critical service for the city that many residents of both the city and surrounding area will utilise at some point in their lives as such providing convenient and reliable access to the site is a priority. The Council has an important role in working collaboratively to support the hospital, its employees and visitors to ensure access is maintained to the essential services it provides. This is something that the Council has strived to and continues to do, including a significant upgrade to signals on Clifford Bridge Road at the Hospital entrance and at Ansty Road in 2015 to aid the flow of traffic around the hospital site. The Council is also working collaboratively with National Highways and adjacent landowners reviewing options associated with a revised primary access from the strategic road network (A46), which could be facilitated by the upcoming A46 Walsgrave Junction upgrade proposals by National Highways.
- 2.2. Notwithstanding the above, it is recognised that due to the scale of operation at the hospital site it will inevitably contribute a significant volume of traffic to the surrounding network and that this does impact local communities living in close vicinity of the site.
- 2.3. The submitted petition references four primary concerns which it is seeking support from the Council to overcome:
  - Use of the emergency vehicle access road to go in and out of the hospital site.
  - Kiss and go / pickups impacting Hall Lane and cars parked without a permit.
  - Impact of traffic on Hinckley Road and Woodway Lane blocking traffic exiting Hall Lane
  - Traffic on Hinckley Road failing to use the correct lane reducing capacity on the gyratory

As such the remainder of this report sets out these issues in further detail and provides commentary of potential mitigation and steps that can be taken to aid and address the concerns raised.

### **Use of the emergency vehicle access road to go in and out of the hospital site.**

- 2.4. To understand the extent of use of this access and to support site observations by Officers, drone surveillance has been undertaken on two typical weekday morning periods to better understand the scale of use and impact. This survey has identified that over the two AM peak surveillance periods a total of 32 vehicles were observed using the access road. Of this number 4 were identified as emergency vehicles, whilst the remaining 28 appear to be staff or visitors to the hospital site, with the vehicles having been observed parking up on site within staff and visitors' carparks.
- 2.5. A breakdown of this use is summarised below, and sample footage of the usage will be demonstrated during the Cabinet Member meeting to provide further context.



- 2.7. Observations carried out in the evening peak showed a similar pattern of use and access.
- 2.8. The data demonstrates that there is a sustained, albeit limited, use of the emergency vehicle access by non-emergency vehicles at peak times. This use has been highlighted to the hospital, including details of the times of highest use. The hospital has committed, in response to the concerns raised, to ensure all staff are reminded not to use the entrance and will be asked to arrange for security to be placed at the gate on random dates moving forward to stop and remind drivers that this is an emergency access only. The site will continue to be monitored over the coming months, and we would urge residents of Hall Lane who observe use of the access by non-emergency vehicles to notify the hospital so that they are aware and can take appropriate steps.
- 2.9. It is noted that the petition seeks for additional camera-based regulation of the access. Mindful of both the number of vehicles using the access and the steps that UHCW have agreed to undertake to address the ongoing use by non-emergency vehicles, it is recommended that Officers continue to work with UHCW and other departments, including Planning Enforcement, in a collaborative and positive manner to address the concerns raised. Should these measures prove ineffective in reducing use of the route by non-emergency vehicles, then further discussions could take place with the hospital regarding alternative options such as the use of further enhanced camera monitoring, the use of an electronically controlled access barrier or bollard, both of which could aid their management of this access.

**Kiss and go / pickups impacting Hall Lane and cars parked without a permit.**

2.10. The pedestrian entrance to the UHCW site from Hall Lane is well-utilised during both morning (AM) and evening (PM) peak periods, providing convenient pedestrian access for individuals to the site. Pedestrian access from Hall Lane onto the hospital site has been in continuous use for over 40 years, predating the construction of the properties currently fronting Hall Lane. Given its long-established and historical usage, it is not deemed practical to restrict pedestrian access at this location.

- 2.11. Drone surveys conducted during AM and PM peak periods have confirmed that Hall Lane is regularly used by staff for entry and exit (by foot) to the site. This high level of usage leads to a significant number of vehicles entering Hall Lane for passenger drop-offs and pick-ups. Site observations indicate that vehicles typically pull up along the kerb to drop off passengers, subsequently turning within the road—either by utilising the entrance to the adjacent health centre or by turning on residential driveways to exit the road.
- 2.12. The increased vehicular activity on Hall Lane, including the use of residential driveways for turning, causes local disturbance, particularly in terms of noise and vehicle headlights, which are more pronounced during the winter months. Although these movements tend to be slow, and the road can appear congested as vehicles arrive, drop off passengers, or wait for pick-ups; no reported personal injury collisions have been recorded on Hall Lane in the past three years, according to available collision records.
- 2.13. Observations indicate that, in addition to the "kiss and go" drop-off activity, some vehicles are parking on private residential driveways along Hall Lane before accessing the hospital via the pedestrian entrance. This practice appears to occur with the consent of the homeowners and is presumed to operate on a parking space rental basis, which is becoming increasingly common across the city. This additional use of Hall Lane further contributes to the overall traffic volume during peak periods.
- 2.14. The "kiss and go" activity described above does not contravene the existing residents' parking restrictions on Hall Lane. These restrictions are designed to prevent long-term parking on the road by visitors and other non-residential users. Stopping briefly to drop off passengers is not prohibited under these regulations.
- 2.15. On occasion, vehicles have been observed left at the southern end of Hall Lane. If such vehicles are parked without a valid permit or exemption, they could be subject to penalty charge notices (PCNs). The Parking Services Team has been informed and will increase monitoring of this area to deter such behaviours and prevent them from becoming commonplace.
- 2.16. Any attempt to restrict or prevent "kiss and go" activity on Hall Lane would require the introduction of an alternative parking or movement restriction, which would need to be enforceable.
- 2.17. Introducing a 'red route' or no-loading restriction on Hall Lane could prevent "kiss and go" activity. However, this approach is not considered appropriate or practical in this context. Red routes are typically reserved for strategic corridors, such as the A4600, and would apply to all road users, potentially causing significant disruption to residents. A no-loading restriction would be difficult to enforce effectively, given the current resource limitations and would require continuous monitoring to ensure compliance, which may not be feasible given existing commitments.
- 2.18. The use of a ANPR camera to restrict access to Hall Lane has also been considered. However, due to the presence of the health centre and the need for visitors to access Hall Lane to attend the Centre, use of such a camera would be impractical and has been discounted.



- 2.19. Moving such activity from Hall Lane, if a practical way of preventing its use could be identified, would likely displace such practices on to the northern section of Hall Lane, School House Lane and Bosworth Drive. All these roads are more heavily trafficked and as such is likely to be more impactful, increasing the risk posed to other road users. Therefore, such measures are not supported.
- 2.20. The ongoing use of Hall Lane for pedestrian access to the UHCW site is well-established, with additional vehicle traffic it generates on Hall Lane resulting in no reported injury collisions in recent years. While traffic volumes during peak periods result in some disturbances for residents, it is not currently deemed practical or proportionate to introduce additional measures to prevent such practices at the current time.

#### **Impact of traffic on Hinckley Road and Woodway Lane blocking traffic exiting Hall Lane.**

- 2.21. Site observations and monitoring have shown that during peak periods, particularly during the peak AM period, traffic can build to an extent that queues form from the gyratory with Clifford Bridge Road back up to and beyond its junction with Hall Lane. The impact of this can lead to junction blocking when suitable gaps are not left in the traffic to enable traffic to exit Hall Lane. Drone monitoring of this movement during the surveys undertaken in October did not show any significant delay during the observation period, however it is recognised that this is largely affected by driver behaviour on the A4600 Ansty Road and the time of day, with the nearby Walsgrave Academy Primary School also generating additional traffic at the start and end of the school day.
- 2.22. To aid drivers exiting Hall Lane a box junction marking is proposed for this junction. This will aid drivers exiting both Hall Lane and Woodway Lane by encouraging suitable gaps to left in traffic at the junction which should largely resolve the concerns raised in this regard.

#### **Traffic on Hinckley Road failing to use the correct lane reducing capacity on the gyratory.**

- 2.23. As set out in section 2.1 of the report, the Ansty Road/Clifford Bridge Road gyratory was upgraded most recently in 2015 to aid the flow of traffic at this important junction on the network. During periods of peak demand, it is noted that traffic can as referenced above queue back from this junction and consequently reduce lane discipline which in turn blocks traffic heading towards the City Centre. Whilst it is likely that some of the behaviours described above are intentional, it is proposed to review and refresh the signing and lining on this gyratory to enhance its operation and encourage improved lane discipline which should in turn aid the operation of the gyratory. Once these changes to lane markings and signage and have been implemented, the site will be monitored to determine their impact.

### **3. Results of consultation undertaken**

- 3.1. No consultation has been undertaken at the current time; however, the submission of the petition (Reference 05/ 24-25) draws together the views of residents of Hall Lane and surrounding roads and it is intended to mitigate the concerns that have been raised.

### **4. Timetable for implementing this decision**

- 4.1. Engagement has taken place with UHCW regarding the matters raised within this report and the actions set out within section 2.8 of the report will be implemented and their impact monitored over the first half of 2025.
- 4.2. The box marking and lining and signing improvements referenced in section 2.22 and 2.23 of the report respectively have been designed and the works commissioned. It is anticipated that these improvements will be undertaken in Spring 2025 when weather conditions are conducive with the effective installation of road markings.

### **5. Comments from the Director of Finance and Resources and the Director of Law and Governance**

#### **5.1. Financial Implications**

There are no significant financial implications associated with this report. The improvements set out in section 4.2 of the report will be funded from the Traffic Management allocation of the Local Network Improvement Plan which itself is funded from the Council's City Region Sustainable Transport Settlement 2022-2027.

#### **5.2. Legal Implications**

No specific implications identified as part of this report. Any measures implemented as a direct recommendation of this report will be done so in the Council's role as Local Highway Authority and in full compliance with relevant legislation.

### **6. Other implications**

#### **6.1. How will this contribute to the One Coventry Plan?**

<https://www.coventry.gov.uk/strategies-plans-policies/one-coventry-plan>

The recommendations set out within this report are intended to contribute to two of the three delivery priorities of the One Coventry Plan, including Improving outcomes and tackling inequalities within our communities and improving the economic prosperity of the city and regions. The introduction of the measures set out in sections 2.22 and 2.23 of the report are intended to aid the operation of the road network and ensure the effective movement of goods, freight and services.

The measures set out within this report are directly linked to the Council's enabling priority of being a partner, enabler and leader. By taking a collaborative approach to the concerns that have been raised and working positively with UHCW it is anticipated

that improvements can be made to help to better manage the impact of traffic accessing the hospital site on Hall Lane.

## **6.2. How is risk being managed?**

No specific risks identified as part of this report. Any measures identified to be implemented as a direct recommendation of this report will be developed fully compliant to the relevant legislation, in this instance namely the Traffic Signs Regulations and General Directions 2016 (Statutory Instruments 2016 No.62).

## **6.3. What is the impact on the organisation?**

No direct impact.

## **6.4. Equalities / EIA?**

No direct implications identified because of this report. The measures set out are intended to support residents of Hall Lane and benefit all road users as well as the operation of the hospital site, its staff, visitors and suppliers.

## **6.5. Implications for (or impact on) climate change and the environment?**

The measures set out within this report are intended to aid the effective operation of the network and reduce delay and congestion, both of which can contribute to increased vehicle-based emissions which are a leading cause of air pollution and the release of greenhouse gases.

## **6.6. Implications for partner organisations?**

UHCW currently has a single publicly accessible vehicle access point to its site, located at the main entrance on Clifford Bridge Road. In addition, the Hall Lane emergency access route serves as a critical contingency for emergency vehicles. The approaches outlined in this report involve working collaboratively with the hospital to address concerns raised by residents of Hall Lane, while ensuring that this alternative access remains operational. This strategy is designed to mitigate risks for the hospital, a key employer and essential service within the city.

The retention of the pedestrian access via Hall Lane contributes to reducing vehicular demand and congestion on Clifford Bridge Road at the hospital entrance. This section of the road network is already nearing capacity during peak hours, making the Hall Lane access an important and valued resource for those who use it.

The proposed measures to improve the surrounding road network aim to enhance traffic flow and support the effective operation of both the hospital site and the wider road infrastructure. These measures are intended to manage the impact of hospital-related traffic on the surrounding network, ensuring that access to the hospital is maintained while minimising disruption to the local area.

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John Seddon	Strategic Lead – Policy and Innovation	City Services and Commercial	18.12.24	18.12.24
Councillor P Hetherton	Cabinet Member for City Services	-	08.01.25	14.01.25

This report is published on the council's website: [www.coventry.gov.uk/council-meetings](http://www.coventry.gov.uk/council-meetings)

## Appendix A – Petition Wording

Petition Reference: 05/ 24-25

Hello

Please find attached a petition about the use of Hall Lane for hospital traffic which goes against the plans and agreements for the protection of the estate and a road that is not suitable for this level of traffic.

Traffic using the emergency access road to go into and out of the hospital and kiss and drop offs / pickups are creating chaos around Hall Lane with cars parked both with and without permits. This cannot be allowed to continue as it affects access for residents, the Drs surgery and emergency ambulances.

Non-emergency ambulances had misused this road for years, even when traffic was light, to go in and out of the hospital site so proper regulated cameras need to be installed to monitor the situation.

Traffic travelling along the Hinckley Road and Woodway Lane regularly block the Hall Lane junction in the mornings from 7.30am onwards with people waiting for several traffic light changes due to traffic from both directions blocking the junction and their exit from the estate. Traffic also uses the right-hand lane going towards B&M and then try to turn left towards Clifford Bridge Road at the lights, blocking the lane for traffic going straight on. Often the B&M island is blocked by traffic travelling from the city centre direction towards Clifford Bridge Road which causes another gridlock.

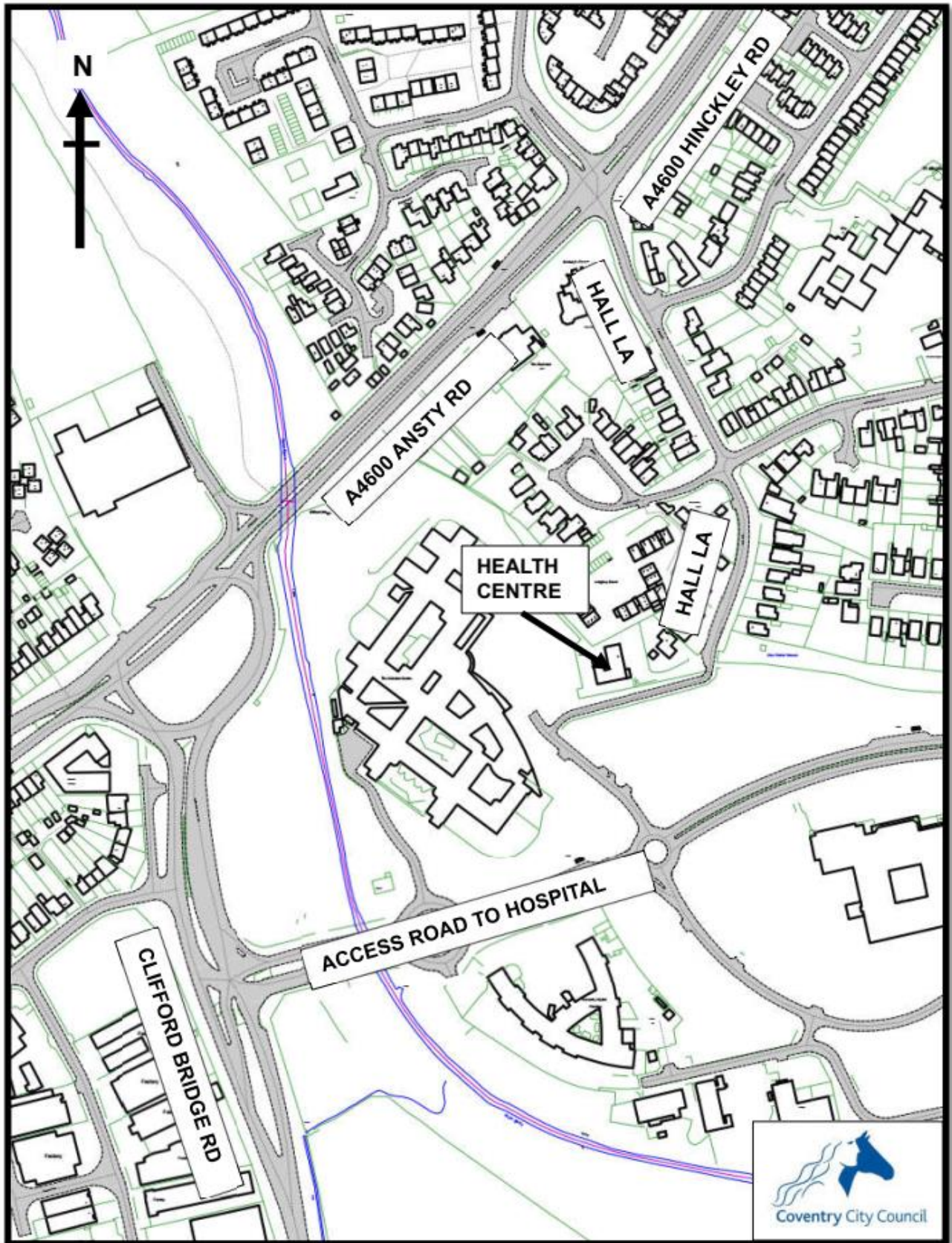
Something needs to be done to improve the situation all round please.

Regards

--

Walsgrave Community Forum committee.

Appendix B – Location Plan



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Cabinet Member for City Services

22<sup>nd</sup> January 2025

**Name of Cabinet Member:**

Cabinet Member for City Services – Councillor P Hetherton

**Director approving submission of the report:**

Director of City Services and Commercial

**Ward(s) affected:**

City Wide

**Title:**

Street and Road Work Permit Scheme – Year 9 Service Report

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**Is this a key decision?**

No - although the proposals affect more than two electoral wards, the impact is not expected to be significant.

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**Executive summary:**

The Coventry Permit Scheme is the mechanism used by the Council to co-ordinate the effective delivery of road and street works within the city. The overall aim being to minimise disruption and enable essential works to maintain and upgrade the highways network and those assets located within.

The permit scheme has been in operation for 9 years and has been largely successful in improving how and when works, that can cause disruption and inconvenience to users of the highway, are undertaken.

To ensure that the scheme is operating effectively and continues to meet its original objectives, an independent review of the Scheme's performance has been undertaken. The report that this review generated is contained within Appendix A to the report.

The report shows that the scheme has grown significantly since its inception, with both the operating costs and income generated through the scheme having more than doubled since year 1. Whilst the increase in operating costs has raised consistently year on year, the income generated by the scheme has fluctuated year on year more significantly as programmes of works are rolled out across the city. The impact of an acceleration in work programmes associated with a reduction in network usage during covid can be seen to

have contributed to the scheme having generated a small overall surplus over the first 9 years of operation. Whilst the scheme has generated a surplus it is noted that there will be a need to closely monitor operating costs and income generation in future years and adjust permit fee charges accordingly to ensure that the scheme can continue to operate on a cost neutral basis. Overall the report shows that the scheme continues to meet its original objectives and delivers value with a calculated Benefit to Cost Ratio of 2.35:1.

Through the report several recommendations have been made to improve service performance over the next three years. The associated recommendations are set out in Appendix B of this report.

The report also sets out the results of a consultation undertaken with stakeholders regarding minor administrative changes to the permit scheme which have been necessitated by changes in legislation including the introduction of the new centralised DfT Street Manager system which replaced the previous electronic transfer of notice (EtoN) system. These changes are intended to keep the scheme up to date reflecting new regulations or statutory guidance (particularly the use of new technology requirements), whilst removing reference to old guidance that has been superseded and are summarised in Appendix C of this report.

### **Recommendations:**

Cabinet Member for City Services is recommended to:

- 1) Endorse the contents of this report, and the Coventry City Council Permit Scheme Year 9 Service Evaluation Report as set out in Appendix A to the report.
- 2) Approve that the performance data for year 9 of the scheme should be submitted to the Department for Transport in accordance with the requirements of the Permit Schemes: Statutory guidance for highway Schemes.
- 3) Approve the associated Service Action Plan as set out in Appendix B to the report.
- 4) Note the results of the consultation on proposed changes to the Permit Scheme considering recent changes in legislation and approve the making of the appropriate order to implement Version 1.6 of the WaSPs Scheme.
- 5) Agree to receive a further update report after completion of the Permits Scheme's 12th year, (2026-27) unless there is a material change in the performance of the service, in accordance with legislation.

### **List of Appendices included:**

The following appendices are attached to the report:

Appendix A – Coventry City Council Permit Scheme Year 9 Service Evaluation Report

Appendix B – Service Priorities Action Plan 2025 – 2027

Appendix C – Overview of Proposed Changes to the WaSP Scheme Document



**Background papers:**

NA

**Other useful documents**

West and Shires Permit Scheme document V1.6 (<https://www.coventry.gov.uk/roads-highways-pavements/roadworks-permit-scheme>)

Permit Schemes: Statutory guidance for highway Scheme

(<https://www.gov.uk/government/publications/street-works-permit-schemes>)

**Has it or will it be considered by Scrutiny?**

No

**Has it or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

## **Report title:** Street and Road Work Permit Scheme – Year 9 Service Report

### **1. Context (or background)**

- 1.1. The Council as Local Highway Authority is responsible for the efficient co-ordination of all street and road works within the city. Statutory duties placed on the Authority in this regard are set out in the Traffic Management Act 2004 (TMA).
- 1.2. Part 3 of the TMA and associated regulations (2007) as amended allow Highway Authorities to introduce Permit Schemes to deliver this duty. Before doing so, Highway Authorities are required to assess the impact of introducing a scheme and demonstrate the value that doing so may provide. The Department for Transport (DfT) has produced Moving Britain Ahead - Statutory Guidance for Highway Authority Permit Schemes which sets out the process. This was most recently updated in July 2022.
- 1.3. In 2015, having carried out a detailed review of its street works co-ordination function, the Council took the decision to implement a Permit Scheme and subsequently introduced the Coventry City Council Permit Scheme (the Permit Scheme), also known as the West and Shires Permit Scheme (WaSPS). The scheme was brought into legal effect through an Order created by the Council under the provisions of the Traffic Management Permit Scheme (England) Regulations.
- 1.4. The Permit Scheme applies to works on all adopted, publicly maintainable streets in Coventry, including road works undertaken by the Council as the Highway Authority and street works carried out by statutory undertakers and public utility companies. It should be noted that works on private roads, such as those within the Warwick University campus, and those that take place on the strategic road network including sections of the A45 and A46, fall outside of the remit of the Permit Scheme.
- 1.5. A Permit Scheme works by requiring a works promoter to apply for a permit to 'book' time on the highway. The Council in its role as Permit Authority reviews applications and issues permits with conditions attached to better focus the activity in terms of reducing the impact for road users and other stakeholders.
- 1.6. It does this in recognition that any activity on the highway has the potential to cause inconvenience to vehicular traffic, pedestrians, cyclists and others. They may also cause inconvenience for residents and business. Where the activity affects traffic flows directly there is the likelihood of congestion and disruption. Effective coordination and management of the highway requires reliable and timely information being communicated and enables differences between those competing for space or time in the street to be resolved in a positive and constructive way.
- 1.7. In addition, efficient design of an activity on the highway will significantly mitigate the potential disruption of that activity. Permits provide the basis for this with the requirement to manage the applications from utility and highway works in a proactive manner, which are the two activities that often have the greatest effect on traffic and disruption.
- 1.8. Through the operation of the permit scheme, the Council has an enhanced ability to co-ordinate essential works, supporting businesses, enabling economic growth,

getting people and goods to their destination, helping children to travel to school safely, reducing congestion and improving air quality all whilst protecting the city's environment and its assets.

- 1.9. Permit schemes are intended to operate on a cost neutral basis, with various fees being charged to statutory undertakers, utility providers and third party works providers as part of the permit approval process. Regulations require that any fees recovered must not exceed the prescribed total allowable costs and that fees must not exceed the proportion of costs for operating the permit scheme incurred in relation to statutory undertakers only.

## **2. Options considered and recommended proposal**

- 2.1. The Coventry Permit Scheme has now been in operation for 9 years. Over this time the scheme has enabled the Council to have greater control over road and street works taking place within the city.
- 2.2. Permit scheme statutory guidance for highway authorities issued by the Department for Transport set out in Regulation 16A that an authority must evaluate the permit scheme they have introduced after every 12 months of operation for the first three years and then every three years after that.
- 2.3. As the scheme has now been in operation for 9 years, in order to discharge the 3 year reporting duty and to enable the performance of the service to be reviewed, an independent assessment of the schemes performance has been commissioned with the intention of carrying out a detailed analysis of the scheme and its operation whilst ensuring it continues to meet its original objectives and is operating in an efficient and effective manner. This report considers the results of that assessment, which is set out in further detail within the evaluation report contained in Appendix A to the report.
- 2.4. The evaluation report provides a detailed overview of the schemes performance in year 9 (2023/24) and sets this performance in the context of previous years to provide an overview of how the scheme has developed and evolved over its full life.
- 2.5. The data demonstrates that the number of permit applications received continues to increase year on year, with 2023/24 seeing a 28% increase in permit applications compared to the previous year. This represents a 50% + increase from the volume of permits received annually in years 1 and 2 when the scheme was set up.
- 2.6. The data also shows that in addition to increased volumes of work being processed by the service, the number of early start applications received is also increasing. The number of permits being submitted late with an early start request has increased by over 50% in the last 3 years from 6% in 2021/22 to 12% in 2023/24.
- 2.7. The submission of early start requests reduces the services ability to co-ordinate and add value, reducing notice for customers and road users whilst increasing pressure on the service to turnaround requests.

- 2.8. Whilst the total number of works has and continues to increase, positively total duration of works calculated in whole calendar days has reduced by 17.6% over the last three years from 41,552 days to 32,828 days. This demonstrates whilst individual work numbers increase, the duration and therefore impact of the works on the network has reduced. This is likely to be a result of a combination of factors including the introduction of new working practices as well as the positive work of the permit scheme to influence how and when works take place on the network.
- 2.9. An analysis of work undertaken by sector shows that the volume of works from any one promoter can vary significantly from year to year. The roll out super-fast broadband in 2020 to 2022 as part of the CityFibre network delivery and the Virgin network expansion in 2023-24 along with the increase in Severn Trent Works as part of the Green Recovery Scheme stand out.
- 2.10. It is anticipated that demand within the telecoms industry will continue for the foreseeable future as fibre networks are further expanded whilst the Green Recovery Scheme is anticipated to operate through to the end in March 2025 and will then see an increase in Sample B (6 months after completion of works) and Sample C (up to 2 years after completion of works) inspections for the following 2 years.
- 2.11. A review of the data considering the type of traffic management used for works indicates a significant increase in the number of works which involved no carriageway incursion, with the data suggesting that 40%, up from 20% in 2022/23, require no carriageway incursion. This increase is likely to be linked to the upturn in telecoms and green recovery type works which both tend to take place within the footway. This type of work has the potential to be less impactful for other road users and as such is a positive move, however it is something that requires further monitoring, mindful of the impact that such works can have on residents and pedestrians, particularly those with sight loss.
- 2.12. The Works Undertaken by Works Category – indicate that works being registered as Immediate (typically emergency and unplanned works) have reduced. This is linked to pro-active work by the Street Works team to review and challenge the use of this work category, however further monitoring will be required to establish longer term trends. It is also noted that works classified as major works have also reduced and it is again recommended that further monitoring of this area of work is undertaken to ensure that it is being used correctly.
- 2.13. A full analysis and overview of the permit scheme including a cost benefit analysis can be found in Appendix A to the report. Reviewing the data demonstrates that the scheme is continuing to operate well and provides a benefit to cost ratio of 2.35 and as such is considered to merit continuation. Further commentary on the costs of operating the scheme are set out in detail within section 6.1 of this report.

2.14. Whilst it is recognised that the review of the scheme has identified that it continues to have a positive impact in managing and co-ordinating road and street works across the city a number of opportunities to enhance the service have been identified and have been fed into the Action Plan contained within Appendix B to the report which sets out proposed priorities for team to focus and deliver over the next three years and which are intended to further enhance the service provided.

### **3. Results of consultation undertaken**

- 3.1. In September 2024 in response to changes in legislation the Council undertook a statutory consultation with key stakeholders regarding minor changes to the permit scheme which are necessitated by recent changes in legislation. These are largely administrative in nature and necessitated by the introduction of the new centralised DfT Street Manager system which replaced the previous electronic transfer of notice (EtoN) system. These changes are intended to keep the scheme up to date reflecting new regulations or statutory guidance (particularly the use of new technology requirements), whilst removing reference to old guidance that has been superseded.
- 3.2. A full overview of the proposed changes to the WaSP scheme document can be found in Appendix C to the report.
- 3.3. A 6-week consultation on the proposed changes commenced on the 23rd September. This consultation was focused on the statutory undertakers who would be affected by the changes. The consultation exercise was undertaken as a joint exercise with all 8 authorities who operate the WaSP scheme within the respective highway authority areas all consulting key stakeholders on the proposed changes at the same time. In total 4 responses were received setting out minor technical questions and challenges which do not materially change the proposed amendments and will be reviewed and incorporated as appropriate into a final version of the document as set out in **Appendix C**.

### **4. Timetable for implementing this decision**

- 4.1. The actions identified within Appendix B will be implemented over the course of the following three years, in line with the indicated time frame and are intended to aid the operation of the scheme.
- 4.2. It is intended that the proposed changes to the WaSP document as set out within Appendix C will be undertaken over the preceding 6 months and will require the amendment and re-sealing of the underlying order which underpins the permit scheme.
- 4.3. In line with statutory guidance a further analysis of the permit scheme will be undertaken in 2027 as part of a rolling three-year programme. During this time the fee structure of the scheme will be reviewed annually and can, if justified, be amended to reflect current service pressures and requirements, mindful of the operating

requirements of schemes in terms of revenue generation as set out in section 2.9 of this report.

## **5. Comments from the Director of Finance and Resources and the Director of Law and Governance**

### **5.1. Financial Implications**

A review of operating costs of the permit scheme has been undertaken as part of the preparation of the annual report set out in Appendix A to the report. This review has shown that both the recoverable costs of operating the scheme, along with the income that it has generated have increased.

Whilst the cost of operating the scheme have increased in a progressive manner, there has been significant variation year to year in the corresponding income generated. This is largely associated with in year demand for permits prompted by programmes of work from utility providers as they undertake major programmes of upgrade or maintenance works on their networks.

It is noticeable that in year 6 (2020/21) there is a significant increase in income. This is related to Covid restrictions, where network usage was reduced and enable large programmes of works on normally inaccessible parts of the network to come forward.

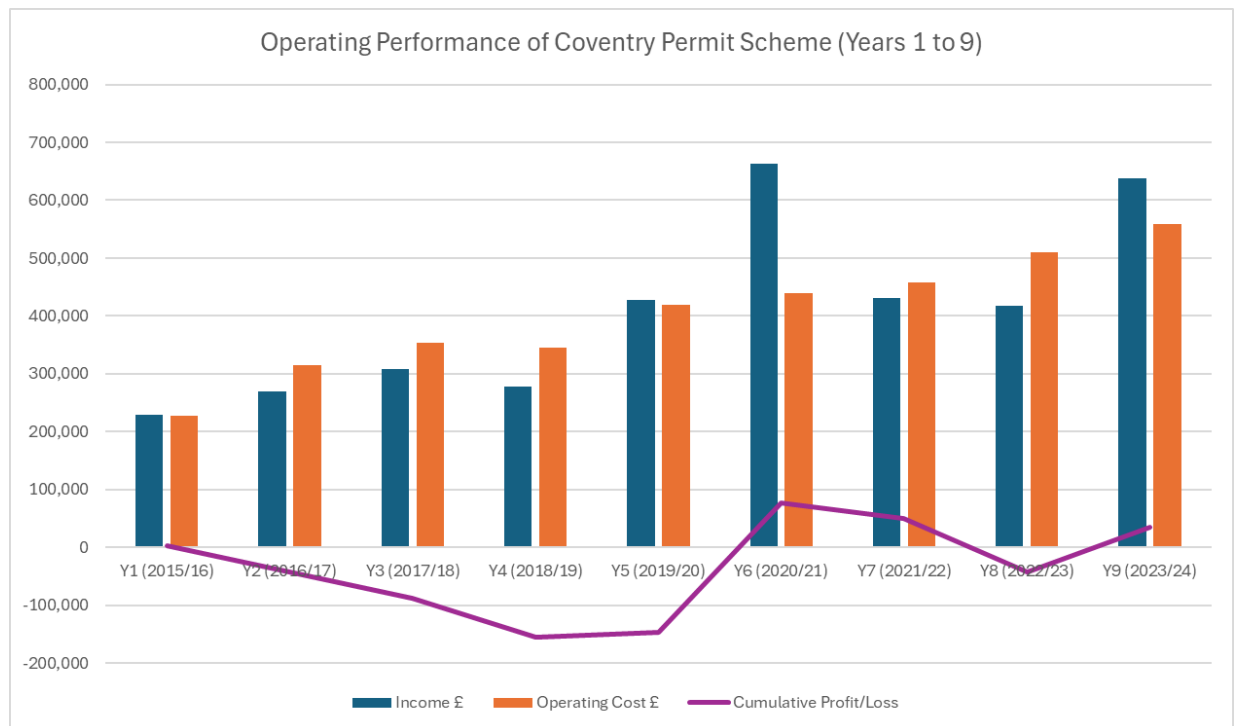
Over the course of the nine years of operation, the scheme has made a small total surplus of £35,372. It should be noted that this is largely due to 2 specific years where income significantly exceeded costs, these years being 2020/21 and 2023/24. Without these two anomalous years, the scheme would likely be operating in deficit as can be seen when reviewing the last full three years of data for the period 2021 to 2024 which shows that the scheme made a small overall deficit of £41,251.

Statutory guidance sets out that if fees and costs do not match the actual outturn for any year, adjustments should be considered, it goes on to state that it is essential that, at least over a three-year period, fees do not exceed the allowable.

Permit fees charged by Coventry City Council in operating its permit scheme currently fall below the maximum level allowed by the Department for Transport. As such there is scope for the fees to be increased at a point in the future when required to ensure the total allowable costs for operating the scheme are recovered. Correspondingly they could be decreased if income consistently exceeds allowable costs.

As set out above, and in further detail within the annual report, at present the income generated by the scheme has been sufficient to cover its allowable operating costs, with 2023/24 showing a surplus of £77,805. This has offset the deficit from previous years and shows that there are no grounds at present to alter the permit fee level. However it is clear that due to year on year variation in income generation, it will be necessary to closely monitor the operating costs of the scheme, and that it is likely

that it will be necessary to adjust fees in the future in order to ensure that the scheme continues to operate in a financially sustainable manner.



## 5.2. Legal Implications

The WaSP Scheme is a Permit Scheme for the purposes of Part 3 of the Traffic Management Act 2004 (TMA) and the Traffic Management Permit Scheme (England) Regulations 2007 (the Permit Regulations).

Section 16A of The Traffic Management Permit Scheme (England) (Amendment) Regulations 2015 requires a local authority operating a permit scheme to carry out an evaluation of the scheme in years 1, 2 and 3 and then after every 3 subsequent years.

The preparation of this report including its appendices is part of the steps taken by the authority to discharge the legal requirements placed on the Authority, with copies of the various documents being made available online for public scrutiny once published.

## 6. Other implications

### 6.1 How will this contribute to the One Coventry Plan?

<https://www.coventry.gov.uk/strategies-plans-policies/one-coventry-plan>

The WaSP Scheme assists in helping to keep the network safe for all road users during works on the highway, with provisions that are inclusive of vulnerable road users. The estimated benefit returned for every £1.00 spent on the WaSP Scheme is £2.35. The WaSP Scheme reduces carbon emissions contributing towards tackling climate change and operates at no financial cost to Coventry City Council.

## **6.2 How is risk being managed?**

It is a requirement of the Traffic Management Permit Scheme Regulations for a Permit Authority (the Council) to evaluate the performance and operation of its permit scheme. Failure to do so could result in the Department for Transport withdrawing permission for the Authority to operate the scheme or impose specific conditions around its finance model. In such a case our ability to recover our costs associated with operating the scheme would be significantly impaired which could add an unanticipated budget pressure of the service.

The Permit scheme has demonstrated its ability to control and aid the co-ordination of road and street works in the borough. Failing to operate a permit scheme effectively reduces our ability to effectively manage such works and minimise their impact on the travelling public and other road users.

A review of the financial performance of the scheme has shown that income generation can fluctuate, sometimes significantly, between years. As such the financial performance of the scheme will need to be closely monitored to ensure that the scheme continues to operate on a cost neutral basis. If necessary, permit fees can be amended to enable this as the Authority does not currently charge the maximum fee as prescribed by the Department for Transport. Any such change would be subject to a statutory consultation process and would require a change to the sealed legal order which underpins the scheme and as such could take between 6 and 12 months to implement if this became necessary.

## **6.3 What is the impact on the organisation?**

Undertaking a review of the service ensures that the Authority is meeting its statutory obligations regarding the operation of Highway Permit Schemes. It also has allowed the service and its function to be reviewed to ensure that it continues to realise the benefits for which the scheme was initially intended.

The action plan that has been developed will help to aid service delivery moving forward, aiding the council's ability to operate the scheme effectively which will have benefits for parties wishing to raise permits and undertake works on the network as well as road users by aid the co-ordination and collaboration of works to minimise their impact on the travelling public.

The update of the permit scheme document to reflect changes in regulations and statutory guidance will ensure that the scheme reflects current working practices and is not open to challenge by third parties whose works are governed by the scheme.

## **6.4 Equalities / EIA?**

The operation of a successful and efficient highway works permit scheme has the potential to significantly reduce road and street work occupation. This reduces both delay and clutter on the highway and in the public realm which aids and enables all people to access and use this public asset.



Reducing occupation of roads and public space is a particular benefit for vulnerable road users, such as those with sight loss, to whom poorly planned and laid out traffic management can form a significant hazard and barrier to accessing facilities and services.

Details of road and street works are published on the one.network public facing portal which is available to everyone free of charge and can be accessed on any internet enabled device. This provides access to information on when and where works are taking place, enabling people to make informed decisions as well as providing contact details should they need to raise an issue.

#### **6.5 Implications for (or impact on) climate change and the environment?**

It has been calculated that delays on the network reduced by implementing the WaSP Scheme has resulted in a saving of 582 tonnes of carbon emissions per year. Operation of the permit scheme will continue to contribute to air quality and environmental targets of the council.

#### **6.6 Implications for partner organisations?**

The WaSP Scheme applies to all local public roads in the City managed by Coventry City Council as Highway and Permit Authority. This includes those roads identified by Travel for West Midlands on behalf of WMCA as part of the regional Key Route Network. Through the Permit Scheme, road and street works on all roads including the Key Route Network are effectively managed and co-ordinated including consideration of cross boundary implications to ensure a joined-up approach is taken with regards to the planning of road works.

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# Coventry City Council Permit Scheme Year 9 Evaluation

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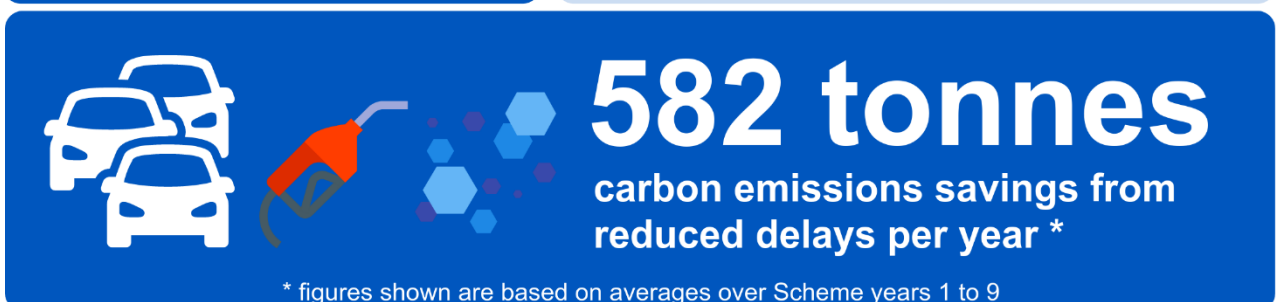
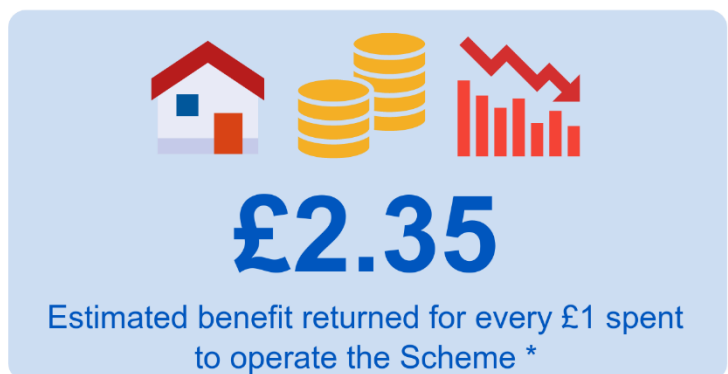
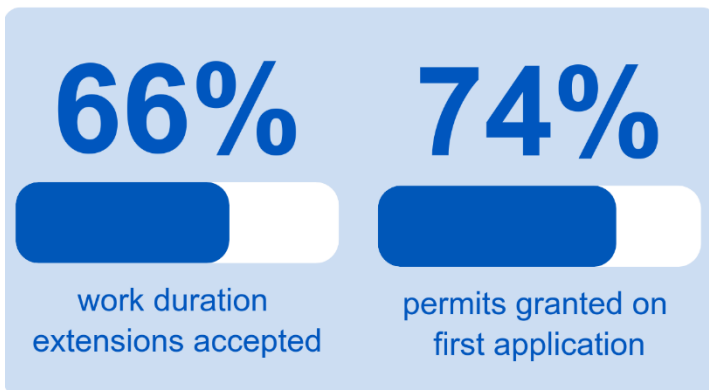
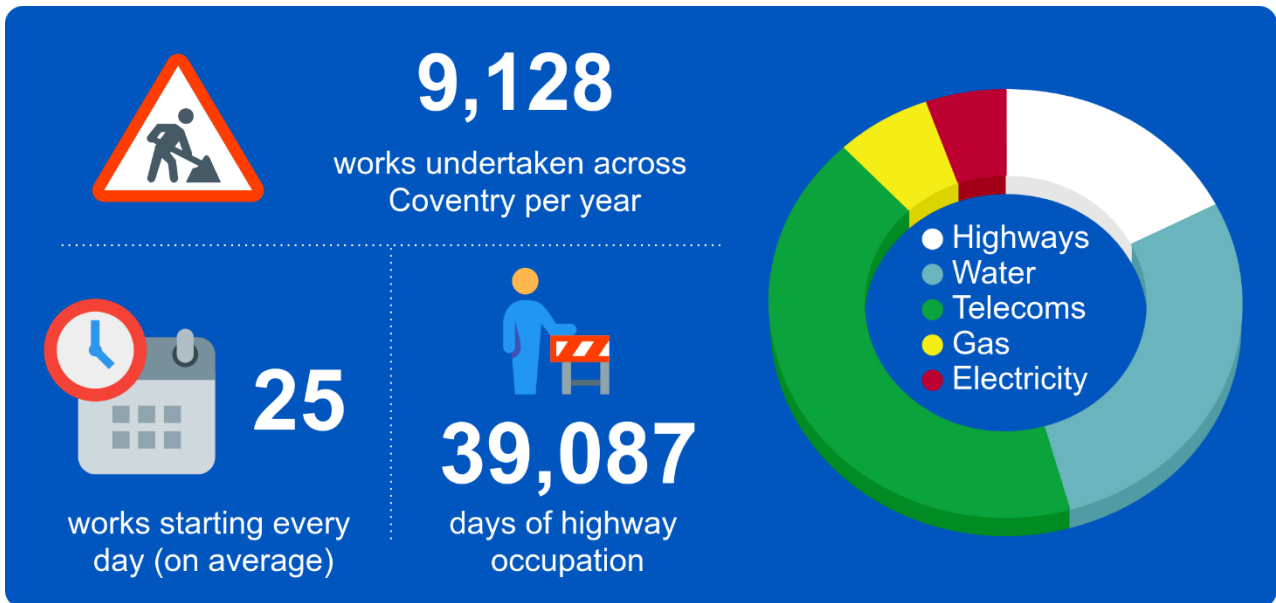
## Foreword

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To Be Completed Prior to publication

## Key Findings

Figures quoted are based on averages over years 2021 to 2023 unless stated otherwise.



# Introduction

## The role of a permit scheme

In 1991 the New Roads and Street Works Act (NRSWA) placed a duty on the Council, as a highway authority, to coordinate activities (works) of all kinds on the highway under the control of that Authority.

In 2004 the Traffic Management Act (TMA) and associated secondary legislation widened the NRSWA coordination duty. The scope of this increased duty has the following main considerations and Part 3 of the TMA allows for an Authority [the Council] to introduce a permit scheme to support the delivery of this duty.

The powers under a permit scheme enable the Council to take a more active involvement in the planning and coordination of works, from the initial planning stages through to completion. This includes:

- organisations book occupation for work instead of giving notice, essentially obtaining a permit for their works;
- any variation to the work needs to be agreed, before and after works have started, including extensions to the duration;
- the Council can apply conditions to work to impose constraints; and
- sanctions with fixed penalty notices for working without a permit or in breach of conditions (of the permit).

These powers enable a Council to deliver a more effective network management service, through the increased capability to control the planning and undertaking of work across their network.

In March 2015 the Council introduced the **Coventry City Council Permit Scheme** (the Permit Scheme) also known as the West and Shires Permit Scheme (WaSPS). The scheme was brought into legal effect through an Order created by the Council under the provisions of the Traffic Management Permit Scheme (England) Regulations.

## Regulatory requirement for a permit scheme evaluation

Permit Scheme Regulations (16A) states that permit schemes [should] be evaluated following the first, second and third anniversary of the scheme's commencement and then following every third anniversary.

The regulation further states that, in its evaluation, the Permit Authority [Council] shall include consideration of:

- whether the fee structure needs to be changed in light of any surplus or deficit;
- the costs and benefits (whether or not financial) of operating the scheme; and
- whether the permit scheme is meeting key performance indicators where these are set out in the Guidance.

This report has been developed by an external consultant, Open Road Associates, for the Council to provide an evaluation for the most recent scheme year (Year 9) with analysis, wherever possible, for the entirety of scheme years 1 to 9 (March 2015 to February 2024 inclusive) and includes the provisions set out within the regulations.

The regulations reference key performance indicators set out in [Statutory] Guidance. A HAUC (England) Advice Note (001/2016) **Report Template for the Evaluation of Permit Schemes** sets out permit scheme measures which have been used for this purpose.

Annex B of this report contains the performance indicator results for each permit scheme year (as available).



# Executive Summary

## Applications

Analysis shows the level of applications for work received from Promoters has been increasing since the start of the Scheme. The highest level of applications received was in the most recent year (2023/24) and represents a 50% increase from the volume received in first scheme year.

Of the total applications received for planned work, on average 1 in 10 are submitted a lower lead time than specified in the Scheme. The submission of these 'early start request' reduces the Councils ability to coordinate these works, as such in the most recent year (2023/24) only 68% of these applications were granted.

## Coordination

Provisional advanced authorisation (PAA) applications are submitted at least 3-months before the start of planned major work. Typically 94% of these are granted, with the Council accepting that these applications are a provisional application, to be confirmed through a follow-up permit, and therefore would only be refused if there is a significant date or planning conflict that cannot be resolved.

Of all permit applications received in Scheme years 7-9, an average 74% are granted, with the remainder being rejected. In the most recent year (2023/24) the proportion of permits granted has decreased compared to previous years. It is likely that this is linked to the overall increase in being applications received and the associated volume of work requiring a greater level of coordination to avoid disruption across the network.

Analysis shows the reasons for refusal vary, however typically these fall within the areas of:

- Missing information or conditions;
- Clash of other planned or active work on the network
- Restrictions in place following a major work, such as road resurfacing.

In recent years, the volume of refusals being issued with a reason of "other" has increased significantly. This limits insight into the specific reasons for a refusal. Investigation into the use of this reason highlighted a process issue, which has been resolved.

Looking at changes made to planned work during the initial application stages shows some positive results. There has been a year-on-year increase in the volume of work undertaken with a condition or traffic management change post-application. Additionally, 1 in 5 works undertaken with a form of collaboration is being added during the planning stage.

## Work

In relation to the increased number of applications, there has also been an increase in the number of works undertaken - primarily from the telecom and water sectors.

Telecom works includes roll-out of broadband during as part of the CityFibre network delivery (2020-2-22) and for the Virgin network expansion (from 2023). The water sector increase is attributed to Severn Trent work as part of the Green Recovery Scheme. It is anticipated that these volumes will continue for the foreseeable future as fibre networks are further expanded and the Green Recovery Scheme is completed (end 2026).

The section of highway impacted by work and the traffic management being deployed shows an overall increase in work off the carriageway and within the footway. This can be explained by the increase in telecoms work which is predominantly in the footway. Whilst these works could be considered to have lesser impact on road users, the Council continues to ensure that the work being carried out on the footway is not impacting pedestrians and does not encroach on the carriageway.

Analysis of average work duration and trends shows an overall decrease across the four categories, including unplanned Immediate work. This is positive, especially considering a general increase in work undertaken in the most recent years.

On average 1 in 10 works exceed their planned duration, which could be considered high. Analysis of requests for duration extensions shows the Council accept (grant) c.66% of these applications. Recognising it is not always practical for Promoters to stop their work and no longer occupy the highway, the Council grant these extension request and apply a penalty (through a challenge) to c.30% instead of rejecting the requests.

Obtaining collaboration between Promoters, ideally for shared or contiguous worksites, is a recognised industry-wide challenge. Whilst analysis shows that a few works per year are undertaken with a form of collaboration, the number of days of occupation remains proportionally small and is decreasing year-on-year.

### Permit conditions

Promoters apply conditions to their work, but the Council are responsible for ensuring they are applied to best effect, typically adding or changing these during the initial planning stages.

Conditions that can be applied to works cover many different categories. Within Coventry conditions are primarily use for:

- restrictions on dates and times when work can be undertaken;
- the removal of materials or plant when no longer in use;
- the occupation of the highway, road space to be available to traffic and use of traffic management; and
- controlling work methodology.

In the most recent year of analysis (2023/24) the volume of work undertaken with an applied conditions dropped to 27% (compared to 81% and 86% in the previous years).

Further analysis of specific work scenarios, such as planned work under a road closure with advanced publicity, shows that the Council may need to consider when and how they are applying conditions to ensure they are using this control effectively.

### Offences

When the Council undertake a live site inspection this provides opportunity to check the work is being undertaken with a valid permit and in accordance with any permit conditions. Over the past three years, c.33% of works have had such an inspection.

Even though the Council have been operating a permit scheme for nine years, Promoters are still committing permit offences, and these have even been increasing from 2021.

Analysis shows the primary reason for the breach of permit condition offences is for (lack of) display of permit number of the work site board. In the most recent year (2023/24) the predominant reason for the permit offence cannot be identified from the text provided and is recorded as 'other'.

### Parity treatment

Overall, measures for parity treatment show that the Council administer their Scheme without discrimination, unless this is related to Promoter performance, such as performance based live site inspections.

The only exception to this is for inspection of their own (Highway Authority) work, which is an area that need to be considered in future years of operation.

### Costs and benefits

Over nine years the costs to administer the Scheme have increased steadily, whilst income from fees has varied considerably – this is to be expected as income is linked to application volumes, including permit-variations. Overall, the Council has sustained a small deficit which could have been significantly higher without high income levels in years 2020/21 and 2023/24.

Going forward, the Council intend to maintain the current fee structure but monitor income closely to ensure the prescribed costs are fully recovered.

The cost-benefit-analysis shows an overall estimated benefit-to-cost ratio of 2:35, which means the Scheme can be classified as high value for money.

Additional analysis shows that the Scheme could lead to estimated carbon emissions savings of 582 tonnes CO<sub>2</sub> per year arising from the reduction of wasted fuels caused by delays, diversions, etc. because of work.

### Opportunities for improvement

Whilst the evaluation clearly demonstrates that the Council are operating both an efficient and effective permit scheme, there are several opportunities where the Council can improve the overall performance of the Scheme. These are set out with the table below.

Reasons for rejections	Ensure the defined categories for reason for rejections are used, to avoid to the use of 'other'.
Changes to permits during the application stage	Monitor the level of changes being made to permits during the application stage to ensure opportunities for (a) duration challenge, (b) adding or amending permit conditions, (c) reviewing traffic management arrangements and (d) identifying opportunities for collaboration are not missed.
Work involving no carriageway incursion	Check work involving 'no carriageway incursion' does not have a negative impact to pedestrian traffic and does not encroach on the carriageway.
Work exceeding planned duration	Continue reviewing work exceeding planned duration and checking requests for work extensions are genuine and valid, and where applicable consider penalties for overrunning work to discourage this behaviour.
Collaborative works	Ensure all opportunities for collaboration between Promoters are realised and increase the number of work and days of occupation under a form of collaborative work.
Application of conditions	Review the application of conditions within defined work scenarios, such as advanced warning for planned work under a road closure, to ensure these are being applied to maximum effect.
Inspections for highways work	Introduce inspections for the Councils own works to ensure there is a parity treatment across all Promoters.
Permit compliance offences	Ensure the reason recorded for permit compliance offences clearly defines the condition (being breached) or reason for the offence.
Income from permit fees	Monitor income from permit fees to ensure the deficit does not increase and the Council recovers the prescribed cost, as allowed under regulations.

# Analysis of Applications

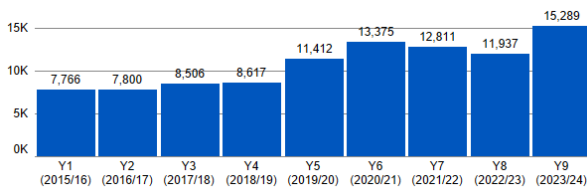
## Applications for work

All **registerable works** require an application to the Council to obtain a permit. Prior to the introduction of the permit scheme, the Council was notified of these works.

Throughout this evaluation the term **application** refers to both the initial notice or permit application and the three-month advance notice application (Provisional Advanced Authorisation) for a Major work, unless stated otherwise. Non-statutory forward planning notices are not included.

### Applications received

The chart below shows the volume of applications received per Scheme year.



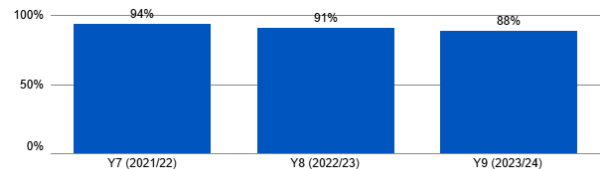
## Application lead time

For the Council to effectively carry out the coordination of works, including the advanced publicity of works, it is essential that applications are submitted with sufficient lead time based on the work category, as set out within primary legislation.

- Major and Standard work requires an application lead time of 10 working days prior to the proposed work start date. Major work also requires a 3-month advanced notice, which becomes a provisional advanced authorisation under a permit scheme.
- Minor works require 3 working days lead time.
- Immediate works can be submitted after works start and must be received within 2 hours of works start or by 10:00 on the next working day if work started outside of non-working hours.

## Applications for planned work received in time

The chart below shows the proportion of initial applications received in time (of total) for planned work (excluding Immediate work category), in accordance with the minimum lead time, per Scheme year.



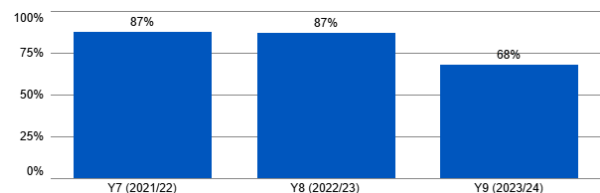
When an application for planned work is not received in time this is referred to as an “early start” as the Promoter wishes to start earlier than the prescribed lead time.

The Council can choose to grant, or refuse, this application, thereby allowing the work to commence with “an early start”.

For example, in Year 9 88% of applications were in time, so 12% not in time required an early start. Of that 12%, 68% were granted by the Council (refer to chart below).

### Early starts granted by the Council

The chart below shows the proportion of applications received not in time granted by the Council (as a % of total received) per Scheme year.



# Analysis of Coordination

## Response to applications

For a permit scheme to be effective the Council must process and respond to each application. Where the Council accept an application, this is granted.

Where the Council do not accept an application, or want to make changes to the proposed work, it is refused, and a response code (based on a set of national codes<sup>1</sup>) **must** be provided.

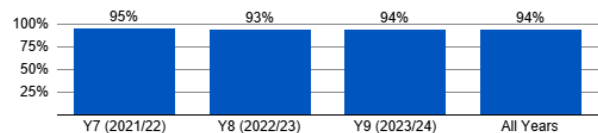
As shown in the chart below., the main reason for refused applications is clashes with other work and to enforce a restriction under NRSWA section 58 to protect the street after a major scheme., such as resurfacing.

The use of the 'other' category has seen a dramatic increase over the three years of analysis. Further investigation has identified this as a process error, which has been resolved.

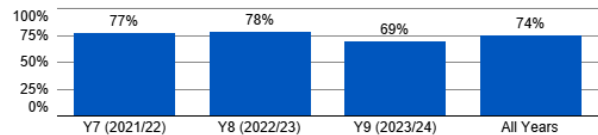
## Applications granted (% of total)

The charts below show (top) PAA applications and (bottom) permit applications granted by the Council as a proportion of the total received. PAAs and permits that were cancelled or superseded before a response was given have been removed from this analysis.

PAA applications



Permit applications



## Reasons for refusals

The chart below shows the response codes used on refused applications for Scheme years 7, 8 and 9. A refusal can contain more than one reason and therefore code.

	Y7 (2021/22)	Y8 (2022/23)	Y9 (2023/24)
Missing information [RC10]	51	105	176
Missing conditions [RC11]	142	218	166
Traffic management details [RC12]	75	73	33
Incorrect details [RC20]	19	51	22
Incorrect recipient [RC21]	3	1	0
Location issues [RC22]	95	39	32
Conflicting information [RC23]	7	5	49
Coordination issues [RC30]	8	13	15
Clash of works [RC31]	278	294	424
Timing of works [RC32]	48	34	16
Collaboration opportunity [RC33]	2	2	0
Lack of traffic management approval [RC40]	107	44	10
Incorrect traffic management [RC41]	107	104	39
Early start agreement [RC42]	5	2	2
NRSWA Section 58 restriction [RC43]	872	590	617
Excessive duration [RC44]	36	40	15
Other reason [RC50]	104	230	906

## Changes during the life of a permit

Processing permit applications provides an opportunity for the Council to undertake their network management duty, with an aim to reduce the potential disruption of the work. The sections below show analysis of changes to permits during the planning stage - between the initial application and work start - based on the content of the notices received and issued.

This analysis should demonstrate the ability to use the Scheme for coordination, through changes being made to a permit. The analysis considers changes to four key areas:

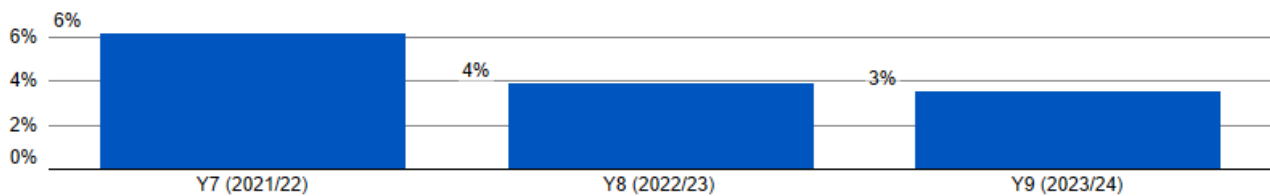
- (1) proposed duration
- (2) permit condition (where a work had a condition applied)
- (3) traffic management
- (4) collaboration (where a work was undertaken with a form of collaboration)

The analysis shows an overall need to review when and how the application process is being used to affect changes to work, taking into consideration the proposed work and network demands.

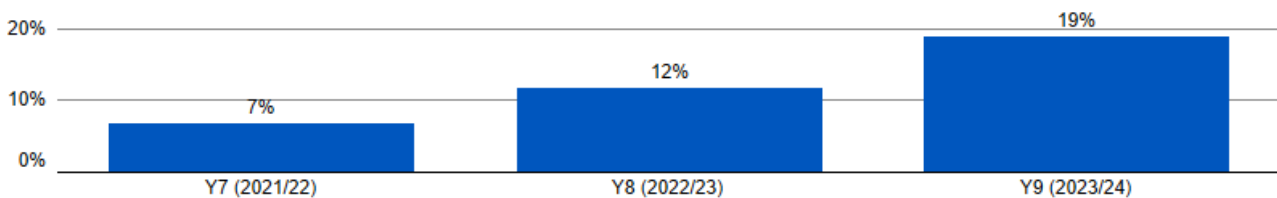
### Changes to work during the planning stage

The charts below show the proportion of work (% of total) where a change was made to a permit during the planning stage (planned work only) per Scheme year. 'Work with a collaboration change' only includes work identified with a form of collaboration. 'Work with a condition change' only includes work with an applied condition.

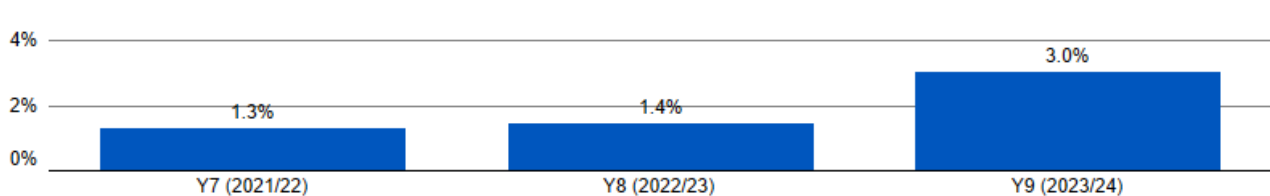
#### Work with a duration decrease



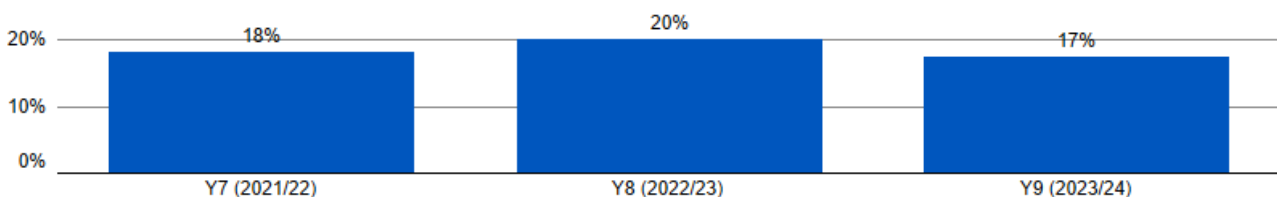
#### Work with a condition change



#### Work with a traffic management change



#### Work with a collaboration change



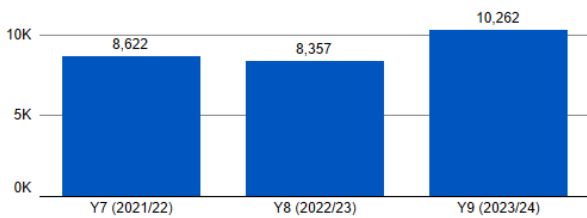
# Analysis of Work

## Work undertaken

Works are treated as 'undertaken' when they have reached a stage of 'in progress', *i.e.* work has started. Not all applications for work or where a permit has been obtained (granted) result in work undertaken. Across Scheme years 7 to 9 between 64% and 70% (67% average) of applications result in actual work, with the remainder cancelled or superseded.

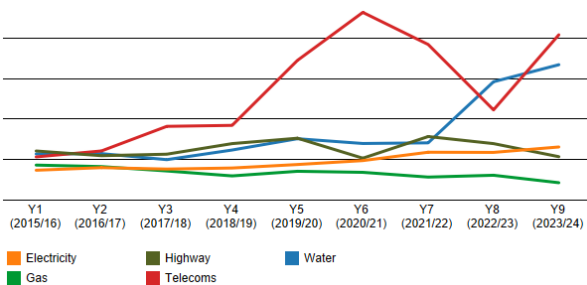
### Work undertaken

The chart below shows the volume of work undertaken per Scheme year.



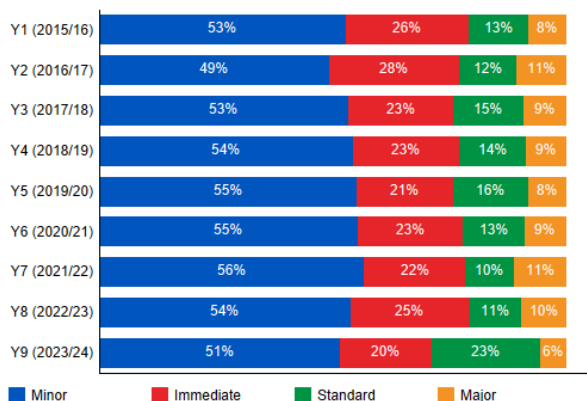
### Work undertaken by sector

The chart below shows the proportion of work undertaken per Scheme year delineated by sector.



### Work undertaken by work category

The chart below shows the proportion of work undertaken per scheme year delineated by work category.

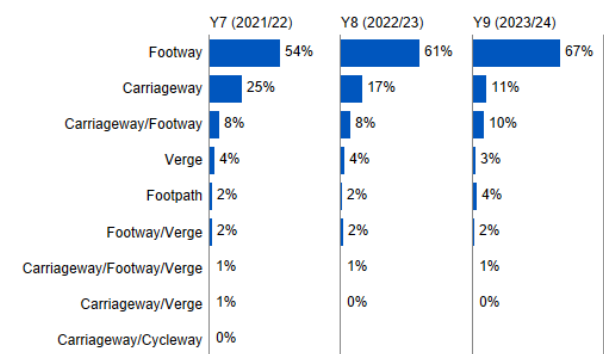


## Work location

Work is undertaken across all different sections of the highway, not just the carriageway. Since the introduction of Street Manager in July 2020 the location of work has been recorded on permits.

### Work location by type

The chart below shows the recorded location of work by type(s) for work undertaken in Scheme years 7, 8 and 9.

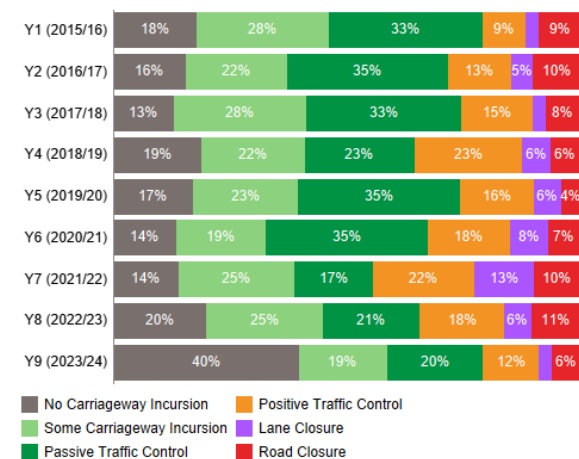


## Use of traffic management

All works must be undertaken using an appropriate form of traffic management (control) to ensure work is undertaken safely - for those undertaking the works as well as the road user, including pedestrians, cyclists and in particular the needs of disabled people and vulnerable groups.

### Traffic management used for work

The chart below shows traffic management (colour legend) for all works undertaken as a proportion of the duration (calendar days) per Scheme year.

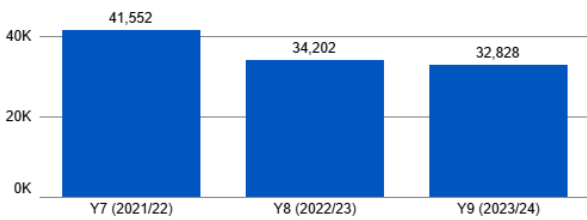


## Work duration

Analysis of work duration is based on work undertaken and calculated using timings provided in work start and work stop notices issued by Promoters. Durations are aggregated to whole days, however in reality a work, *such as an asset inspection or pothole repair*, may only take a few minutes or hours.

### Duration of work (whole days)

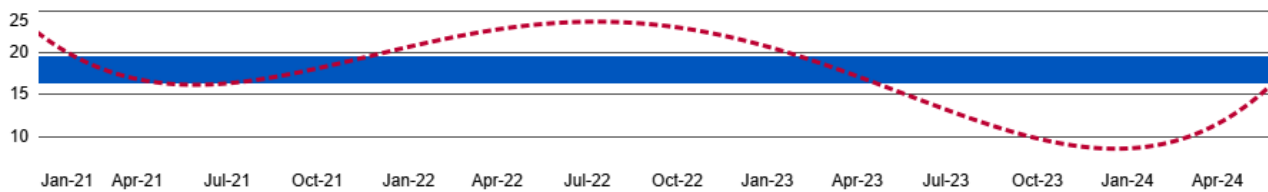
The chart below shows the total duration of work (days) per Scheme year.



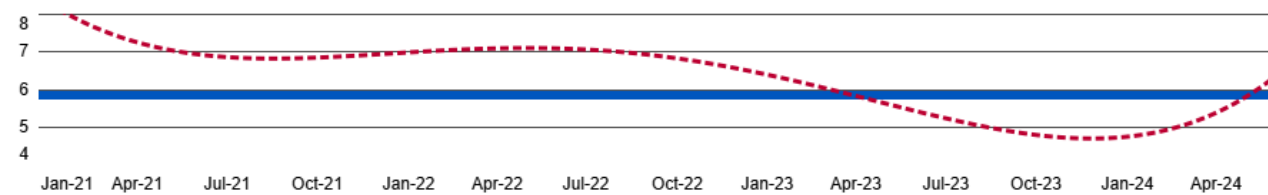
### Average duration and trend

The charts below show an average duration with trend for the four work categories across Scheme years 7 to 9 based on the actual duration for work undertaken. The trend line (red-solid) shows a polynomial model computed for each duration of work and an average duration (blue-band) is shown with a 95% confidence level distribution.

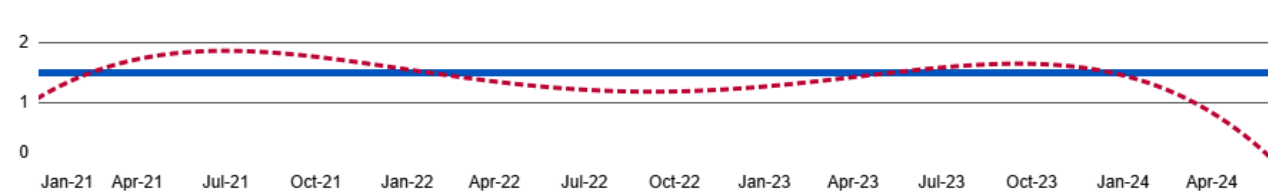
#### Major work



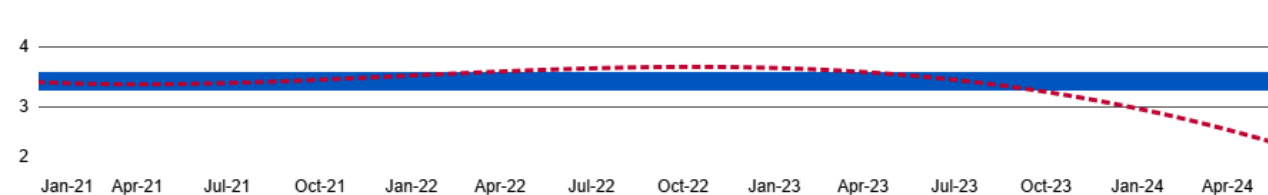
#### Standard work



#### Minor work



#### Immediate work



Analysis of duration over time considers trend, compared to the average duration, delineated by work category. This shows both the typical duration of this work category, and whether works are remaining similar, increasing or decreasing compared to this average.

As this analysis is based on individual work durations it provides a more comprehensive and accurate overview of duration compared to an aggregation of duration into a single "average duration".

It should be accepted that this form of analysis is still based on aggregated duration, and it is likely that there are more distinct variances between sectors and/or different types of work. This analysis does however provide a strong indicator of overall trend.



## Work exceeding agreed duration

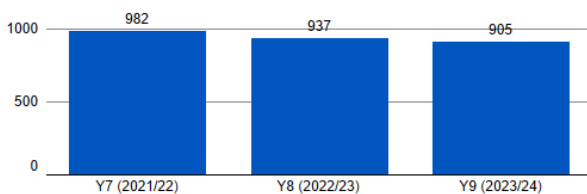
Works that exceed their agreed reasonable period (of duration) can create significant coordination issues and can apply a 'domino effect' on work programmes and the potential need to reschedule or revoke other active or planned works that may clash with adjacent over running works.

For this evaluation a work exceeding the agreed duration is identified when a work's **actual duration** is exceeded by the **proposed duration**.

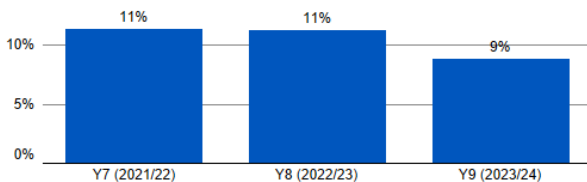
### Works with overruns

The charts below show (top) the total number of works undertaken where the actual duration exceeds the planned duration, (bottom) the proportion of all works undertaken (% of total) that exceeded the planned duration, per Scheme year.

Work exceeding planned duration



Work exceeding planned duration (% of total)

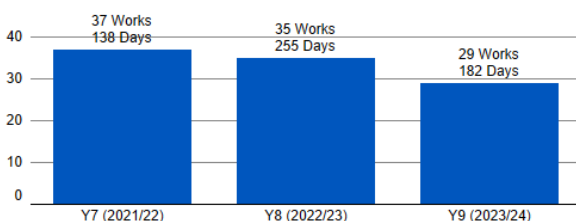


## Collaborative works

One of the most effective methods for the Council to reduce the potential disruption is for Promoters to collaborate their works, thereby undertaking work on the same section of the highway at the same time.

### Work with a form of collaboration

The chart below shows the number of works with a form of collaboration and the total days of the work per Scheme years 7 to 9.



# Analysis of Permit Variations

## Variations to permits

Both regulations and the Scheme includes a provision for the Council to vary or revoke a permit Therefore, a permit variation (*change request or alteration as named in Street Manager*) can be issued either by the Promoter for the Council to grant or refuse, or by the Council to the Promoter as an imposed change.

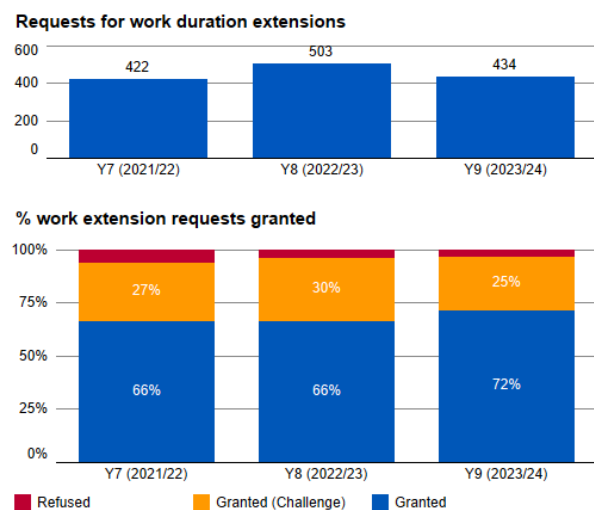
There are many reasons permits are varied, which include: changes to planned work dates, because of unforeseen issues, *such as bad weather or plant breakdown*, limiting work or changes required to meet customer demands to mitigate network impact.

The types of permit variation fall within one of three different categories, which include;

- **imposed change** where the Council want to make a change to the permit;
- **Permit modification** where a Promoter responds to a modification request from the Council during the application stage.
- **Promoter change request** where a Promoter wants to vary the permit, including a **work extension** to change the end date once work has commenced.

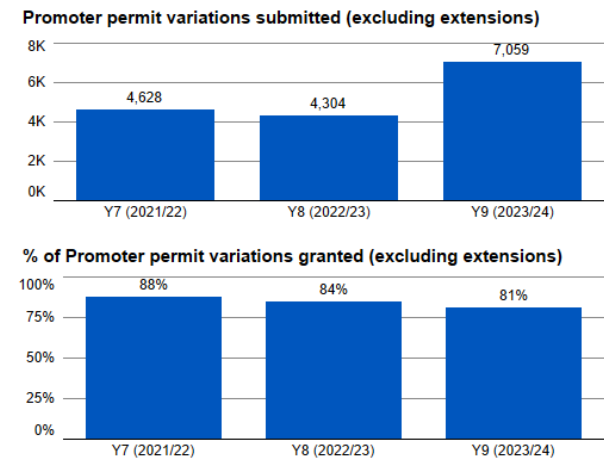
### Work duration extension request

The charts below show (top) requests for a work duration extension and (bottom) the proportion of extensions granted, challenged or refused.



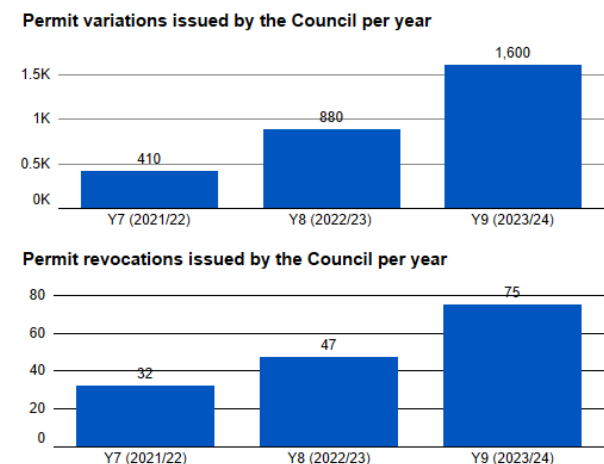
## Variations from Promoters

The charts below show (top) variations (excluding duration extension) from Promoters and (bottom) the proportion of Promoter variations granted (% of total). Applications cancelled or superseded before a response have been removed from this analysis.



## Variations issued by the Council

The chart below shows (top) the volume of authority-imposed variations and (bottom) permit revocations issued by the Council to Promoters per Scheme year.



# Analysis of Permit Conditions

## Use of permit conditions

Applying a condition to a permit is one of the primary methods for achieving the objectives of a permit scheme.

The process of a Promoter applying for a permit allows the Council to make changes to the work and where necessary apply conditions, within pre-define categories, to control and minimise the impact of the works, sometimes even before work starts, *for example advanced publicity of a road closure.*

The sub-sections below outline the conditions available to the Council. These are based on the categories defined in the Statutory Guidance for Permit Conditions. This Guidance sets out the conditions that can be applied to permits and the potential parameters that can be associated to these conditions.

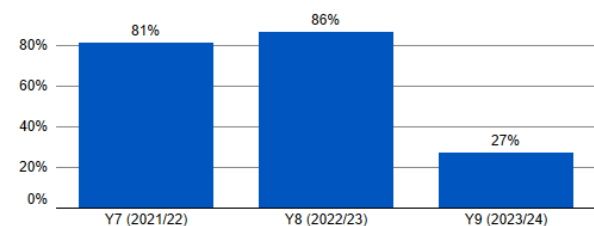
Analysis and evaluation for the use of conditions can be difficult to undertake as there are many variables for a work that need to be taken into consideration, *such as the work methodology, location, use of materials or plant, timing of the work.*

It can be impracticable to determine the criteria for a work and whether a condition could, or should, have been applied or not. In addition, it is not always possible to determine the effect of the condition or an outcome that can be quantified.

**This analysis does not include conditions that apply to all permits, such as displaying a permit number on a site board, but only those that can be applied to a permit.**

### Work with an applied permit condition

The chart below shows the proportion of work undertaken with an applied permit condition (% of total) per scheme year.



## Conditions applied by type

The chart below shows conditions applied, by their type, applied to work undertaken in Scheme years 7, 8 and 9.

	Y7 (2021/22)	Y8 (2022/23)	Y9 (2023/24)
Date and times [NCT02a]	4,034	3,432	1,151
Extended working hours [NCT02b]	1,188	976	785
Ancillary activity information [NCT03]	0	0	40
Removal of materials or plant [NCT04a]	3,331	1,717	1,156
Storage of materials or plant [NCT04b]	341	283	103
Road occupation [NCT05a]	2,571	3,938	1,440
Road space available to traffic [NCT06a]	4,794	4,158	1,158
Road closure [NCT07a]	553	491	304
Specified traffic control [NCT08a]	1,972	1,900	950
Manual traffic control [NCT08b]	332	262	74
Traffic management changes during work [NCT09a]	3,069	4,136	1,775
Traffic management arrangements [NCT09b]	534	653	293
Removing temporary signals [NCT09c]	555	331	163
Changes to traffic management arrangements for Major work [NCT09d]	0	44	56
Work methodology [NCT10a]	2,537	3,556	1,127
Advanced publicity [NCT11b]	1,789	765	227
Environment noise control [NCT12a]	780	397	24

## Benefits of conditions applied

It is difficult to effectively delineate work where a condition could or may be applied as relevant elements of the work are not specified within the data for analysis, *such as whether the work involved surplus spoil or materials or required a specific work methodology.*

There are however a few indicators that can be used to identify whether conditions are being applied to good effect, and therefore of benefit to the road user. These include:

- Planned work outside traffic-sensitive times (on a traffic-sensitive street) with a timing

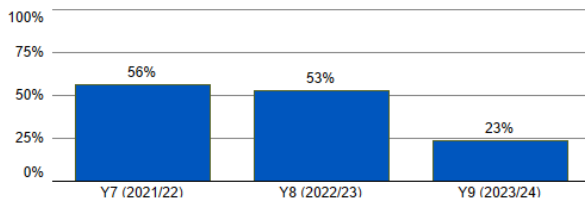
condition (NCT2a) to ensure compliance to this arrangement;

- Work at traffic-sensitive times (on a traffic-sensitive street) involving temporary traffic lights with a condition (NCT8b) to manually control the lights at specified times, *typically peak traffic times; and*
- Planned work under a road closure with advanced publicity of the work.

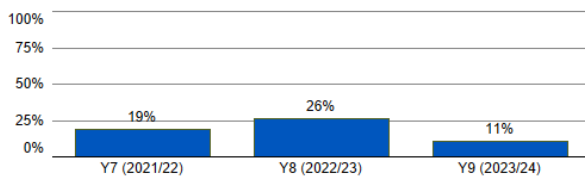
### Work scenarios with conditions applied

The charts below show the proportion of work (% of total) with an applied condition (as detailed above) per Scheme Year.

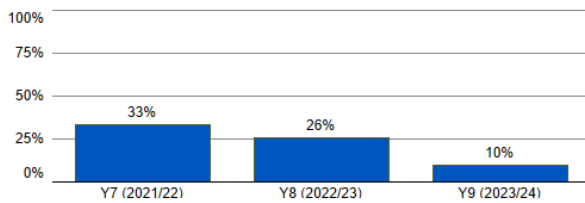
**Planned work on traffic-sensitive streets with a timing condition**



**Planned work on traffic-sensitive streets with manual control of lights**



**Planned work under a road closure with advanced publicity**



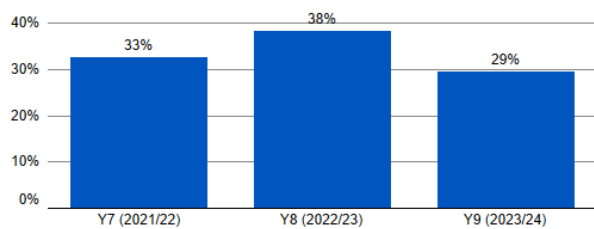
# Analysis of Permit Compliance

## Permit compliance inspections

Under a permit scheme the Council can undertake additional inspections during work for permit compliance to ensure that (a) work is being undertaken with a valid permit and (b) in accordance with the stated conditions (as applicable).

### Permit compliance inspections

The chart below shows the proportion of works (% of total) with a live site inspection, per Scheme year.



## Permit offences

A permit scheme introduced two new offences, with financial penalties for statutory undertakers where there is a failure to comply.

### Reasons for permit compliance offence

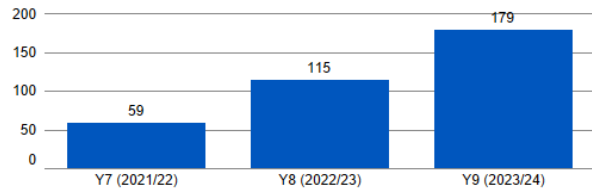
The chart below shows the reason for permit condition offences for Scheme years 7, 8 and 9.

	Y7 (2021/22)	Y8 (2022/23)	Y9 (2023/24)
NCT1a/b Working window (permit)	14	13	11
NCT2a Date and time	0	1	1
NCT2b Extended working hours	0	0	1
NCT4a Removal of materials and plant	0	0	1
NCT4b Storage of materials and plant	0	0	0
NCT5a Road space allowed	3	8	17
NCT6a Road space available	3	7	21
NCT7a Road closure	0	0	0
NCT8a Traffic management request	3	0	2
NCT8b Manual control of traffic management	1	2	6
NCT9a Changes to traffic management	5	3	15
NCT9b Traffic management arrangements	0	0	0
NCT9c Signal removal after use	0	0	1
NCT10a Work methodology	0	0	0
NCT11a Display of permit number	62	67	55
NCT11b Advanced publicity	5	0	1
NCT12a Environmental (noise control)	0	0	0
Other reason	14	33	116

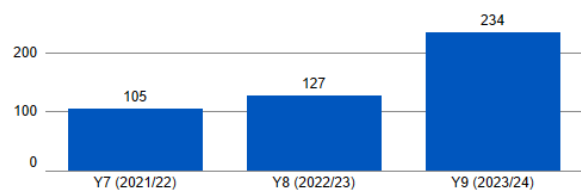
## Permit offences issued to Promoters

The charts below show the number of offences issued to Promoters (not withdrawn) for (top) working without a permit and (bottom) breach of permit conditions, per Scheme year.

### Offences for working without a valid permit



### Offences for breach of permit condition



# Analysis of Parity Treatment

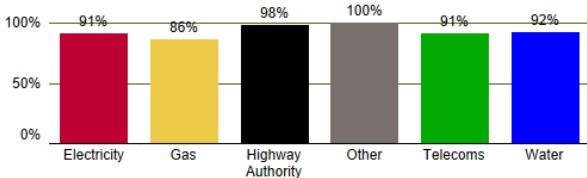
Section 40: Non-discrimination of the Permit Scheme Regulation state that the Council must apply the regulations (Parts 5 and 6) without any discrimination between different classes of application for permits or for provisional advanced authorisation. Statutory Guidance defines this further a **parity treatment** with each permit application received are treated equally regardless of the works' promoter .... and [Highway] works will be treated in the same way as any undertaker (except that they are not liable for the fees or sanctions).

Parity treatment will be analysed using specific measures for each sector across Scheme years 7, 8 and 9.

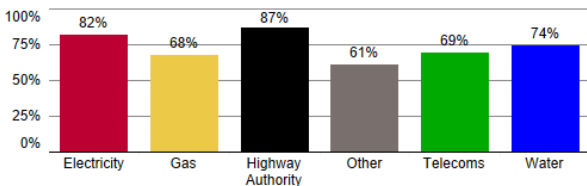
## Applications granted

The charts below show applications granted (as a % of total received) by sector during Scheme years 7-9. The charts do not include applications deemed (granted), superseded or cancelled before a response was given.

PAA applications granted

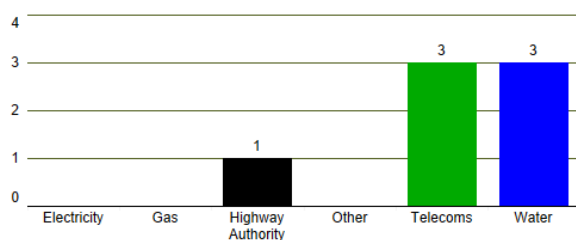


Permit applications granted



## Applications deemed

The chart below shows total PAA and permit applications that were deemed (granted) by sector during Scheme years 7-9. The charts do not include applications superseded or cancelled before a response could be given.

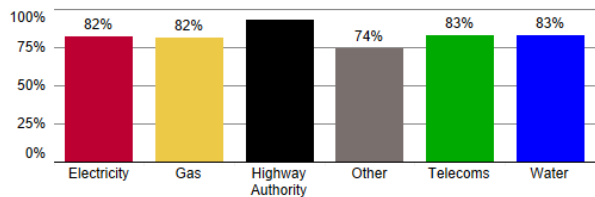


## Permit variations granted

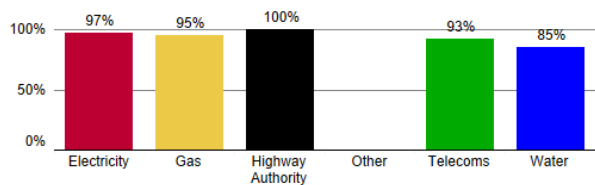
The charts below show the permit variation applications granted (as a % of total received) by sector during Scheme years 7-9.

The variations are delineated by (top) requests for extensions and (bottom) other variations. The charts do not include applications deemed (granted), superseded or cancelled before a response was given.

Permit variation requests granted

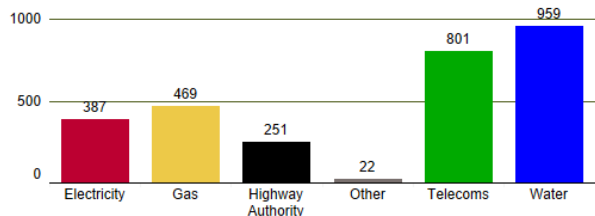


Extension requests granted



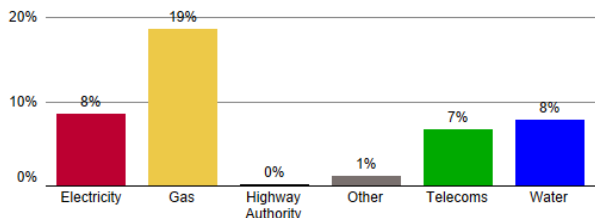
## Authority issued variations

The chart below shows the number of variations issued to Promoters by the Council during Scheme years 7-9.



## Work with a live site inspection

The chart below shows the number of works (% of total) with a live site inspection during Scheme years 7-9.



# Equality Impact Assessment

The Equality Act 2010 introduced the Public Sector Equality Duty, which requires all public bodies, including councils, to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
- Advance equality of opportunity between people who share a protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

In consideration to this Duty an **Equality Impact Assessment** aims to prevent discrimination against people who are categorised as being disadvantaged or vulnerable within society. An Assessment will therefore:

- Demonstrate due regard for the provisions of the Public Sector Equality Duty;

- Identify possible negative impacts of decisions on individuals and **groups with protected characteristics** and plan mitigating action accordingly; and
- Identify additional opportunities to advance equality within policies, strategies, and services.

The table (below) shows **protected characteristic groups** with a potential impact and the nature of any impact to that group from the operation of a permit scheme.

The only group with a perceived impact is Disability, which is considered a positive impact as under a permit scheme the Council can further ensure work is carried out in consideration to the needs of **all vulnerable road users**.

It is recommended that the Council continue assessing the role of the permit scheme to meet the Councils Public Sector Equality Duty.

Protected Characteristic Group	Potential for Impact	Positive or Negative Impact
Disability	Yes	Positive
Gender reassignment	No	Not applicable
Marriage or civil partnership	No	Not applicable
Race	No	Not applicable
Religion or belief	No	Not applicable
Sexual orientation	No	Not applicable
Sex (gender)	No	Not applicable
Age	No	Not applicable

# Analysis of cost and benefit

## Review of income from permit fees

The Permit Scheme Regulations allows the Council to charge a fee to recover the prescribed costs for the administration of a permit, a provisional advanced authorisation, and the variation (alteration) of a permit. These fees are applied to statutory undertaker works only, not for work for road purposes (highway authority work).

The regulations require that the Council (as a permit authority) consider whether the fee structure needs to be changed in light of any surplus or deficit, to only recover the *prescribed* cost. The table below shows the income, (prescribed) cost and balance (income – cost) per scheme year.

Year	Income £	Cost £
Y1 (2015/16)	230,033	226,933
Y2 (2016/17)	269,553	314,379
Y3 (2017/18)	308,581	353,990
Y4 (2018/19)	277,453	345,317
Y5 (2019/20)	428,219	420,052
Y6 (2020/21)	662,634	439,179
Y7 (2021/22)	430,745	457,655
Y8 (2022/23)	417,984	510,130
Y9 (2023/24)	637,367	559,562

Over the nine years of the Scheme, the income from permit fees has increased together with the (prescribed) cost to administer the scheme.

Whilst the costs have increased incrementally, income has varied considerably. After nine years the balance shows a small surplus of -£35,372. Without the peak income in years 2020/21 and 2023/24 the Council could have incurred a considerable deficit.

The Council intend to maintain the current fee structure but monitor income closely to ensure the prescribed costs are fully recovered.

## Impact of work

The societal impact of each work is estimated based on impact calculations derived from the **QUEues And Delays at ROadworks** (QUADRO) model taking account of local traffic flow for different types of road (refer to Evaluation methodology).

Whilst this impact is estimated, it should be accepted as a robust indicator of overall impact. Considering QUADRO is predicated only on carriageway impact, and a large volume of work also impact other forms of traffic, this indicator could be considered very conservative.

## Cost-benefit-analysis

A cost-benefit analysis (CBA) provides a framework within which the impacts of a scheme can be compared against the cost of setting up and operating the scheme.

Historical works data provides a basis on which to evaluate the impact of works on motorists and the local economy, and to review the value of the scheme against the actual costs and revenues of operations of the scheme since implementation.

The approach to the CBA is as follows:

- Identify the scale and characteristics and quantify the scale of societal impact these works will have had to the residents and local economy, using the most detailed information available;
- Estimate the reduction in impact resulting from the permit scheme and quantify the social benefit of this reduction;
- Quantify the costs of operating the permit scheme; and
- Undertake the cost benefit analysis to determine the benefit to cost ratio and net present value delivered by the scheme.

Further detail on the appraisal methodology is detailed within Annex A.



## Appraisal Results

The cost benefit analysis takes the benefits and costs from each year of operation and projects these into the future to provide a 25-year appraisal period as per DfT Guidance.

The cost and benefit streams are discounted using the standard discount rate of 3.5%, meaning that near term costs and benefits are valued more highly than those occurring later in the appraisal period. Refer to table below.

Appraisal Metric	Value (2010 prices)
Net Present Benefit of Scheme	£6,892,329
Net Present Cost of Scheme	£2,930,692
Net Presented Value of Scheme	£3,961,636
Benefit to Cost Ratio	2.35

An analysis of monetised costs and benefits includes costs and benefits which are regularly or occasionally presented in monetised form in transport appraisals, together with some where monetisation is in prospect. Refer to table below.

### Analysis of Monetised Costs and Benefits

Noise	
Local Air Quality	
Greenhouse Gases	844,619
Journey Quality	
Physical Activity	
Accidents	726,330
Economic Efficiency: Consumer Users (Commuting)	3,838,752
Economic Efficiency: Consumer Users (Other)	5,758,128
Economic Efficiency: Business Users and Providers	-2,905,829
Wider Public Finances (Indirect Taxation Revenues)	1,369,671
<b>Present Value of Benefits (see notes) (PVB)</b>	<b>6,892,329</b>
<b>Broad Transport Budget</b>	<b>2,930,692</b>
<b>Present Value of Costs (see notes) (PVC)</b>	<b>2,930,692</b>
<b>OVERALL IMPACTS</b>	
<b>Net Present Value (NPV)</b>	<b>3,961,636</b>
<b>Benefit to Cost Ratio (BCR)</b>	<b>2.35</b>

There may also be other significant costs and benefits, some of which cannot be presented in monetised form. Where this is the case, the analysis presented above does not provide a good measure of value for money and should not be used as the sole basis for decisions.

The benefit to cost ratio (BCR) is a measure of value-for-money exhibited by a scheme. With a BCR of 2.35 the permit scheme can be defined as delivering greater benefit than it costs and classified as 'High Value for Money'.

## Carbon Emissions

A component to the costed benefits is a reduction in carbon emissions. These emissions savings are driven by more efficient vehicle movements, and the avoidance of the 'stop-start' movements associated with works. QUADRO places a monetary value on emissions savings by applying a 'cost of carbon' to the amount of carbon generated because of works, such as additional fuel due to idling, or diversions.

Taking the average calculated works impact, the carbon emission generated by works within the area (as calculated within QUADRO) are valued at £760,000 (2010 prices), which represents around 6% of overall work impact cost.

The implied carbon emissions attributable to works in the area amounts to 10,774 tonnes. This amounts to around 1% of total vehicular emissions on local roads in area. The improved efficiency of works under the permit scheme means that the scale of carbon emissions generated because of works may be expected to be reduced post-scheme implementation.

In line with the broader assumptions about permit scheme impacts, adopting the national permit scheme evaluation evidence as the basis for the reduction in works duration, scheme implementation would lead to estimated carbon emission savings of 582 tonnes CO<sub>2</sub> per year. To set this emission saving in context, using the typical emissions of new cars sold in the UK currently, this reduction amounts to an equivalent saving of 484,838 annual car kms.

## Annex A: Evaluation methodology

### Period of analysis

Throughout this evaluation there is a reference to “**years**”. Unless stated otherwise, these reference Scheme operational years where the first year of the Scheme (Year 1) is between March 2015 and February 2016 (inclusive).

### Defining Promoters

Within this evaluation Promoters can be defined by their sector, *e.g. water*. The Promoter type Highway Authority is included in this definition, *as works for road purposes*.

The sector Other includes other organisations who need to undertake work on the highway, *such as Network Rail*.

### Source data for analysis

This evaluation uses data collected from both Street Manager and the Council’s system to process and record works. The data collected contains the content of notifications (events) sent between Promoters undertaking work, *such as utility companies*, and the Council.

Analysis of these notifications enables the Council to produce metrics for performance indicators and further measures.

For some measures aggregating data for analysis does not provide an accurate picture of the results, for example for the analysis of duration for all work categories can provide a falsely inflated picture of changes over time.

This evaluation therefore delineates many of the measures into sub-categories, *such as works category*, to provide a more accurate result and trend.

Many of the measures contained in this evaluation were analysed to ensure accuracy in the results. This level of analysis may not be included within this evaluation report; however, it should be accepted that any findings presented have been tested for certainty and any anomalies investigated and defined.

### Work phases

In this evaluation work is analysed in logical phases. A work is typically identified by a work reference number, which often applies to multiple phases of work, for example a work reference number may contain the following individual phases:

- work with a temporary reinstatement;
- follow-up work changing the temporary reinstatement to a permanent reinstatement;
- defect work to rectify a fault with the permanent reinstatement.

To logically delineate work phases, a phase is identified from the initial application through to work completion notices within the same work reference. Therefore, the analysis shown for work in this evaluation is for a work phase, *i.e. the total works undertaken are the total work phases undertaken*.

### Duration analysis

Analysis of works duration is calculated using the dates provided within the work start and work end notifications, inclusive of these dates.

As would be expected within a significant dataset from multiple different organisations spurious data can be found, such as work end dates before a work start date therefore giving a negative duration, or work with an incorrect year, thereby giving a significantly high duration. Whenever possible, these anomalies are identified and removed from the analysis to provide a more realistic result.

Since the introduction of the DfT’s digital service, Street Manager, and associated regulatory changes in July 2020 it is possible to determine the timings more accurately and reliably from the works data. This means a work duration can be calculated by minutes instead of whole days. As such, analysis using Street Manager derived data provides a more realistic insight and result.

Analysis of total duration based on the notice dates (whole calendar day) and notice times

shows that there can be noticeable differences between these two types of measure.

For this evaluation, analysis of work duration and trend is predominantly based on dates of the work notices, not timings, as the pre-scheme historic data does not contain accurate timings. Any variations to this approach will be clearly defined in the report.

## Economic cost-benefit-analysis

### Appraisal methodology

A cost-benefit analysis (CBA) provides a framework in which the impact of a scheme can be compared against the cost of setting up and operating the scheme. Annual evaluation of the Permit Scheme CBA provides opportunity to review the value of the scheme with the benefit of the outturn scheme operating costs and revenues, updated estimates of the societal impact of work and to compare this not operating a permit scheme.

The approach to the permit scheme CBA is as follows:

- identify the scale and characteristics and quantify the scale of societal impact these works will have had to the residents and local economy;
- estimate the reduction in impact resulting from the permit scheme and quantify the social benefit of this reduction;
- identify the cost of setting up and operating the permit scheme; and
- undertake the cost benefit analysis to determine the benefit to cost ratio and net present value delivered by the scheme.

The societal impact of each work is estimated based on impact calculations derived from the **QUEUES AND DELAYS AT ROADWORKS** (QUADRO) model. Originally QUADRO was developed for the DfT and designed to assess and monetize the impact of delays due to works. QUADRO is currently maintained by National Highways.

QUADRO captures loss of time to travellers, increased vehicle operating costs because of idling in queues and/or diversion, vehicle emissions and accident impacts. Impact modelling is based on local traffic flow data (within the Council's boundary), disaggregated

by road type, to provide locally relevant impact values.

### Promoter Costs

In addition to the costs of operating the permit scheme, it is important to recognise that there are costs borne by works promoters also in operating under the permit scheme. These will include:

- Permit Fee costs which represent a business cost to the promoter.
  - Within the CBA this is treated as a business cost to the promoter, netted from overall scheme benefits. However, the transaction is effectively a transfer payment between promoter and the Council, so the payment is treated as a revenue and is subtracted from scheme operating costs.
- Additional administration costs in complying with the permit scheme.
- Costs related to changes in working practices such as greater use of traffic management or off-peak and weekend working.

Detailed promoter cost data has not been available, but in line with evidence gathered from other permit scheme evaluations and adopted as the default assumption in the National Permit Scheme Evaluation, an estimate of 20% of local authority operating costs relating to Statutory Undertaker works has been applied.

### Assessing the scale and impact of work

To ensure the most rigorous analysis for the CBA, the Street Manager data from the most recent complete year has been used as the basis for estimating works impact costs and permit scheme benefits.

For the purposes of the CBA, works are disaggregated by type of traffic management, which has important implications on the scale of impact of those works on highway users.

The remainder of the work involved no incursion into the carriageway and has been assumed to have no impact on road users. It should be noted that this is a conservative assumption as even non-carriageway works

are likely to incur some impact, whether road users or on wider society.

The estimated impact of the works with incursion into the carriageway have been modelled using the QUEues And Delays and ROadworks (QUADRO). QUADRO was originally developed for the DfT and designed to assess and monetize the impact of delays due to works.

Whilst no longer hosted by the DfT, the QUADRO model continues to be maintained, under the responsibility of National Highways, and is considered the most appropriate tool to quantifying the impact of works for this evaluation.

Having developed costs for every work type, each work within the data used for this evaluation has been assigned an impact cost, according to its characteristics and the duration of the work taken from the more robust data contained within Street Manager.

This provides highly granular results, especially when compared with the typical aggregated CBA approach adopted in other scheme evaluation documents. The modelled impact of typical works forms the basis of the benefits calculation.

These impact estimates include the following elements:

- Road user travel time (delay caused to consumer and business as a result of works)
- Road user vehicle operating costs (the impact of delay and diversion on vehicle operating costs for consumers and business)
- Accident costs
- Emissions costs (resulting from congested conditions and diversion)
- Indirect tax revenue (increased tax revenue to the exchequer because of higher fuel consumption)

Whilst QUADRO covers most of the standard monetised elements of work impact, an off-model adjustment was made to account for reliability impacts.

DfT guidance recommends that this be captured through application of an uplift to

journey time costs/benefits. The recommended uplift factor is 10-20%. A factor of 15% has been adopted for this evaluation to be consistent with this recommendation.

#### Quantification of benefit of permit scheme

The benefits of the permit scheme are expected to be achieved through more efficient and better managed work events taking place compared to the patterns observed before scheme implementation.

Relating observed changes directly to the scheme is complicated by the range of factors which influence work occurrences. For the CBA, the comparative scenario is one in which the permit scheme had not been implemented and is therefore by its very nature hypothetical and unobservable.

A national evaluation of permit scheme impacts was commissioned by the DfT in 2017<sup>ii</sup>. This study adopted a rigorous cross region evaluation of the observed pattern of roadworks under authorities with and without permit schemes. It concluded that the impact of work was typically 6.4%, which aligned closely with the default assumption of 5% works impact reduction previously adopted in assessments (DfT Permit Scheme Evaluation Guidance, 2016).

To ensure the most rigorous assessment of the impact of the permit scheme, the national evaluation estimate of 6.4% reduction in impact under a permit scheme has been paired with the impact cost estimate derived from the works.

The cost benefit appraisal requires that scheme benefits are appraised against scheme costs over the whole appraisal period, which in this case is recommended as being 25 years in the DfT permit scheme appraisal guidance.

Consequently, the benefits are projected forward over subsequent years, with impacts and benefits increasing in real terms to reflect growth in values of time, vehicle operating costs, accident savings and emissions costs.

#### Scheme Operating Costs

Having established scheme benefits, these must be set against scheme costs to

determine value for money. Permit scheme costs elements include the following:

- Setup costs
- Scheme operating costs (staff, consultants, maintenance/running costs)
- Scheme capital costs – IT equipment, software etc

Importantly, the permit scheme costs included within the appraisal are the additional costs of operating the permit scheme above those incurred previously incurred in delivering the council duties regarding work applications. By considering the incremental costs, this fairly compares the 'with permit scheme' scenario with the 'business as usual (i.e. no permit scheme) scenario.

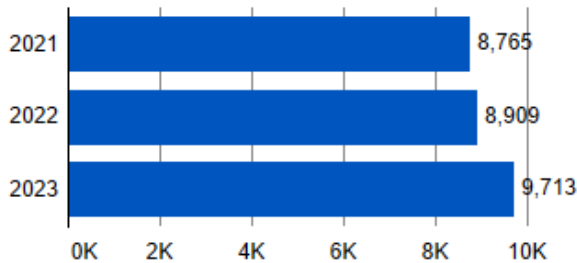
Whilst the scheme has now been running for several years, the appraisal focuses on the projected costs of operation over the coming years, to align with the benefit estimate.

The operating costs of the permit scheme principally relate to the additional internal staff resources required to process permit applications and additional operating factors to administer the permit scheme, such as finance payment and reconciliation, performance and evaluation.

## Annex B: HAUC Performance Indicators

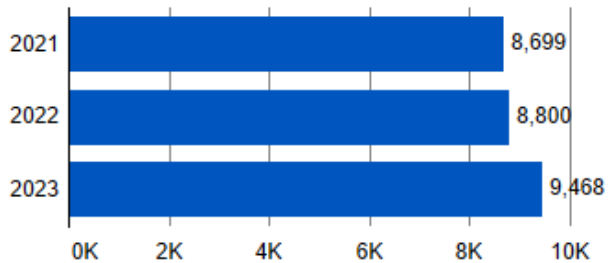
### TPI 1 Works Phases Started (Base Data)

This measure shows the works started by calendar year



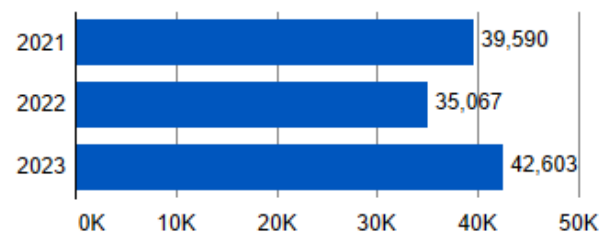
### TPI2 Works Phases Completed (Base Data)

This measure shows the number of works completed per calendar year



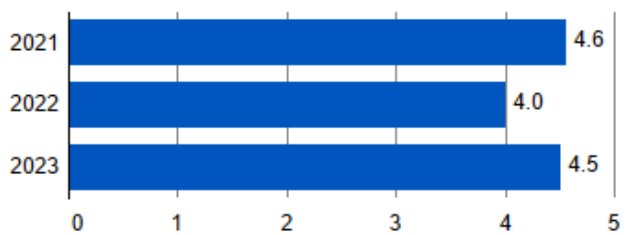
### TPI3 Days of Occupancy Phases Completed

This measure shows the duration (days using aggregated minutes) for works completed per calendar year



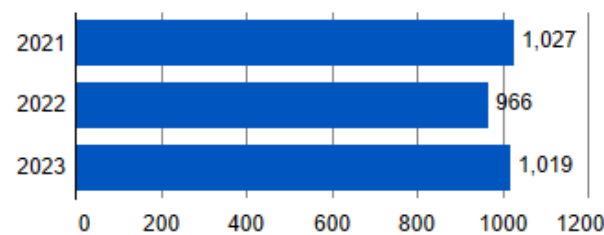
### TPI4 Average Duration of Works

This measure shows the average duration (days using aggregated minutes) for works completed per calendar year



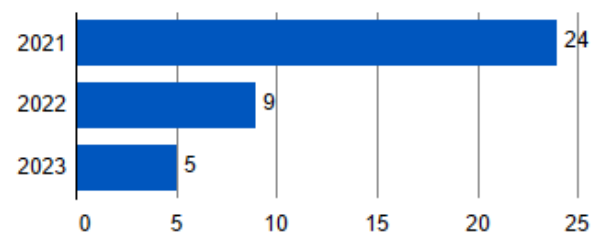
### TPI5 Phases Completed involving Overrun

This measure shows the total works completed that exceeding the planned duration per calendar year



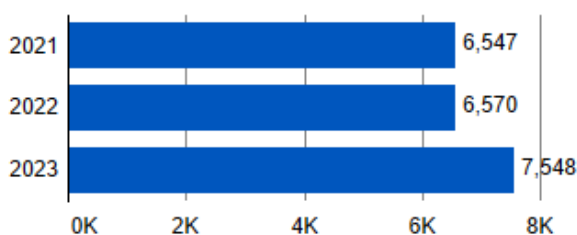
### TPI6 Number of deemed permit applications

This measure shows the deemed applications (PAA, permti and permit-variation) per calendar year



### TPI7 Number of Phase One Permanent Registrations

This measure shows the total works completed with a permanent registration per calendar year



## Annex C: Glossary and common terms

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<b>Council</b>	Coventry City Council including their capacity as a Local Highways Authority.
<b>DfT</b>	Department for Transport
<b>Duration</b>	A work duration is calculated in calendar days based on the actual or proposed works start date and the actual or estimated works end date, inclusive of both days. Refer to Evaluation methodology for further information.
<b>EToN</b>	The Electronic Transfer of Notifications, the nationally agreed format for the transmission of information related to works between the Council and those undertaking works.
<b>HAUC</b>	The Highway Authorities and Utilities Committee.
<b>NRSWA</b>	New Roads and Street Works Act 1991.
<b>PAA</b>	Provisional Advanced Authorisation, which is a notice sent only in relation for Major works 3 months in advanced of the proposed start with a higher-level of detail for the intended works.
<b>Permit</b>	Permission sought by a Promoter to undertake works on the highway, in accordance with the Permit Scheme.
<b>Permit condition</b>	<p>The capability for the Council to apply conditions to a permit, and therefore the work, is one of the primary methods to control and coordinate works through a permit scheme.</p> <p>The conditions that can be applied are set out within Statutory Guidance, <i>each with a reference code comprising NCT with a unique number</i>, within the following categories: date and time constraints; storage of materials and plant; road occupation and traffic space dimensions; use of traffic management provisions; work methodology; consultation and publicity of works; and environmental considerations for noise.</p>
<b>Permit Scheme</b>	The South East Permit Scheme from Road Works and Street Works
<b>Permit Scheme Regulations</b>	The Traffic Management Permit Scheme (England) Regulations 2007, Statutory Instrument 2007 No. 3372 made on 28 November 2007 and the Traffic Management Permit Scheme (England) (Amendment) Regulations, Statutory Instrument 2015 No. 958 made on 26th March 2015.
<b>Permit Variation</b>	The process to change an agreed permit to reflect current or proposed changes in the works.

<b>Promoter</b>	A person or organisation responsible for commissioning activities [works] in streets covered by the Permit Scheme - either an Undertaker or a participating Council as a highway or traffic authority.
<b>Statutory Guidance</b>	The Traffic Management Act (2004) Statutory Guidance for Permits.
<b>TMA</b>	Traffic Management Act 2004
<b>Undertaker</b>	Statutory Undertaker as defined within Section 48(4) of NRSWA
<b>Work</b>	Also referred to as an activity.  Work that should be registered to the Council carried out by a statutory undertaker, as a street work, or for the Council, as a road work.
<b>Works category</b>	Every work is assigned a category, based on the following:  Major works are works that are 11 days or more in duration <u>or</u> require a temporary traffic regulation order, <i>such as a road closure</i> .  Standard works are non-Major works between 4-10 days.  Minor works are non-Major works with a duration of 3 days or less.  Immediate works are either emergency or urgent works that require an immediate start.



## Annex D: References

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i As defined in the HAUC(England) Advice Note: Standard Permit Response Codes.

2010 is the default base year for the DfT's Webtag appraisal guidance. A common base year allows costs and benefits from different years to be compared in a common unit of account.

HUSSAIN, R.S. ... et al, 2016. Evaluating the road works and street works management permit scheme in Derby, UK. 95th Transportation Research Board Annual Meeting, 10<sup>th</sup>-14th January 2016, Washington DC

DfT Advice Note For local highway authorities developing new or varying existing permit schemes, June 2016.

ii

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/700502/permit-schemes-evaluation-report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/700502/permit-schemes-evaluation-report.pdf)

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## Coventry Highway Permit Scheme – Service Priorities Action Plan

### January 2025 – March 2027

Ref:	Description	Target
<b>SW01</b>	Undertake training to ensure permit conditions are being consistently and regularly applied.	Q2 2025
<b>SW02</b>	Review process for closing internal permits to ensure they are timely so customers can be updated quickly and in real time.	Q3 2025
<b>SW03</b>	Review procedures for submitting permit applications to ensure all required highway works are recorded in the system.	Q3 2025
<b>SW04</b>	Reduce road occupancy and promote collaborative working. Developing matrices to capture and monitor this.	Q4 2025
<b>SW05</b>	Review use of non-standard conditions and ensure that templates are in place to ease use by team.	Q4 2025
<b>SW06</b>	Number of deemed permits reduced back to less than 25	Q1 2026
<b>SW07</b>	Review process to record Inspections of own works and increase the number of sites inspected.	Q1 2026
<b>SW08</b>	Review recommendations of the Year 9 permit report and implement recommendations.	Q1 2026
<b>SW09</b>	Increase the percentage of permits showing a duration decrease following review.	Q2 2026
<b>SW10</b>	Develop a Coring Programme to protect highways assets using targeted approach to reduce defects.	Q2 2026
<b>SW11</b>	Explore the opportunities to integrate more the TTRO and Traffic Light Application approval processes into the permit process.	Q3 2026
<b>SW12</b>	Increase the number of collaboration works from 29 to 50 and total days to 250.	Q1 2027
<b>SW13</b>	Through stakeholder co-ordination forum ensure all major schemes are captured and programmed.	Ongoing
<b>SW14</b>	Review the use of technology and public facing portals to explore how they can improve service efficiency works co-ordination.	Ongoing

**SW15**

Continue monitoring costs and benefits during years 10 to 13 of the scheme to determine if the fee structure remains appropriate.

Ongoing

**V1.6**

**West and Shires  
Permit Scheme**

**DRAFT v1.6.7  
consultation document  
September 2024**

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## 1 Introduction

- 1.1.1.1 The West and Shires Permit Scheme (“the WaSP scheme”) has been developed under the powers provided in Part 3 of the Traffic Management Act 2004 (“TMA”) and the Traffic Management Permit Scheme (England) Regulations 2007, and as amended. These regulations are referred to as the “Permit Scheme Regulations” within this permit scheme. It is a permit scheme for the purposes of Section 32(1) of the TMA.
- 1.1.1.2 In preparing this permit scheme, the highway authorities had regard to the statutory guidance issued by the Secretary of State and the Department for Transport.
- 1.1.1.3 The highway authorities in preparing this scheme also had regard to the requirements of Part 5a (in particular Section 49(a)) of the Disability Discrimination Act 1995 and associated codes of practice.
- 1.1.1.4 The WaSP scheme replaces the ‘noticing’ system under the New Roads and Street Works Act 1991 (“NRSWA”) for works taking place on the highway. The WaSP scheme allows the participating authority (“Permit Authority”) to better manage activities on the highway and minimise disruption and inconvenience.
- 1.1.1.5 The WaSP scheme requires an activity promoter (“promoter”) to apply for a permit in order to ‘book’ time on the highway. The term ‘activity promoter’ applies equally to statutory undertakers and their contractors and to the highway authority and their contractors. The Permit Authority issues permits with conditions attached to better focus the activity by reducing the impact to road users and other stakeholders; this might be in relation to the timing of the works, the traffic management and methodology or any other factor that is deemed important. Equally the Permit Authority can refuse to issue a permit if it feels the planning, or the detail of the application is insufficient. The WaSP scheme allows the Permit Authority to recoup the cost of coordinating and managing the activity by charging for issuing a permit.
- 1.1.1.6 As required by Regulation 4(c), under the WaSP scheme, activities for both the statutory undertaker and the highway authority are treated similarly in terms of coordination and the setting of conditions. The Permit Authority will operate in a manner that demonstrates parity between applicants at all times and those departments dealing with permits and coordination will be separated from other highways activities.
- 1.1.1.7 Provisions of NRSWA that have been disapplied and modified in respect of the WaSP scheme are set out in Appendix B. Activities by undertakers licensed under Section 50 of NRSWA do not require permits and such activities will continue to be subject to those requirements of NRSWA as set out in *The Street Works (Registers, Notices, Directions and Designations) (England) regulations 2007* and the *Code of Practice for the Co-ordination of Street and Road Works*, and as subsequently amended.
- 1.1.1.8 This version of the WaSP Scheme comes into force through the powers conferred by Section 33A (2) of the TMA by an Order made by the WaSP Permit Authority. This Order comes into effect on ~~XXX~~
- 1.1.1.9 In making the changes to the WaSP Scheme the Permit Authority undertook a consultation in accordance with Permit Scheme Regulations prior to the revised Permit Scheme coming into effect. There is no transitional arrangement required to bring this version into operational usage.
- 1.1.1.10 The WaSP scheme will be reviewed as set out in guidance by all participating authorities.
- 1.1.1.11 A glossary of terms is provided in Appendix A.

Commented [SC2252091]: To be confirmed



## 2 Principles of a Permit Scheme

### 2.1 Managing the Network

- 2.1.1.1 Any activity on the highway has the potential to cause inconvenience to vehicular traffic, pedestrians, cyclists and others. They may also cause inconvenience for residents and business. Where the activity affects traffic flows directly there is the likelihood of congestion and disruption.
- 2.1.1.2 Effective coordination and management of the highway requires reliable and timely information being communicated and enables differences between those competing for space or time in the street to be resolved in a positive and constructive way. In addition, efficient design of an activity on the highway will significantly mitigate the potential disruption of that activity.
- 2.1.1.3 Permits provide the basis for this with the requirement to manage the applications from utility and highway works in a proactive manner, which are the two activities that often have the greatest effect on traffic and disruption.
- 2.1.1.4 Section 59 of NRSWA places a duty on the street authority to coordinate works of all kinds on the highway. Of equal importance is the parallel duty under Section 60 on undertakers to cooperate in this process.
- 2.1.1.5 The Traffic Management Act 2004 and the associated Permit Scheme Regulations widen the Section 59 coordination duty to include other prescribed activities that involve temporary occupation or use of road space and incorporates any activities included in a Permit Scheme. In addition, Section 16 of the TMA introduces a network management duty on the traffic authority and requires them to secure the expeditious movement of traffic on their network, and facilitate the movement of traffic on the networks of their neighbouring authorities.

### 2.2 Operational Purpose of the Permit Scheme

- 2.2.1.1 The WaSP scheme takes into consideration these statutory duties placed on the permit authorities and in particular aims to benefit a number of areas that are important for delivery of the participating WaSP scheme authority's local transport plans, including:
- coordination of activities on the highway through better active management of the road network
  - environmental benefits stemming from the reductions in disruption and congestion and improvements in material usage
  - long term maintenance of the highway pavement asset
  - public health benefits from greater control over pollution and environmental impacts as well as safe working practices
  - incident response and improved information to the travelling public
  - public transport benefits which come from more structures and coherent stakeholder engagement at all stages of an activity's life
  - improved asset management
- 2.2.1.2 The WaSP scheme has been developed as a framework; a single set of rules upon which each participating authority can apply independently on their own roads to encourage consistency as far as practical whilst recognising the need for local discretion and regional differences.

2.2.1.3 The DFT considers permit schemes provide the best method of managing the road network. They help ensure the safety of the activity on the highway, the quality of workmanship and network assurance while not unreasonably delaying these activities from taking place. To this end:

- fee levels have been developed by each individual WaSP scheme authority that are considered proportionate to the significance of the street and the likely amount of work required to effectively coordinate and manage activities on that street in their scheme area. These are provided in each participating authority's Annex to this scheme (see Appendix C);
- discounts are available for those promoters that are able to deliver work in a proactive way to lessen the impact of their activities, for instance through collaboration or innovation;
- there will be a flexible approach to works management including 'early starts' and in particular the scheduling and delivery of major schemes;
- the scheme follows the *Statutory Guidance for Permit Conditions* to assist promoters identify and use these to best effect through a common and consistent approach;
- those activities that are important to the economic growth of UK plc such as major civil or telecoms/digital infrastructure projects and major events are treated and managed in a way that benefits all stakeholders;
- WaSP scheme authority's aim to adopt recommended operational approaches as directed by the Highway Authorities and Utilities Committee (HAUC) or other locally or nationally agreed advice;
- the operating authorities will form working groups to ensure a proactive, consistent and practical approach to exploring ways to reduce the impact of highways activities, while helping initiatives to facilitate economic growth;
- WaSP scheme Operational Guidance has been developed as part of the scheme to provide further guidance and clarification and best practice on many elements of the scheme's day-to-day operation. This is a 'live' document, and over time it will be adapted and added to.

2.2.1.4 The WaSP scheme authorities will actively promote wider engagement between themselves, activity promoters and other departments within their authority that play an important role in the overall network assurance, by:

- close engagement with the authority's own highways contractors and other divisions (for instance development control and planning, event and contingency planning, environmental health, parks and the environment, parking, parish and town councils etc.) to improve working practices and ensure high quality of information and comprehensive planning processes are in place;
- holding regular meetings between the statutory undertakers and the WaSP scheme authorities to discuss matters of operational performance and explore practical ways of undertaking essential works, exploring innovative methods of working and reducing disruption.

2.2.1.5 Principles engrained in NRSWA and TMA are that effective permit scheme objectives must include provisions:

- to ensure safety;
- to minimise inconvenience to people using a street, including a specific reference to people with a disability;
- to protect the structure of the street and the integrity of the apparatus in it.

2.2.1.6 In addition, *The Traffic Management (Guidance on Intervention Criteria) (England) Order 2007* sets out what the Secretary of State would take into account in determining whether or not a local traffic authority is performing its network management duties. This includes:

- co-ordinating and planning works and known events;
- ensuring parity with others, by applying the same standard or approaches to an authority's own works as to those of other works promoters.

## 2.3 Key Scheme Objectives

2.3.1.1 The scheme's primary objectives are:

- to increase the efficient running of the highway network by minimising the disruption and inconvenience caused by road works and other highway events and activities through proactive management of activities on the highway;
- to improve the quality and timeliness of information received from all activity promoters to increase and improve the publicly available data for integration into the Council-wide travel information;
- to encourage a proactive approach to planning and undertaking of works on the highway from promoters and thus lessen the impact of activities on road users;
- to protect the structure of the street and the integrity of the apparatus in it;
- to ensure safety of those using the street and those working on activities that fall under the Scheme, with particular emphasis on people with disabilities;
- to ensure parity of treatment for all activity promoters particularly between statutory undertakers and highway authority works and activities.

2.3.1.2 The successful performance of the Scheme will bring a number of subsidiary benefits. These include:

- maximising the safe and efficient use of road space;
- providing reliable journey times;
- improving the resilience of the network;
- minimising inconvenience to all road users;
- improving public satisfaction.

## 2.4 Measuring the Objectives

2.4.1.1 The *Statutory Guidance for Permit Schemes* indicates that aspects of the scheme objectives should be measurable while Regulation 4(d) requires the Permit Authority to describe how they will evaluate the scheme.

2.4.1.2 Chapter 13 sets out in more detail the metrics that will be used to measure how the scheme is performing. These are based on Operational Measures and Key Performance Indicators.

2.4.1.3 KPIs and Operational Measures will be published quarterly by each individual Permit Authority and will be made available in a raw format (without additional analysis) on their website and at performance and coordination meetings.

2.4.1.4 An evaluation report will be produced either by each individual Permit Authority, or as a group, where the annual KPIs and Operational Measures will be analysed more fully to evaluate the scheme. This will be published in line with requirements set out by HAUC or DFT.

**2.4.2 Working Groups**

- 2.4.2.1 The permit scheme authorities will establish an Operational Board to oversee the operation of the permit scheme. An Operational Group will also be formed between permit authorities, statutory undertakers, and other stakeholders to enable discussion and evaluation of the scheme objectives.
- 2.4.2.2 Smaller working groups will be created when there is a need to consider specific issues arising from the day-to-day operation of the permit scheme and will also provide a point of reference for establishing best practice and encouraging enterprise and innovation in the region from permit authorities and activity promoters.
- 2.4.2.3 Working groups will develop permit advice notes specific to the scheme to encourage consistent application of the scheme principles by both permit authorities and activity promoters.

## 3 Principles of Coordination and Permit Management

### 3.1 Principles of Coordination

- 3.1.1.1 To meet the objectives and outcomes required by the WaSP scheme, activity promoters and permit authorities need to adhere to four main principles.
- The need to balance the potentially conflicting interests of road users and activity promoters' customers.
  - The importance of close cooperation and liaison between permit authorities and activity promoters.
  - An acknowledgement that activity programmes and practices may have to be adjusted to ensure that the statutory objectives of the coordination provisions are achieved.
  - Successful coordination requires accurate and timely information and good communication between permit authorities and activity promoters.
- 3.1.1.2 The Scheme will operate in a way that encourages proactive planning, scheduling and management of activities so that traffic disruption is minimised as far as practically possible.
- 3.1.1.3 The principles of Sections 58 and 58a of NRSWA will operate alongside the WaSP scheme to help coordinate larger resurfacing schemes and utility projects.
- 3.1.1.4 Small scale and short duration activities, particularly in non-traffic-sensitive situations, are unlikely to cause significant disruption. However, where several activities are close together they can be disruptive or cause a nuisance. Effective coordination therefore needs to consider proposals of every scale and duration.
- 3.1.1.5 The Permit Authority will undertake the principles of coordination as described in the HAUC guidance documents, the *Code of Practice for the Co-ordination of Street and Road Works* and related guidance issued by the Department for Transport and any other such best practice guidance in general use.

### 3.2 Principles for Promoters

- 3.2.1.1 It is essential that all promoters take the permit scheme objectives and the wider TMA objectives into account when planning and managing their works.
- 3.2.1.2 The prime responsibility for planning, supervising and carrying out individual activities falls on the activity promoter.
- 3.2.1.3 Promoters must consider the needs of all road users, including those with disabilities – whether they are pedestrians, equestrians, cyclists, or motorists – throughout the planning and execution of activities.
- 3.2.1.4 Promoters should ensure that they engage fully with any stakeholders and interested parties that the Permit Authority deems necessary and be prepared to modify their proposals where appropriate and practical.
- 3.2.1.5 Promoters should take into account the space needed for both the works and the storage of plant and materials when assessing the likely disruption the activity might cause.

### 3.3 Principles for the Permit Authority

- 3.3.1.1 In order to respond to a permit application, the Permit Authority must consider all aspects of the proposed activity and other influences that may affect traffic. These include, but are not limited to:
- the road network capacity;

- the scope for collaborative working opportunities, including trench and duct sharing between promoters or working within the same area of traffic management;
  - the optimum timing and duration of activities;
  - the effect on traffic both on the Authority's network and adjoining highway authority;
  - safety for those engaged in the activity as well as the general public;
  - appropriate techniques and arrangements particularly at road junctions and pinch points, strategically significant streets or those with special engineering difficulties;
  - environmental impacts from both noise, excessive spoil and materials, and congestion;
  - the effect of other activities that take place on or affect the highway, for instance events and street parties, licensed operations or other consents under the Highways Act 1980, developments that affect the highway, highways activities such as gritting or rubbish clearance.
- 3.3.1.2 The Permit Authority will consider the difficulties that any proposed activity will or may cause and, where possible, agree an acceptable way forward either from the information provided in the permit application or through further discussion. Any agreements made will be validated using specific conditions that will apply to each activity to ensure that the work is carried out in the manner agreed, to minimise disruption and inconvenience particularly to local businesses and residents.
- 3.3.1.3 The Permit Authority will initiate liaison with all necessary stakeholders and interested parties where the activity is likely to affect these organisations and will take into account their opinions and considerations. These may include, but are not limited to
- the emergency services, normally via the Police;
  - public transport operators and authorities, including Network Rail;
  - local authority areas such as planning or environmental health officers, or parish, town or borough councils;
  - other appropriate bodies, for example those representing disabled people, pedestrians, cycling groups, hauliers and motorists;
  - the Ministry of Defence, English Heritage, the National Farming Union, local tourism boards, the Environment Agency and any organisation as required.
- 3.3.1.4 As required by Regulation 40 The WaSP scheme will operate in a fair and equitable way ensuring a level playing field with all promoters competing for time and space on the highway. The Permit Authority will ensure sufficient separation between those operating the permit scheme and those responsible for highway activities so that parity of treatment is evident.

### 3.4 Permit Management

#### 3.4.1 **Technology**

- 3.4.1.1 Street Manager is a digital service for the creation, co-ordination and monitoring of road and street works. Part 8A of the 2007 regulations was inserted by the *Street and Road Works (Amendments Relating to Electronic Communications) (England) Regulations 2020* to require use of Street Manager, or any other service provided by the DFT, by authorities and statutory undertakers.

Commented [SC2252092]: Updated to include Street Manager requirement rather than generic 'use of technology'

3.4.1.2 Permit applications must include locations by means of Ordnance Survey National Grid References (NGR). This together with the use of the nationally consistent street gazetteer means that the Permit Authority will be able to visualise the impact of different activities on their networks and the interaction between these activities.

**3.4.2 The Register**

3.4.2.1 In accordance with Section 7 of *The Traffic Management Permit Scheme (England) regulations 2007*, the Permit Authority will maintain a register of each street covered in their scheme, as well as a register under Section 53 of NRSWA for other street information that are not part of the WaSP scheme. Advice is available from the NSG concessionaire concerning setting up the authority's ASD correctly in order to manage these parallel registers. Further details about the register are given in the *Code of Practice for the Co-ordination of Street and Road Works*.

3.4.2.2 Part 8A requires authorities to use Street Manager as the register for the information set out in the 2007 regulations and Section 53 as amended in NWSRA.

## 4 Scope of the Permit Scheme

### 4.1 Streets Covered in the WaSP Scheme

- 4.1.1.1 As required by Regulation 7, The “specified area” for the purposes of each authority operating the WaSP scheme will be the geographical area encompassed by that local authority’s boundary.
- 4.1.1.2 All streets maintained by, or on behalf of, the local authority are included within this scheme as set out in Regulation 8. These are identified within the authority’s Additional Street Data (ASD).
- 4.1.1.3 Trunk roads and motorways for which National Highways is the highway authority are not included in the scheme.
- 4.1.1.4 Activities on privately maintained streets do not fall under the permit scheme but will be recorded on the authority’s street works register as notices under Section 53 of NRSWA.

### 4.2 Street Gazetteer

- 4.2.1.1 For the purposes of the WaSP scheme the term “street” refers to a length of highway associated with a Unique Street Reference Number (USRN) as determined by the National Street Gazetteer Concessionaire.
- 4.2.1.2 The Permit Authority will maintain and publish a gazetteer of all streets operating under the permit scheme to level 3 standard (as defined under BS7666) including the USRN and additional street data (ASD).
- 4.2.1.3 Further detail on the content and application of the street gazetteer are provided in the *Code of Practice for the Co-ordination of Street and Road Works* and related guidance.

#### 4.2.2 Reinstatement Designation

- 4.2.2.1 Reinstatement categories are defined in the statutory *Specification for the Reinstatement of Openings in Highways* (SROH) and are the same as those used under NRSWA. Designations for each street in the local street gazetteer will be provided in the authority’s ASD.

#### 4.2.3 Traffic-Sensitive Streets

- 4.2.3.1 Traffic-Sensitive Streets are defined under regulation 16 of *The Street Works (Registers, Notices, Directions and Designations) (England) regulations 2007*.

#### 4.2.4 Locally and Strategically Significant Streets

- 4.2.4.1 Strategically Significant Streets includes traffic-sensitive streets, as well as streets which fall into reinstatement categories 0, 1 or 2.
- 4.2.4.2 The WaSP Scheme fee structure has been developed to include other streets of Local Significance which do not fall under the definition of Strategically Significant Streets. These typically include streets linking rural communities, flood diversion routes, or roads near military establishments, where the impact from activities on these roads could be severe.
- 4.2.4.3 For the purposes of permit charges and notification timescales, Locally Significant Streets will fall under the ASD designation of ‘traffic-sensitive’.
- 4.2.4.4 For the purposes of Section 74 overruns, Locally Significant Streets that do not already fall within the regulatory definition of ‘traffic sensitive’ will not be considered as traffic-sensitive and will not attract the higher charge bands.



#### 4.2.5 **Early Notification of Immediate Activities**

- 4.2.5.1 Some streets or parts of a street are particularly vulnerable to traffic disruption. For these locations, the Permit Authority may wish to have the earliest possible information about an Emergency or Urgent activity to enable it to initiate traffic management arrangements and provide information to the public that will mitigate the impact of the activity. These streets will be indicated within the authority's ASD as those which are "streets subject to early notification of Immediate activities" and where early notification is required.

### 4.3 **Activities Covered by the Permit Scheme**

- 4.3.1.1 For the purposes of the WaSP scheme Specified Works are "registerable activities" as defined in *The Street Works (Registers Notices Directions and Designations) (England) regulations 2007* and any subsequent amendments. This applies equally to streets works as defined by Section 48(3) of NRSWA and works for road purposes as defined by Section 86(2) of NRSWA and regulation 4(5) of the Permit Regulations.

- 4.3.1.2 The term "specified works" is used generically in the Permit Scheme Regulations. The term "activity" is used in this scheme to encompass any registerable activity that requires a permit.

#### 4.3.2 **Registerable Activities**

- 4.3.2.1 For clarity the following works are registerable for all promoters and information related to them has to be recorded on the register and may only take place with a valid permit.

- All activities that involve the breaking up or resurfacing of any street, (but see below for exclusions).
- All activities that involve the opening of the carriageway or cycleway of traffic-sensitive streets at traffic-sensitive times.
- All activities that reduce the number of lanes available on a carriageway of three or more lanes.
- All activities that require a temporary traffic regulation order or notice, or the suspension of pedestrian crossing facilities.
- All activities that require a reduction in width of the existing carriageway of a traffic-sensitive street at a traffic-sensitive time.

#### 4.3.3 **Non Registerable Activities**

- 4.3.3.1 The following works are not classed as registerable.
- Traffic census surveys have deliberately not been included, as disclosure of this information prior to a census taking place can encourage a change to the normal pattern of traffic flow.
  - Pole testing which does not involve excavation does not require a permit.
  - Testing of fire hydrants by fire service vehicles, provided the work is done outside traffic-sensitive periods.
  - Core holes not exceeding 150 mm in diameter do not require registration in advance, unless one or more of the rules above relating to traffic management impact apply.

**4.3.4 Bar Holes**

- 4.3.4.1 Bar holes are used to detect and monitor leaks or faults will require an Immediate permit only if they lead on to any further work that falls into the registerable category given above. When bar holes are carried out and it is known that no further activity in the street is required a registration under Section 70 (3) of NRSWA must be sent within 10 ten days. The bar holes will count as a single excavation and reinstatement for registration purposes.

**4.3.5 Other Highways Activities**

- 4.3.5.1 Works and repairs for District and Parish Councils acting on their own account and not on behalf of Highway Authority, including works on street lighting etc., are considered as street works and thus will attract the same charges and penalties as any other statutory undertaker.
- 4.3.5.2 It is for activity promoters to ensure that permit applications for such activities are made and that the activity is registered, as appropriate.

**4.3.6 Section 50 Licences**

- 4.3.6.1 Licences issued under Section 50 (NRSWA) do not require a permit, however a licence should be issued in line with the permitting requirements of the WaSP scheme and the activity must be entered onto the street works register to aid coordination and to comply with the requirements under NRSWA.

## 5 How to make Permit Applications

### 5.1 General Principles

#### 5.1.1 Purpose

5.1.1.1 Any promoter of a registerable activity that wishes to carry out such an activity must obtain a permit from the Permit Authority.

5.1.1.2 The permit will allow the activity promoter to carry out the specified activity:

- at the specified location
- between the dates shown; and
- subject to any conditions that may be attached.

5.1.1.3 Permits will be required for all registerable activities on all streets designated as public highway as specified on the local street gazetteer.

5.1.1.4 The content of applications and notifications and communications relating to all aspects of the permit will be made using, and will comply with, the definitive format and content of the protocols as set out in the Street Manager business rules which may change from time to time. Where there is a failure in the system then other methods of communication will be acceptable (see Section 5.9).

#### 5.1.2 Types of Permits

5.1.2.1 The WaSP scheme allows two types of application:

- Provisional Advance Authorisation (PAA). These are used only for major activities (as defined in Permit Scheme Regulations) which are likely to be large and/or more disruptive and provide advance notice but not necessarily with full details of the final activity.
- Permit Application (PA). These will contain fully accurate and timely details as prescribed and will be required for all registerable activities, including as a follow-up to a PAA.

### 5.2 Activity Categories

5.2.1.1 The WaSP scheme applies to the following works categories, as defined in *The Street Works (Registers, Notices, Directions and Designations) (England) regulations 2007*. Application periods are set out in table 1, Section 7.1.

#### 5.2.2 Major Activities

5.2.2.1 Major activities are those that:

- require a temporary traffic regulation order (not a temporary traffic notice) under the Road Traffic Regulation Act 1984 for any other registerable activities other than immediate activities; or,
- have a duration of 11 days or more, other than immediate activities.

#### 5.2.3 Standard Activities

5.2.3.1 Standard activities are those activities, other than immediate or major activities, that have a planned duration of between four and ten days inclusive.

#### 5.2.4 Minor Activities

5.2.4.1 Minor activities are those activities, other than immediate or major activities, where the planned duration is three days or less.

#### 5.2.5 Immediate Activities

- 5.2.5.1 Immediate Activities are either emergency works or urgent works:
- 5.2.5.2 Emergency works, which are defined in Section 52 of NRSWA, are any works required to end, or prevent, circumstances, either existing or imminent, that might cause damage to people or property. The term also includes activities not falling within that definition but which cannot be severed from those that do – such as activities away from the emergency site that are necessary to shut off or divert a supply. Remedial works to dangerous defective reinstatements are classed as emergency works.
- 5.2.5.3 Urgent works are defined in the Permit Scheme Regulations as activities:
- (not being emergency works) whose execution at the time they are executed is required (or which the person responsible for the works believes on reasonable grounds to be required):
    - (i) to prevent or put an end to an unplanned interruption of any supply or service provided by the activity promoter;
    - (ii) to avoid substantial loss to the activity promoter in relation to an existing service; or,
    - (iii) to reconnect supplies or services where the activity promoter would be under a civil or criminal liability if the reconnection is delayed until after the expiration of the appropriate notice period; and,
  - includes works that cannot reasonably be severed from such works.

### 5.3 Provisional Advance Authorisations (PAAs)

- 5.3.1.1 In accordance with Regulation 11, a Provisional Advance Authorisation (PAA) must be obtained for Major activities. A PAA is not required for Minor, Standard or Immediate activities or those classed as remedial works.
- 5.3.1.2 PAAs provide a mechanism for significant activities to provisionally 'book' road space prior to further planning and discussion between the activity promoter and the Permit Authority. They replace the NRSWA Section 54 Advance Notice.
- 5.3.1.3 A PAA may only contain one street or USRN.
- 5.3.1.4 The PAA must be applied for not less than three months in advance of the proposed commencement date of those works or as agreed with the Permit Authority. An application for a PAA must always specify proposed start and end dates. However, as it may be difficult to be certain of the start date three months before the event, the proposed start date is regarded as provisional and may be amended in the application for a final permit.
- 5.3.1.5 A PAA must be followed-up by a full permit application within the required timeframes, as set out in table 1, Section 7.1.
- 5.3.1.6 The information required in support of an application for a PAA is the same as for a permit application. The application should follow the definitive formats required by Street Manager. While it is recognised that comprehensive information may not be known at this early stage, as much detail should be provided as possible to enable the Permit Authority to adequately assess the submission.
- 5.3.1.7 The Permit Authority must respond to an application for a PAA within the required timeframes, as set out in table 1, Section 7.1 from the date the application is received by the Permit Authority. The response may either grant the PAA or refuse it, giving reasons (see Chapter 7).

- 5.3.1.8 Where the Permit Authority decides that the activity promoter needs to provide additional information or undertake a publicity exercise prior to submission of the follow-up permit application, they will inform the activity promoter. This will be part of the ongoing planning and agreement process and the activity promoter will be required to provide this information or provide evidence of the publicity exercises undertaken as part of the conditions of the full permit application.
- 5.3.1.9 The dates and the detail of the PAA should be considered as provisional and should any of these details change significantly then the activity promoter should inform the Permit Authority of the changes as soon as possible.
- 5.3.1.10 A PAA cannot be varied, only resubmitted. The Permit Authority may therefore decide that a new PAA is required if significant changes to the detail are required. Alternatively, if the Permit Authority feels the changes are less significant then, these changes can be made as part of the full permit application.
- 5.3.1.11 In accordance with Regulation 11(5), the granting of the PAA does not guarantee that a Permit will be subsequently issued, particularly if the Permit Authority feels that the activity promoter has not provided suitable levels of detail as noted in the sections above or where dates have changed so significantly they clash with another activity.

## **5.4 Requirements for Permit Applications**

### **5.4.1 Timing of Permit Applications**

- 5.4.1.1 Table 1 in Section 7.1 provides minimum application timescales for PAAs and permit applications.
- 5.4.1.2 An activity that is classed as Immediate (Emergency or Urgent) must have an application submitted within two hours of the activity starting, or in the case of the activity commencing out of normal working hours, by 10:00am on the following working day.

### **5.4.2 Method of Making Permit Applications**

- 5.4.2.1 All permit notifications, including PAAs, permit applications and variations, must be made electronically and must comply with the Street Manager protocols.
- 5.4.2.2 Where there is an electronic system failure by either the activity promoter or the Permit Authority, an alternative strategy must be implemented (see Section 5.9).

### **5.4.3 Content of Permit Applications**

- 5.4.3.1 All applications must comply with the definitive format and content given in the Street Manager protocols (see also Section 5.5).
- 5.4.3.2 To ensure that information made publicly available can be understood by the general public the description of activities and other information should be in plain English with minimal industry specific jargon.
- 5.4.3.3 The Permit Authority will actively encourage the use standardised durations for routine activities which will be developed by the WaSP Working Groups and referenced in the WaSP scheme Operational Guidance.
- 5.4.3.4 Each application must contain information about activities in only one street. To improve co-ordination, projects covering more than one street should cross-reference all related applications.
- 5.4.3.5 The promoter should ensure that Immediate permit applications are as accurate as possible, and they must contain what the promoter believes to be the appropriate conditions for the works (see Chapter 6). The works must take place within the terms of the permit application submitted.

5.4.3.6 An Immediate application should comply with any conditions specified by the Permit Authority whether generic for such activities or specific to one activity (see Section 6.3).

#### **5.4.4 Applications involving other Interested Parties**

- 5.4.4.1 Any undertaker, authority or relevant body or organisations who wish to be informed about any activities on a street should ensure their interest is entered in the street authority's ASD against that street. Promoters and the Permit Authority must ensure that any such interested parties are copied in on all notifications.
- 5.4.4.2 Street Manager provides this functionality. However, some interested parties may not have access to the electronic systems so they should be sent copies by an alternative method.
- 5.4.4.3 The Permit Scheme Regulations amend NRSWA Section 88, 89 and 93. Together with Sections 90 and 91, these deal with notifications to bridge, transport and sewer authorities to ensure that consultation takes place on streets with structures and other special engineering difficulties (as described in the authority's ASD).

#### **5.4.5 Permit Start and End Dates**

- 5.4.5.1 A permit allows an activity to be carried out between the start and end date (in calendar days) given on the permit and that the duration of the works will be reflected in the permit conditions. This allows an activity to be carried out on weekends or Bank Holidays.
- 5.4.5.2 A promoter working outside the permit dates would not have a valid permit and potentially would be committing an offence.
- 5.4.5.3 However in other respects the reasonable period of the activity remains operating on working days, as defined in the Permit Scheme Regulations. On strategically significant streets, the duration of the activity will exactly match the time from the start date to the end date excluding any non-working days between the two dates.
- 5.4.5.4 For activities on strategically significant streets where an activity is delayed on the permit start date, the activity promoter should contact the Permit Authority as soon as possible on the due start date so that the Permit Authority can put into place any additional or mitigating actions it considers necessary.
- 5.4.5.5 The promoter may decide they are able to begin the activity on a subsequent day, submitting the Section 74 Actual Start notice. However, there is no automatic extension to the permit or the reasonable period in these circumstances and the end date remains the same unless an agreement is reached between the activity promoter and the Permit Authority, and a permit variation is granted (see Chapter 8).
- 5.4.5.6 On non-strategically significant streets there is a validity window to provide a flexible commencement period after the proposed start date of the permit.
- 5 days for major and standard activities.
  - 2 days for minor activities.
- 5.4.5.7 Once the works commence and an Actual Start notice is submitted the permit end date will adjust to take into account the actual start date and the previously agreed reasonable period and permit duration. Street Manager provides this functionality automatically.

5.4.5.8 In both cases above, if the activity promoter cannot complete the activity before the permit end date, they must apply for a permit variation to extend the permit. This would be required even if the extra days were at a weekend (a permit expires at midnight). The Permit Authority may or may not agree to an extension of the reasonable period, depending on the circumstances, and the activity promoter may be subject to over-run charges under NRSWA Section 74 (see Chapter 8).

#### **5.4.6 Non-working Days**

5.4.6.1 If the impact or duration of an activity can be lessened by extending works on site into weekends and bank holidays then promoters are actively encouraged to consider these possibilities. The WaSP scheme authorities will make a general policy available as part of the WaSP scheme Operational Guidance for such situations and will proactively seek opportunities to lessen road occupancy.

5.4.6.2 In such situations, conditions will be placed on the permit to define when such works may take place and any other constraints as deemed necessary by the Permit Authority (see Chapter 6).

#### **5.4.7 Early Starts**

5.4.7.1 An activity must not start before the expiry of the application period except where an early start has been agreed with the Permit Authority.

5.4.7.2 The Permit Authority will allow early starts to a permit (a reduction to the minimum notice period as set out in table 1, Section 7.1) providing that:

- it does not conflict with other activities;
- there is a legitimate reason for the request and not a result of poor works planning by the activity promoter;
- activity promoters do not use early starts regularly to conceal poor works management.

5.4.7.3 The Permit Authority will consider a promoter's request for an early start and such a request will not be unreasonably refused. An early start must be applied for in the manner requested by the Permit Authority as detailed in the WaSP scheme Operational Guidance.

#### **5.4.8 Actual Start and Works Stop Notifications (Section 74)**

5.4.8.1 WaSP scheme will follow the requirements for submission of Actual Start and Works Stop notifications as set out in Regulations or any other guidance issued by HAUC. These Notices must be sent electronically through Street Manager.

5.4.8.2 In the case of an Immediate activity the permit application will be taken as the actual start date notice as it is made after the activity has commenced, and the status should always be "In Progress".

### **5.5 Content of a Permit Application and Provisional Advance Authorisation**

5.5.1.1 The Street Manager business rules provides detail on the required fields to be submitted as part of a permit application or PAA. Additional information or constraints will be provided as part of the condition text.

5.5.1.2 The Permit Authority recognises that full information may not be fully known at the time an application for a PAA is made. However, activity promoters should make every effort to provide the most accurate information available at each stage.

#### **5.5.2 Reference Number**

5.5.2.1 Each application must include a unique reference number. Details of the numbering system are given in the Street Manager business rules.

**5.5.3 Description of Activity**

5.5.3.1 This must be a comprehensive description of what the activity is and its purpose to allow the Permit Authority to assess the likely impact. This should include:

- detail on the works being undertaken;
- a description of methodologies employed;
- description of the layout and impact of the activity (for example traffic management);
- details of any collaborative working; such as details of the other promoters and brief descriptions of the activities being undertaken;
- any other information pertinent to that activity.

5.5.3.2 To ensure that information made publicly available can be understood by the public the description of activities and other information should be, within reason, in plain English with minimal industry specific jargon.

**5.5.4 Location of Activity**

5.5.4.1 An accurate location must be provided based on Ordnance Survey National Grid References (NGRs). For a small excavation or opening then a point NGR should be provided. A polyline or a polygon feature must be provided to describe trenches or wider areas taken up as described in the Statutory Guidance.

5.5.4.2 The location must have a textual description that matches the NGR provided.

5.5.4.3 The street must be given based on the unique street reference number (USRN) provided in the street gazetteer as defined by the National Street Gazetteer Concessionaire. Each permit may only contain one street.

5.5.4.4 Where the activity is likely to cause significant disruption a description of the space taken up by the activity should be provided. The Permit Authority may request additional information such as a traffic management plan or schematic to show the site footprint.

5.5.4.5 Promoters applying for Immediate activities must provide a location that reflects where the activity is actually taking place. If the location then changes a permit variation must be obtained (see Section 8.2).

**5.5.5 Timing and Duration**

5.5.5.1 The proposed permit start and end dates (in calendar days) will clearly define the time period an activity will take up road space.

5.5.5.2 Details of the times of day the activity is to be carried out should be provided, including any proposal to work at night.

5.5.5.3 Details must be provided where the activity promoter proposes to undertake activity on weekends or Bank Holidays to speed up the activity or reduce disruption.

5.5.5.4 These constraints on the activity will be submitted as conditions and will be taken into consideration by the Permit Authority.

**5.5.6 Illustration**

5.5.6.1 An illustration may be required for any activity where the Permit Authority considers that the disruption caused by the activity may be significant or where the location is difficult to define.



- 5.5.6.2 An illustration must include details of the activity and location of utility apparatus, the extent of the highway occupancy and if requested by the Permit Authority a numerical measure of estimated disruption. This additional information may be in the form of sections, photographs, traffic management drawings and any other relevant material. In combination, all of this material will be referred to as the traffic management plan. This material may be 'attached' to the applications using Street Manager or submitted in some other format.
- 5.5.6.3 If required for Major works, an illustration of the activity should be provided at or prior to the permit application stage. It is expected that this will be part of the PAA planning process or the discussion resulting from a PAA submission.
- 5.5.7 Methodology**
- 5.5.7.1 Details of the proposed techniques, such as open cut, trench share, minimum dig etc. must be provided as part of the works description.
- 5.5.8 Traffic Management and Temporary Traffic Regulation Orders**
- 5.5.8.1 Details of types of traffic management or traffic control must be referred to when submitting a PAA or the permit application. Certain traffic management proposals will also require suitable conditions detailing the constraints on these proposals.
- 5.5.8.2 The activity promoter must supply details of traffic management proposals together with any requirement for action by the local authority or others, for instance:
- A need for a Temporary Traffic Regulation Order (TTRO);
  - Lifting of parking restrictions;
  - Approval for portable traffic signals (PTS);
  - Suspension of bus stops.
- 5.5.8.3 The extra time required for gaining these approvals need to be considered by the activity promoter.
- 5.5.8.4 Additional costs associated with these are not included within the scope of this permit scheme.
- 5.5.9 Depth**
- 5.5.9.1 Where it expected that an excavation will be deeper than 1.5metres, activity promoters must provide their best estimate of the excavation depth. While this might be expressed as a range, it should nonetheless provide a meaningful indication of the nature and extent of activity involved.
- 5.5.10 Reinstatement Type**
- 5.5.10.1 The application must indicate whether the activity will be completed with interim or permanent reinstatement or a mixture of both. If it is the latter, then promoters must provide details as to where interim or permanent reinstatements will be completed within that permit.
- 5.5.11 Inspection Units**
- 5.5.11.1 The application must state the provisional number of estimated inspection units appropriate to the activity, in accordance with the rules laid down in the Inspections Code of Practice and *The Street Works (Inspection Fees) (England) (Amendment) regulations 2004*. Where there is trench sharing, only the primary promoter is required to give the inspection units.

**5.5.12 Contact Person**

- 5.5.12.1 The application must include the name and contact details of the person appointed by the activity promoter to deal with any problems that may occur during the activity, including any provision made by the activity promoter for out-of-hours contact.
- 5.5.12.2 On permit applications (and on PAAs if the information is known at the time) the application should include the name of the main contractor carrying out the activity. This will help with the Permit Authority's consideration of the application and with any discussions that need to take place before the permit can be issued.

**5.5.13 Proposed Conditions**

- 5.5.13.1 Where there are constraints in the permit application, it should include conditions that specify in detail the activity and support the application. These conditions are based on the *Statutory Guidance for Permit Scheme Conditions* (see Chapter 6).
- 5.5.13.2 Where the Permit Authority considers necessary it will also request that certain conditions be added to the application before issuing the permit.
- 5.5.13.3 Permit conditions might be applicable to any activity.

**5.6 Phasing of Activities**

- 5.6.1.1 A phase of an activity is a period of continuous occupation of the street (whether or not work is taking place for the whole time) between the start and completion of the works.
- 5.6.1.2 One permit can only contain one phase and the dates given in a permit application will denote the dates for that phase. A phase can end only when all the plant, equipment and materials, including any signing, lighting and guarding have been removed from the site and the highway returned fully to public use.
- 5.6.1.3 The promoter should clarify that an activity is to be carried out in more than one phase on the application.
- 5.6.1.4 Phased activities must relate to the same works. These could be single or multiple-but-linked excavations, or a trench dug progressively along the street as part of a continuous operation, or where a permanent reinstatement or remedial works are undertaken at a later date.
- 5.6.1.5 Each phase will require a permit and the same activity reference should be used for all phases or cross-referenced to the other phases. If the works are classed as Major they will also require a Provisional Advance Authorisation, except in the case of remedial works (see Section 5.6.4). Each phase will be classed as a separate activity or works, for the purposes of NRSWA (for instance Section 74, guarantee periods etc).
- 5.6.1.6 Linked activities carried out at separate locations in a street must be treated as belonging to the same set of works. However, unconnected activities carried out by the same promoter in one street should not be treated as parts, or phases, of a single set of works.
- 5.6.2 Cross Boundary Activities**
- 5.6.2.1 Where an activity or project crosses the boundary between authorities the works promoter must submit the relevant notices or permit applications to each authority. Early discussion with both authorities will help avoid conflicting requirements.

**5.6.3 Interim to Permanent Reinstatements**

- 5.6.3.1 When an activity is completed with an interim reinstatement then the activity will be regarded as having more than one phase and a new permit must be obtained for the permanent reinstatement phase. The same works reference number should be used ("cross referenced" to the original activity).

**5.6.4 Remedial Works**

- 5.6.4.1 Remedial works will require a new permit to be obtained for the remedial phase. The same works reference number should be used as the original activity ("cross referenced" to the original activity).
- 5.6.4.2 Where remedial works fall within the definition of Major works, a Provisional Advance Authorisation is not required.
- 5.6.4.3 Where remedial works fall within the definition of 'immediate' or are required to remedy dangerous defects, the activity will be categorised as Immediate.

**5.6.5 Severable Works**

- 5.6.5.1 The definition of emergency works in Section 52 of NRSWA provides that items of work which "cannot be reasonably severed" from the emergency works are regarded as part of them. The same test applies to urgent works.
- 5.6.5.2 Work which can be "reasonably severed" from the immediate activity must therefore be regarded as separate activities and classified accordingly.
- 5.6.5.3 Typically, immediate activities shall consist only of a repair to end the emergency, or restore the service, and complete the necessary reinstatement. Follow-up activities undertaken to provide a permanent solution are "severed" and subject to a separate permit application.
- 5.6.5.4 If the activity promoter leaves site after dealing with the immediate problem, including carrying out an interim reinstatement and closing down the site, and returns later for further activities - it is clear that these are "severed".

**5.6.6 Interrupted Activities**

- 5.6.6.1 There may be circumstances where a promoter is unable to complete their activity in one phase as originally intended. This may be due to difficulties that could not have been reasonably foreseen, for instance adverse weather conditions or an engineering complication. The promoter should contact the Permit Authority immediately this becomes apparent.
- 5.6.6.2 If the Permit Authority is content for the excavation to remain open then a permit variation will be required to extend the current permit. If the Permit Authority does not consider the reason for the extension to be acceptable, they may not extend the 'reasonable period'; the activity would therefore be subject to Section 74 overrun charges (see Chapter 10).
- 5.6.6.3 If the Permit Authority wishes the excavation to be closed down, reinstated, and returned to use then agreement should be sought with the Permit Authority on the timing of the subsequent permit to complete works at a later date.
- 5.6.6.4 Whenever an activity is interrupted, the activity promoter should first agree a way forward with the Permit Authority before starting any of the processes above. Failure to do so may result in the Permit Authority unable to consider the reasonableness of the extension, or treating the subsequent application as an illegitimate use of activity phases.

**5.6.7 Third Party Damage**

- 5.6.7.1 If the activity is interrupted because the activity promoter, or their contractor, has caused third party damage, then it is the activity promoter's responsibility to seek the authority's approval to a variation to allow the damage to be repaired by the owner of the apparatus.
- 5.6.7.2 In the interests of good practice, a permit is required by the third party while they are undertaking these works to help the Permit Authority identify that another party is working at this location. This permit will not be chargeable and nor will Section 74 charges apply to the third party.
- 5.6.7.3 However, the normal notifications and timing rules still apply to the permit application although in the interests of expediency an 'early start' should be requested for the subsequent permit application and the activity promoter is expected to complete the repairs without unreasonable delay.
- 5.6.7.4 The activity site and the reinstatement remains the responsibility of the original promoter, unless this is agreed otherwise between all activity promoters and the Permit Authority, until it is able to clear site and issue a Works Stop notification.

**5.6.8 Collaborative Works**

- 5.6.8.1 Collaborative working may include:
- trench sharing;
  - activities that share traffic management or road space;
  - multi-agency activities that limit the number of days an area of road space is occupied.
- 5.6.8.2 The Permit Authority will proactively seek to encourage collaborative working opportunities between any activity promoters. It is accepted that there are often issues with such arrangements, particularly contractual complications and CDM or site management. Nevertheless, every opportunity will be sought to minimise the disruption to users of the highway.
- 5.6.8.3 In the event of collaborative working, the primary promoter should take overall responsibility as the agreed point of contact with the Permit Authority. The secondary promoter(s) retain the same responsibility for submitting permit applications for work being carried out by them or on their behalf.
- 5.6.8.4 As an example, if the nature of joint working is trench sharing, the primary promoter will excavate the trench and install its own apparatus. The secondary promoters will install their apparatus in the same trench. The primary promoter will then backfill and reinstate the trench unless it has been agreed with both the Permit Authority and the relevant secondary promoter beforehand that one of the secondary promoters do it. In this case, the responsibility for the quality of the reinstatement will lie with the activity promoter that completed it. A similar approach to primary and secondary promoters will be followed for other forms of collaborative working.
- 5.6.8.5 Only those permit applications submitted by the primary promoter are required to show the estimated inspection units attributable to the street works. The primary promoter should detail the other promoters involved and the scope of the collaborative working in the initial application. The primary promoter must also ensure that estimates of works duration are agreed and/or confirmed with the secondary promoter(s) when submitting notices. This is necessary in order to comply with the overrun charging requirements in the Permit Scheme Regulations.

- 5.6.8.6 The Permit Authority will issue permits to all the activity promoters involved. However, the fees will be adjusted to reflect the collaborative approach (see Section 9.4), provided all the applications meet the criteria set out in Section 31(4) of the Permit Scheme Regulations.
- 5.6.8.7 Further reductions may be made at the discretion of the Permit Authority where the collaborating promoters can demonstrate to the Permit Authority significant benefits in terms of the permit scheme objectives. All issued permits shall record the identity of the primary promoter and all the secondary promoters.

### **5.6.9 Forward Planning**

- 5.6.9.1 Promoters are encouraged to maximise the use of forward planning notices even if the information being submitted is incomplete or uncertain. Forward planning information on long-term programmes from all activity promoters will help permit authorities to co-ordinate activities. It will enable better coordination opportunities such as helping the authority to identify opportunities for joint working and to coordinate the timing of resurfacing.
- 5.6.9.2 Forward planning notices should be reviewed and updated regularly to include details as they are finalised. Promoters should follow the Street Manager business rules with regard to the content of forward planning notices and how they are recorded on the register.
- 5.6.9.3 Forward planning notices do not remove the requirement to apply for a Provisional Advance Authorisation or permit at the appropriate time.

## **5.7 Section 58 Restrictions on Further Activities**

- 5.7.1.1 The powers to restrict further works in all or part of a street following substantial road or street works (NRSWA Section 58 and 58a respectively) apply to streets covered by the WaSP scheme.
- 5.7.1.2 The Permit Authority will exercise its powers under these sections in accordance with Regulation 9A of the Permit Scheme Regulations, and any guidance given in the *Code of Practice for Coordination of Street and Road Works* or other good practice guidance.

## **5.8 Supplementary information**

- 5.8.1.1 Regulation 9(3A) requires supplementary information to be provided as part of the permit application. This should cover activities the applicant is aware of and which are ancillary to the works to which the permit application relates, and which it would be helpful for the authority to be aware of for network management and coordination purposes.
- 5.8.1.2 Regulations and HUAC guidance defines “supplementary information” is that relating to information about any activities ancillary to the specified works which are to be carried out either in the street to which the application relates or in an adjacent street. Typically this includes:
- Placement of portable traffic signals or other traffic control;
  - Placement of site welfare facilities;
  - Placement of site compounds for equipment, spoil or material storage.
- 5.8.1.3 The mechanism for supplying supplementary information is provided by *HAUC Guidance on Ancillary Activities*.

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**5.9 Electronic service disruption**

- 5.9.1.1 Where there is a failure of the Permit Authority or a promoter electronic system (either due to the system being used or because of a Street Manager outage), the Permit Authority will implement an interim alternative strategy for managing permit applications, variations, responses and other statutory notifications to ensure that workflows are not unduly interrupted.
- 5.9.1.2 All applications and notifications must be resubmitted through Street Manager following recovery of service. Promoters must ensure that all resent notices are sequenced correctly.
- 5.9.1.3 Street Manager business rules and guidance set out suitable alternative strategies.

## 6 Conditions

### 6.1 General Principles

- 6.1.1.1 The permit must specify the activity it allows in detail. Any other limits or constraints on the activity will be reflected in permit conditions as provided for in Regulation 10.
- 6.1.1.2 The conditions available are only those specified in regulation 10(1) to (3) and use the numbering and wording set out in the *Statutory Guidance for Permit Scheme Conditions* or as amended. The conditions may be applicable to any activity including Works for Road Purposes. It is for the activity promoter to supply the required conditions as part of their permit application or permit variation.
- 6.1.1.3 The *Statutory Guidance for Permit Conditions* contains conditions that will be applied to all permits, or permits for certain kinds of activity in all cases. The WaSP scheme does not require these conditions to be attached to the permit as they are considered to be applied to the permit.
- 6.1.1.4 For expediency and in consideration to electronic system character constraints, when using conditions in some cases the relevant shorthand text contained within the *Statutory Guidance for Permit Conditions* may be applied with any required constraints or necessary detail.
- 6.1.1.5 Where the Permit Authority considers it necessary and appropriate to apply conditions that differ from the proposals in the application, then they will either refuse the permit or request a modification (see Section 7.1), stating the reasons for this. Any authority imposed conditions must be reasonable and comply with regulations. The promoter may then decide whether to reapply for a permit or invoke the dispute procedure with the Permit Authority as set out in Chapter 12.
- 6.1.1.6 If the Permit Authority considers that an activity promoter is failing to comply with the conditions of a permit, then it may invoke a sanction such as a fixed penalty notice (see Chapter 11), or revoke the permit (see Section 8.4).
- 6.1.1.7 Failure to comply with conditions may leave the activity promoter liable to criminal prosecution.
- 6.1.1.8 Refer to *Statutory Guidance for Permit Scheme Conditions* for full details of how permit conditions are used.

### 6.2 Permit Conditions attached to Highway Works

- 6.2.1.1 Conditions may be imposed on all permits, regardless of promoter.
- 6.2.1.2 Regulation 10(3) allows the Permit Authority to attach a condition to a permit in respect of works to be carried out by or on behalf of a highway authority, requiring the highway authority to consult with any person who has apparatus likely to be affected by the permit works. This condition will be applied to all permits for all highway authority works.
- 6.2.1.3 In these instances, the Permit Authority will require the highway authority and its contractor to take all reasonably practicable steps to comply with any requirement made by that person which is reasonably necessary for the protection of the apparatus or for securing access to it.

### 6.3 Conditions Placed on Immediate Activities

- 6.3.1.1 Immediate activities are by definition emergency or urgent and therefore may commence without a permit being in place.

- 6.3.1.2 An application for Immediate activities must be given within two hours of the activity starting or in the case of the activity taking place out of normal working hours, within two hours of the commencement of the next working day.
- 6.3.1.3 Regulation 13 provides for the WaSP scheme to impose conditions on an activity that is not the subject of a permit, effectively the period between an Immediate activity starting on site and the issuing of the permit. Any imposed conditions placed on immediate works will comply with the conditions and categories set out in the *Statutory Guidance for Permit Scheme Conditions* or as amended, and will be recorded in each individual authority Annex (see Appendix C).
- 6.3.1.4 At any stage of an Immediate activity, where the activity promoter requires the use of portable traffic signals or to shut a street that is designated within the authority's ASD as one where "early notification of Immediate Activities is required", the activity promoter should contact the Permit Authority prior to implementing these traffic management provisions.
- 6.3.1.5 Prior to the issuing of a permit for Immediate works, the activity promoter must work within the terms and conditions supplied in its original application.
- 6.3.1.6 It is accepted that for Immediate activities, very little may be known about the location of the activity prior to attendance on site. The activity promoter should make every effort to supply additional conditions if required, based on the information provided from site.
- 6.3.1.7 These conditions should be submitted as soon as reasonably practical, this is expected to be within 24 hours of the activity starting on site, or by the end of the first working day following commencement of the activity where this takes place on a weekend or bank holiday. The WaSP scheme Operational Guidance provides more detail on the timeline for this requirement.
- 6.3.1.8 The Permit Authority may impose conditions on Immediate activities after assessment of the application, where it feels necessary to do so. The imposition of such conditions must be reasonable, and based on the Permit Authority's knowledge of a particular location or area and the implications such an activity might have on the network or for safety.
- 6.3.1.9 If other elements of the permit need changing this should be communicated to the activity promoter and a permit variation should be submitted to reflect the changes.
- 6.3.1.10 For an immediate activity, the works area may be agreed after the works have started on site. Where changes to the site are agreed, these should be implemented within an agreed timeframe and a relevant permit condition added to the permit as soon as practicable, this is expected to be within 24 hours of the activity starting on site, or by the end of the first working day following commencement of the activity where this takes place on a weekend or bank holiday.
- 6.3.1.11 Where other approvals might be required (for instance bus stop suspensions, TTROs etc) then these should be submitted as soon as reasonably possible. This will ensure that the Permit Authority is fully aware of potential problems at that location, and is able to give advice and assistance quickly and effectively and to ensure that the activity promoter acts responsibly and is not undertaking an activity without the required approvals and a permit condition may be required retrospectively to reference these approvals.



## 7 Issuing a Permit and other Responses

### 7.1 Permit Responses

7.1.1.1 In accordance with Regulation 16, the Permit Authority will respond to all permit applications within the timescale set out in table 1 below. A response corresponds to a Street Manager notification of Grant Permit or Refuse Permit or Permit Modification Request, or any other required future notification.

7.1.1.2 Any Permit Authority operating the WaSP scheme should act reasonably in reaching decisions with respect to applications for a permit. In particular, they will consider whether issuing the permit will accord with their statutory duties to co-ordinate and to manage the network and the objectives of the WaSP scheme.

ACTIVITY TYPE	Minimum application periods ahead of proposed start date		Minimum period before permit expires for application for variation (including extension)	Response time for issuing a permit or seeking further information or discussion		Response time for responding to applications for permit variations
	PAA	PA		PAA	PA	
Major	3 months	10 days	2 days or 20% of the original duration whichever is the longer	1 calendar month	5 days	2 days
Standard	N/A	10 days		N/A	5 days	
Minor	N/A	3 days		N/A	2 days	
Immediate	N/A	2 hours after		N/A	2 days	
<p>Notes: "days" in the above table refer to working days, as defined in NRSWA and the Permit Scheme Regulations.</p> <p>Street Manager rules define 3 months as 84 calendar days, and 1 month as 28 calendar days. For consistency WaSP will use the time periods set out by Street Manager</p> <p>These timescales may be subject to amendment by legislation</p>						

Table 1: application and response times

#### 7.1.2 Issuing a Permit

7.1.2.1 If the Permit Authority is content that all the information contained in the application meets an acceptable standard of detail to enable it to consider fully the impact of the activity and the suitability of the timing and methodology and any conditions attached to the application, it will issue a permit by way of a Grant Permit notification.

7.1.2.2 Each permit issued will be given a unique reference number based on the works reference number. Details of the numbering system are given in the Street Manager business rules.

#### 7.1.3 Amending a Permit Application

- 7.1.3.1 If it is necessary to seek further clarification of the information contained in the application then the Permit Authority will endeavour to resolve this within the mandatory response times so that the estimated start date and duration of the original application remains.
- 7.1.3.2 The Permit Authority should submit a Modification Request notification to allow the activity promoter the opportunity to make amendments to their application and resubmit this within a timeframe to allow the Permit Authority the required time to assess the application.
- 7.1.3.3 As long as the timeframes are met, the original start and end dates of the first application can be kept and no early start agreements are required.
- 7.1.3.4 If the matter cannot be resolved satisfactorily within the timeframes or the response period then the Permit Authority will refuse the application.
- 7.1.3.5 If a Modified Application is not subsequently submitted or is not submitted within the required timeframes for it to be assessed before the proposed start date of the permit, then in accordance with Regulation 16(3) the permit is considered Refused.
- 7.1.3.6 The Street Manager business rules set out the requirements and timelines in more detail.
- 7.1.4 Refusing a Permit**
- 7.1.4.1 Under Regulation 9(10) if the application does not contain the required information to the satisfaction of the Permit Authority then they will refuse the permit by way of a Refuse Permit notification.
- 7.1.4.2 A Refused permit must clearly detail the reasons for refusal so that the activity promoter is able to amend their subsequent application.
- 7.1.4.3 Where an application has been refused and the activity promoter is able to submit a suitably amended application that requires an 'early start' (see also Section 5.4.7) to maintain the original requested time slot, the Permit Authority will endeavour to agree the same start date. However, this is at the discretion of the Permit Authority being confident in the amended application and that there is no subsequent conflict with another activity. The activity promoter should follow the 'early start' procedure as detailed in the WaSP scheme Operational Guidance.
- 7.1.4.4 The WaSP scheme Operational Guidance contains information on refusals and sets out to provide a common framework for refusing applications across the WaSP scheme, including the use of standardised refusal texts.
- 7.1.5 Deemed Permits**
- 7.1.5.1 When the Permit Authority fails to respond within the required timescales, or where for technical reasons the response does not reach the activity promoter within the required timescales, that permit is considered to be deemed to be granted.
- 7.1.5.2 In these situations, the activity promoter is at liberty to continue to undertake their activity in line with their original permit application. However, the activity should not take place in a manner different to that intended by the original application and indicated by the permit content and proposed conditions.
- 7.1.5.3 When it becomes apparent to the Permit Authority that a permit has deemed, then it is good practice for the Permit Authority to consider the permit as it stands and contact the relevant activity promoter if it becomes clear that the activity should not proceed as detailed. This might be because the conditions or the contents of the application itself are insufficient, or where a conflict between activities is likely, or where the activity is likely to cause considerable disruption that could be mitigated through discussion and changes.

- 7.1.5.4 In these cases, the activity promoter should discuss and agree any changes required by the Permit Authority. The fee for the variation, or cancellation and resubmission, to that original deemed permit must be waived by the authority.

## **7.2 Immediate permits**

- 7.2.1.1 An activity that is classed as Immediate (emergency or Urgent) will have started on site before the application is submitted. The application must contain what the promoter believes to be appropriate conditions for the works.
- 7.2.1.2 The default position of the Permit Authority will be to grant the permit since works are already taking place.
- 7.2.1.3 The Permit Authority will issue a permit within two days of the activity starting. Once issued, the activity promoter is bound by the terms of the permit and the attached conditions.
- 7.2.1.4 A Modification Request cannot be used with Immediate permits. Should the Permit Authority require changes, they must be requested using an Authority Imposed change notification (see Section 6.3 and Section 8.3).

## 8 Variations to Permits

- 8.1.1.1 Changing circumstances, for either an activity promoter or an authority, may require permits and/or the conditions attached to them to be varied. This might be because of a changing situation on site, or unexpected events affecting the network requiring a reconsideration of the way the activity is being carried out.
- 8.1.1.2 Regulation 15 provides for the WaSP scheme to allow permit variations. Variations to a permit need to be made before the permit expires or passes its end date. The method and content of applying for a Variation notification are detailed in the Street Manager business rules.
- 8.1.1.3 As set out in Section 5.3, a PAA cannot be varied. In circumstances where the details of a PAA have changed but a full Permit has not yet been issued, the activity promoter should inform the Permit Authority of the proposed changes and the Permit Authority will indicate whether a new PAA is required or a Permit Application containing the new information must be made.

### 8.2 Variations initiated by the Activity Promoter

#### 8.2.1 *Necessary Variations*

- 8.2.1.1 From time to time an activity promoter will need to apply for a justifiable variation to a permit and/or its conditions. Some situations where a variation may be needed are:

- because the proposal in the original application was inaccurate or unrealistic;
- because the location or the method of working has changed in some way;
- where the activity promoter requires an extension to the agreed duration.

- 8.2.1.2 The Permit Authority recognises that it should not prevent necessary activity, so the variation is likely to be granted, although the Permit Authority may require the conditions attached to the original permit to be varied or new conditions added if the changes to the permit warrant it.

#### 8.2.2 *Applying for a Variation*

- 8.2.2.1 The activity promoter should make a request to vary the permit as soon as it becomes clear that the activity might require a change or may overrun so that the Permit Authority can investigate the request to satisfy itself that the proposed variation is appropriate and reasonable.
- 8.2.2.2 Regulation 15 (2) provides the following ways of applying for a permit variation.
- Where the existing permit has more than 20% of its duration or more than two days to run, whichever is the longer, the activity promoter must apply for a variation electronically. This is to ensure that the variation is captured within the Permit Authority mandatory response time.
  - In any other case the activity promoter should first contact the Permit Authority to ascertain whether the Permit Authority is prepared to grant the variation. If the Permit Authority agrees then the variation must be applied for electronically.
- 8.2.2.3 The Permit Authority will set out a procedure for requesting a variation to a permit within the WaSP scheme Operational Guidance.
- 8.2.2.4 A permit cannot be varied after it has expired (passed the permit end date). In these cases a new permit must be applied for. The activity promoter may be working illegally during this period.

8.2.2.5 If the Permit Authority is content that all the information contained in the application meets an acceptable standard of detail to enable it to consider fully the impact of the activity and the suitability of the timing and methodology and any conditions attached to the application, it will issue a permit by way of a 'grant permit' response.

8.2.2.6 The Permit Authority will respond to the request within two days of receipt (as shown in table 1, Section 7.1).

### **8.2.3 Extensions**

8.2.3.1 In certain situations, an activity promoter may not be able to complete the works within the original permit duration and an extension to the permit may be required.

8.2.3.2 The Permit Authority is under no obligation to allow an activity to run beyond its permitted period. An activity that continues past its end date without a valid permit in place may constitute a criminal offence.

8.2.3.3 Where the Permit Authority considers the proposed extension to be reasonable and the activity does not conflict with other planned activities then the Permit Authority will not unreasonably withhold the extension.

8.2.3.4 There may be occasions where the Permit Authority does not consider the proposed extension to be reasonable. For instance, this might be due to poor works management by the activity promoter or an issue on site that the Permit Authority considers should have been dealt with more expediently. In these cases, the Permit Authority will grant a variation to the permit so that the activity promoter is not operating without a valid permit in place. However, the Permit Authority may use its powers under Section 74 of NRSWA to charge the activity promoter for an overrun of the 'reasonable period'.

8.2.3.5 Although in many cases the Permit Authority will grant the permit extension to minimise the disruption of a return visit, it may be necessary for the activity promoter to vacate the street to allow another activity to take place or to open up space for traffic. In these situations the activity promoter must submit a new application to complete the activity at a later date.

8.2.3.6 The Permit Authority will set out a procedure for requesting an extension to the permit within the WaSP scheme Operational Guidance.

## **8.3 Variations Initiated by the Permit Authority**

### **8.3.1 Necessary Variations**

8.3.1.1 Once a permit is issued, the activity promoter should have reasonable confidence that the road space will be available to them. Nevertheless, there may be circumstances beyond the Permit Authority's control that necessitate a change in either the permit or its conditions.

8.3.1.2 Such changes should happen only when the new circumstances could not have been reasonably predicted and where the impact is significant. For example, extra traffic being diverted onto the road for which the permit has been issued due to another road being closed by floods, burst mains or a dangerous building, etc. If the consequent disruption cannot be mitigated in a better way it may be necessary to vary aspects of the permit such as the time or manner of working.

8.3.1.3 The Permit Authority should contact the activity promoter as soon as it becomes aware of a potential problem to discuss the best way to deal with the situation. It is vital that both parties work together to ensure the circumstances on the ground can be properly coordinated and managed, while ensuring the activity promoter can best manage their changing situation to minimise further inconvenience and disruption and expedite the works swiftly.

- 8.3.1.4 If changes to the activity are required, a Permit Variation detailing the new terms should be applied for by the activity promoter. It may be necessary for the Permit Authority to first issue an Authority Imposed Variation notification to annotate the required changes, before the activity promoter submits a Permit Variation and the Permit Authority can subsequently grant this.
- 8.3.1.5 It may be that instead of a permit variation, a new permit is issued, particularly if the activity promoter is required to suspend their operation or leave site. This should be agreed first between the Permit Authority and activity promoter.
- 8.3.1.6 The Permit Authority recognises that requesting a variation to a permit may cause substantial disruption to the activity promoter. However where agreement cannot be reached, the Permit Authority will issue an Authority Imposed Variation notification to direct the changes it feels necessary to best manage the activity on the ground. The promoter must comply or reinstate and leave site. The promoter may then invoke the dispute resolution procedure set out in Chapter 12.

#### **8.4 Suspension, Postponement or Cancellation of a Permit**

- 8.4.1.1 There is no mechanism in the Permit Scheme Regulations to formally suspend or postpone a permit, only for varying or revoking it them.
- 8.4.1.2 If the Permit Authority has to suspend or postpone an activity that it has already issued a permit for but which it intends can happen at a later date, it should use the permit variation provisions as described above to enforce the change of dates. No fee will be charged for such authority-initiated variations.

##### **8.4.2 Revoking a Permit**

- 8.4.2.1 Regulation 10(4) allows a WaSP scheme authority to revoke a permit in exceptional or unforeseen circumstances. Typically this might be for:
- where it considers that an activity promoter is continually failing to comply with the terms of that permit and its conditions or for safety breaches;
  - unforeseen circumstances like flooding, industrial action;
  - conflicting emergency works;
  - other network failure.
- 8.4.2.2 The Permit Authority will inform the activity promoter immediately if it becomes necessary to do so and allow a reasonable timeframe for the undertaker to either suspend its activities pending an agreement to continue working or to make the site safe and leave site. Where necessary the Permit Authority may use its provisions under Regulation 18 to clear the street or take any other action necessary.
- 8.4.2.3 The Permit Authority should consider whether other sanctions are more suitable than, or necessary in addition to, the revoking of a permit (see Chapter 11).
- 8.4.2.4 Where a new permit or permit variation is required to resume an activity, a fee will be payable in line with the permit charges set by that WaSP authority, unless the Permit Authority has to revoke a permit through no fault of the activity promoter in which case there will be no charge for a replacement application (see Section 9.3).

##### **8.4.3 Cancelling a Permit**

- 8.4.3.1 If a promoter wishes to cancel a permit or withdraw a permit application for which they have no further use, they should submit a cancellation notice for that permit through Street Manager

- 8.4.3.2 It is essential that the cancellation should be submitted as soon as possible so that the Permit Authority can put in place any mitigating action it feels necessary. It also allows road space to be made available for other works promoters, and maintains accurate information on the Street Works Register.
- 8.4.3.3 There is no fee for cancelling a permit although the charge for granting the permit originally will remain payable.
- 8.4.3.4 Any activity that takes place after a permit is cancelled may constitute a criminal offence.
- 8.4.3.5 A permit that is 'in progress', or one for Immediate activities, should not be cancelled unless that works status has been submitted in error. The Street Manager business rules detail how these situations should be dealt with.

## 9 Permit Charges

### 9.1 Introduction

9.1.1.1 Under Regulation 30 the WaSP scheme is able to charge statutory undertakers a fee in the following circumstances.

- The application of a provisional advance authorisation.
- The issue of a permit.
- The variation of a permit or the conditions of a permit.
- The difference between fees for an activity when it moves from one works category to another.

### 9.2 Fee Levels

9.2.1.1 The WaSP scheme Permit Authority's will set their fee levels independently of each other, in accordance with the DFT guidance, and in accordance with the maximum fee levels specified in Regulation 30.

9.2.1.2 Fees for each WaSP scheme Permit Authority are detailed in the authority Annex (see Appendix C).

9.2.1.3 Income from the scheme will only be used to meet the allowable costs of running the scheme.

### 9.3 Waiving Permit Fees

9.3.1.1 Regulation 30 also provides a mechanism for discounting or waiving the normal permit fee. Under the WaSP scheme a promoter will not be charged a fee:

- if the activity promoter is a highway authority or is carrying out Works For Road Purposes (works on behalf of a highway authority);
- if a permit is deemed to be granted because the Permit Authority had failed to respond to an application in the time required;
- if a permit variation is initiated by the Permit Authority;
- where the Permit Authority has to revoke a permit through no fault of the activity promoter the permit fee will be refunded to the Promoter;
- for the maintenance of fire hydrants carried out by the fire service or a contractor designated by the fire service to carry out this work on their behalf;
- where the works are Diversionary Works as a result of a Major Highway or Bridge works, initiated by the Highway Authority, as described in Section 86 of NRSWA;
- Any other circumstances as detailed within Permit Scheme Regulations.

9.3.1.2 In addition, the Permit Authority may waive an individual charge where it considers such action is merited.

### 9.4 Reduced Permit Fees

9.4.1.1 A minimum discount of 50% will be applied to permit applications in the following situations.

#### 9.4.2 Collaborative Works

9.4.2.1 Regulation 31(4) provides for a permit fee discount where activity promoters are collaborating, either in timing or extent of the programmed activity, to reduce the impact of their works. This includes where statutory undertakers are collaborating with highway authority works.



9.4.2.2 The Permit Authority must be satisfied that all activities are designed and are being undertaken in a manner that minimises the impact of the works. All promoters must apply for a permit and these must be cross-referenced to one another so that the Permit Authority is able to identify the scope of the collaborative working. The applications must be made within three days of one another.

#### **9.4.3 Multiple Applications for Single Activity**

9.4.3.1 The Statutory Guidance for Permits requires the Permit Authority to apply a discount where an activity promoter submits multiple permit applications where an activity is part of a project that involves working on more than one adjacent streets. For example if repairs on a pipe go round a corner from one street into another. It is not intended to cover whole area wide projects in a single permit.

#### **9.4.4 New Connections**

9.4.4.1 A discount will be applied where a new connection is being made at the request of a statutory undertaker's customer. This will only apply in the case of completely new or first time connections.

9.4.4.2 The statutory undertaker will be required to show clearly on the customer invoice that the permit fee is waived by the Permit Authority, and indicate that this is part of a joint agreement with the Permit Authority. A copy of this invoice must be provided to the Permit Authority if required.

#### **9.4.5 Working only outside Traffic Sensitive Times**

9.4.5.1 A discount will be applied where an activity promoter is able to undertake their works outside of traffic-sensitive times on a strategically significant street.

9.4.5.2 In general, this is only applicable on works that are less than one-day duration since these can fall between or after peak periods. However, this discount should also be applied to works where carriageway impact is minimised for peak or traffic-sensitive periods, for instance opening up the carriageway by using plating, or a change of traffic management/control when operatives are not working on site.

9.4.5.3 Suitable permit conditions must be attached (Chapter 6), and it would be necessary to gather evidence from site (for instance photos or inspection records) to show that this condition was being maintained for the duration of the activity or as agreed. Suitable evidence provided by the activity promoter or contractor should be acceptable as long as it meets the requirements of the Permit Authority to ascertain compliance.

#### **9.4.6 Innovation**

9.4.6.1 A discount will be applied where the activity promoter is able to undertake their works using an innovative working practice and achieve a saving in disruption.

9.4.6.2 In order to apply this discount there must be quantifiable benefits, for instance either a significant reduction in duration or a physical reduction in site footprint that allows a higher level of trafficking.

9.4.6.3 The Permit Authority should, where possible, quantify this benefit economically, in order to justify this discount. These situations should be highlighted within the WaSP scheme authority's evaluation report.

9.4.6.4 It will be the intention of the WaSP scheme that a working group will work with statutory undertakers to define more clearly situations where this discount may be applied, and this will become part of the WaSP scheme Operational Guidance. As new technologies or methodologies become the norm then these agreements may need to be reconsidered regularly.

**9.4.7 Economic Development**

- 9.4.7.1 A discount may be applied where it is demonstrated that an activity provides significant economic benefit to the local authority or Council. For instance supplies for a new development, or where it is demonstrated that a network investment programme is being undertaken to meet customer demand.
- 9.4.7.2 The WaSP scheme Operational Guidance will detail instances when this discount will be applied.

**9.4.8 Other Situations**

- 9.4.8.1 Each WaSP scheme authority may waive an individual charge or offer a discount where it considers such action is merited.

**9.5 Individual Authority Discounts**

- 9.5.1.1 Each WaSP scheme Permit Authority may set out additional circumstances where it will always waive or discount permit fees and this will be contained in the authority's Annex (Appendix C).

**9.6 Additional Charges**

- 9.6.1.1 Applications for permit variations initiated by the activity promoter may be charged a fee. This is subject to the exemptions detailed above and individual permit fee profiles for each WaSP scheme authority.
- 9.6.1.2 Where a variation to extend a permit takes that permit into a higher works category, the activity promoter will be required to pay the difference between the permit fees for the two categories as well as the permit variation fees.
- 9.6.1.3 No fee is payable for permit variations initiated by the Permit Authority, unless at the same time, the activity promoter seeks variations which are not the result of the circumstances causing the Permit Authority action. In such a case the variation fee would be payable, subject to the exemptions detailed above and each individual WaSP scheme authority permit fee profile. The Permit Authority should act reasonably in this matter.

**9.7 Fee Review**

- 9.7.1.1 Each WaSP scheme authority will review its level of fees as part of its regular wider scheme evaluation to ensure that the overall fee income does not exceed the allowable costs. The outcome of the fee reviews should be made available to public scrutiny if requested.
- 9.7.1.2 If a sustained surplus or deficit occurs over a number of years the fee levels should be adjusted accordingly.

**9.8 Invoicing Arrangements**

- 9.8.1.1 The WaSP scheme Operational Guidance sets out individual authority's processes for invoicing and payment terms.

## 10 Charging for Overrunning Activities

- 10.1.1.1 The WaSP scheme authorities will operate an overrun charging scheme under Section 74 of NRSWA, alongside this permit scheme.
- 10.1.1.2 The scheme will apply as set out in the *Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) (England) 2009* regulations and any future amendments as detailed in regulations or the relevant code of practice.
- 10.1.1.3 Permit scheme regulation 37(4) modifies Section 74 of NRSWA to allow the duration of the activity to be set or modified through the permit application and variation process.
- 10.1.1.4 Activities carried out by, or on behalf of, a highway authority are not subject to Section 74 overrun charges. However, under the WaSP scheme promoters of such activities should follow the same procedures as promoters who are undertakers. The Permit Authority should inspect such activities in the same way as an undertaker's activity and should carry out any evaluations, in accordance with the *Code of Practice for the Coordination of Street and Road Works*, equally to all Promoters.
- 10.1.1.5 For the purposes of Section 74, Locally Significant Streets that do not fall into the regulatory definition of "traffic sensitive" or Reinstatement category 0,1 or 2 will not be charged at the higher Section 74 rates (see Section 4.2.4).

## 11 Permit Offences and Sanctions

### 11.1 Permit Offences

- 11.1.1.1 The Permit Scheme Regulations create two offences for statutory undertakers
- Regulation 19 - Carrying out activities on the street without a permit, or in the case of immediate works not applying for a permit within two hours of the works starting
  - Regulation 20 - Carrying out activities on the street or highway in a way that contravenes the conditions attached to a permit, or the conditions that are applied to an immediate activity before a permit is issued for those activities.
- 11.1.1.2 Permit offences do not apply to highway authority activities, however the Permit Authority should monitor these activities in the same way it does statutory undertakers to ensure a consistent approach (see Chapter 13).
- 11.1.1.3 Details on the permit offences are provided in the *Code of Practice for the Coordination of Street and Road Works* and Statutory Guidance.

### 11.2 Sanctions

- 11.2.1.1 Where possible the Permit Authority will seek to resolve problems informally to achieve compliance with the permit scheme. Where this fails, or where an activity promoter persistently offends, or the Permit Authority considers that an informal resolution is not appropriate, then the Permit Authority has three sanctions it may use.
- Issue a notice to take remedial action.
  - Issue a Fixed Penalty Notice (FPN)
  - Prosecution.

#### 11.2.2 Remedial Action

- 11.2.2.1 Regulation 18 allows the Permit Authority to issue a Notice in respect of non-compliance, requiring remedial action within a timeframe set out by the Authority, where a promoter is working without a permit or in breach of a permit condition.
- 11.2.2.2 The remedial activity may include removing the activity, remedying the breach of condition or discontinuing the obstruction.
- 11.2.2.3 The steps the Permit Authority requires the activity promoter to take, and the timeframe set out in the notice, will be reasonable for the circumstances.
- 11.2.2.4 Where a promoter does not take the remedial action within the timeframe, the Permit Authority will take such steps as it considers appropriate to achieve the outcome in the notice, and may recover any costs from the undertaker.

#### 11.2.3 Fixed Penalty Notice

- 11.2.3.1 Permit Scheme Regulations 21 to 28 (and Schedules 1 and 2) authorise permit authorities to issue Fixed Penalty Notices in respect of criminal offences. Fixed Penalty Notices offer the offender an opportunity to discharge liability for an offence by paying a penalty amount.
- 11.2.3.2 The Permit Authority will follow the FPN procedures set out in the *Code of Practice for the Co-ordination of Street and Road Works* and Statutory Guidance.
- 11.2.3.3 Prosecution through the magistrates' court remains an option for the Permit Authority.

**11.2.4 Prosecution**

- 11.2.4.1 The authority may prosecute the offence through the courts following the usual processes. Normally this option will be invoked where an undertaker is persistently offending on an issue that the Permit Authority considers serious.
- 11.2.4.2 Decisions on the prosecution of alleged offences are for the Permit Authority. Prosecution should not necessarily be the preferred option - the process can be time consuming and even FPNs do not offer an immediate solution.

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## 12 Dispute Procedures

- 12.1.1.1 Permit authorities and activity promoters must use their best endeavours to resolve disputes without having to refer them to a formal appeals procedure. However, it is recognised that occasionally this may not be possible.
- 12.1.1.2 If agreement cannot be reached locally on any matter arising under this permit scheme, then the dispute should be referred on using the dispute resolution processes set out in the *Code of Practice for the Co-ordination of Street and Road Works*.

## 13 Monitoring the Permit Scheme

- 13.1.1.1 The objectives of the permit scheme are set out in Section 2.3. As required by Permit Scheme Regulations the Permit Authority will carry out an evaluation of the WaSP Scheme to show how the scheme is being operated and to measure whether the objectives are being met.
- 13.1.1.2 All highway authority and statutory undertaker activities will be included to show operational parity.
- 13.1.1.3 The performance metrics will be based upon Operational Measures and Key Performance Indicators that will enable permit authorities to monitor their own performance and continuous improvement year on year.
- 13.1.1.4 KPIs and Operational Measures will be published quarterly by individual WaSP scheme authorities and should be made available in a raw format (without additional analysis) on their websites and at performance and coordination meetings.
- 13.1.1.5 As set out in Statutory Guidance, a report will be produced by each individual Permit Authority to evaluate the scheme objectives within their operational area.
- 13.1.1.6 It may be that the WaSP scheme authorities as a group compare and evaluate the annual KPIs and Operational Measures more fully to consider how the scheme operates across the region as a whole and to look at standardising practices and identify differences.
- 13.1.1.7 The WaSP scheme Operational Guidance sets out the key measures and metrics that may be used in the evaluation report. Over time these may change, depending on the quality of the data and reporting available in both individual SWR systems and Street Manager.

### 13.2 Limits to providing Operational Measures

- 13.2.1.1 Individual systems used across permit authorities have slightly different rulesets for how certain data are extracted or reported upon and therefore it is accepted that this will make it difficult for all permit authorities who are part of this scheme to provide accurate and comparable KPIs and associated measures. Every effort will be made to ensure that all of the data is obtained in as consistent a format as possible across all authorities. Details of this are provided in the WaSP scheme Operational Guidance.
- 13.2.1.2 It is recognised that different SWR systems may not be able to provide some of this data and some permit authorities may not be able to collate some measures or KPIs accurately or with confidence. There is therefore also a requirement that permit authorities keep records outside of their SWR.

### 13.3 Working Groups

- 13.3.1.1 An aim of this regional scheme is to commit members to continuous improvement of the scheme by promoting closer working relationships between permitting authorities and all promoters. It is the intention of the WaSP permitting authorities to closer align their processes and to continue to work with the activity promoters to address issues as they arise.
- 13.3.1.2 It is anticipated that all permit authorities operating the scheme will form a scheme oversight committee, and from this will establish small working groups to consider specific aspects of the scheme or its operation, for instance:
  - Operational principles;

- Best practice;
- Site safety;
- Fixed Penalty Notice application;
- Operational Measures and KPI data collation;
- Innovation;
- Legal issues.

13.3.1.3 The working groups will also provide a point of reference for establishing best practice and encouraging enterprise and innovation in the region from permit authorities and activity promoters.

13.3.1.4 Working groups will develop permit advice notes specific to the scheme to encourage consistent application of the scheme principles by both permit authorities and activity promoters.

13.3.1.5 Working groups may consider the usefulness of setting specific targets for permit authorities or activity promoters based around one or more sets of operational measures.

13.3.1.6 The working groups will publish their minutes openly and encourage discussion between different parties.



## 14 Varying and Ceasing to Operate the WaSP Scheme

### 14.1 Varying the Permit Scheme

- 14.1.1.1 It may be necessary to change the Permit Scheme from time to time.
- 14.1.1.2 As the WaSP Scheme is developed as a framework scheme (originally a Common Scheme) it will only be possible to change the principal Permit Scheme where all the Permit Authorities reach a unanimous decision in favour of varying the Permit Scheme. To do so each Permit Authority will amend the Order and exercise their powers conferred by Section 33A(2) of the Traffic Management Act 2004 to make this Order.
- 14.1.1.3 In accordance with Permit Scheme Regulations, prior to amending the Order the proposed changes to the Permit Scheme will be subject to consultation with the persons specified in Permit Scheme Regulations. The consultation period will be proportionate to the nature and significance of the change.

### 14.2 Ceasing to Run the Permit Scheme

- 14.2.1.1 If a Permit Authority wishes to cease to run the Permit Scheme, in accordance to Permit Scheme Regulations, they will first consult all specified persons and then revoke the Permit Scheme.
- 14.2.1.2 Until the Order is also revoked by the Permit Authority the Permit Scheme will continue in operation in that Permit Authority's area.

## 15 Conflict with other Legislation and Legal Liability

- 15.1.1.1 The Permit Authority will work with activity promoters to promote safe working practices and all parties must act reasonably and responsibly. Each situation will be considered on its merits.
- 15.1.1.2 The Permit Authority must ensure that any conditions applied to a permit do not conflict with the activity promoter's obligations under separate legislation. The Permit Authority's intention is that an activity promoter should not be put in a position where they cannot escape being in breach of either permit conditions or other relevant legislation.
- 15.1.1.3 The activity promoter should bring such concerns, conflicts or potential conflicts to the attention of the Permit Authority as soon as is practicable. The Permit Authority will be responsible for resolving the issue with the other body or bodies concerned, e.g. Environmental Health officials, and amending the permit conditions accordingly. If they are not satisfied the activity promoter may invoke the dispute resolution procedure.
- 15.1.1.4 The applicant will be liable for all actions, costs, claims, demands, charges and expense arising out of any activity covered by the WaSP scheme, including those that may arise out of, or be incidental to, the execution of the works.
- 15.1.1.5 Part 8 of the Permit Scheme Regulations provides for the disapplication of certain sections of NRSWA, details of which are contained in Appendix B of this document.

## 16 Appendix

## 16.1 APPENDIX A – Glossary of Terms

Activity promoter (also Works Promoter)	A works promoter is anyone (including utility companies, statutory undertakers, highway authority road work providers and contractors) responsible for undertaking works on the highway
Additional Street Data (ASD)	Additional Street Data ("ASD") refers to other information about streets held on the NSG concessionaire's website alongside the NSG
Apparatus	As defined in section 105(1) of NRSWA, "apparatus includes any structure for the lodging therein of apparatus or for gaining access to apparatus"
Arbitration	As defined in section 99 of NRSWA, "any matter which under this Part is to be settled by arbitration shall be referred to a single arbitrator appointed by agreement between the parties concerned or, in default of agreement, by the President of the Institution of Civil Engineers"
Authority	Authority includes the references in NRSWA, TMA and other legislation to highway authority and permit authority
Bank Holiday	As defined in section 98(3) of NRSWA, "bank holiday means a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in the locality in which the street in question is situated"
Bar hole	Bar holes are small diameter holes made in the ground along the route of a gas pipe in a bar test survey to determine the location of any leakage
Breaking up (the street)	Any disturbance to the surface of the street (other than "opening the street")
Bridge	In section 88(1)(a) of NRSWA, "references to a bridge include so much of any street as gives access to the bridge and any embankment, retaining wall or other work or substance supporting or protecting that part of the street"
Bridge authority	As defined in section 88(1)(b) of NRSWA, "bridge authority means the authority, body or person in whom a bridge is vested"
BS7666	BS 7666:2006 Parts 0, 1 and 2. British Standard used for the compilation and implementation of a local land and property gazetteer (LLPG) or local street gazetteer (LSG)
Carriageway	The part of the road intended for vehicles rather than pedestrians. As defined in section 329 of HA 1980, "carriageway means a way constituting or comprised in a highway, being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles"
Contravention	As defined in section 329 of HA 1980, "contravention in relation to a condition, restriction or requirement, includes failure to comply with that condition, restriction or requirement, and "contravene" is to be construed accordingly"
Council	As defined in section 329 of HA 1980, "council means a county council, the Great London Council or a local authority"
Critical gyratory or roundabout system	A gyratory or roundabout system where, in the absence of street works or works for road purposes, no less than 5 per cent of peak hour vehicles on average are delayed by more than 20 seconds.
Critical signalised junction	A traffic signal junction at which, in the absence of street works or works for road purposes and at times when the exit is not blocked, no less than 5 per cent of peak hour vehicles on average fail to clear the junction on the first green signal

Culvert	A structure in the form of a large pipe or pipes, box or enclosed channel generally used for conveying water under a road
DfT	Department for Transport
Duration	The duration of Works is calculated in working days
Emergency activities	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"
Excavation	Breaking up the street
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"
Footpath	As defined in Section 66 of the Wildlife and Countryside Act 1981 a highway over which the public have a right of way on foot only, other than such a highway at the side of a public road. Excludes footway
Footway	As defined in section 329 of the HA 1980, "footway means a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only"
HA 1980	The Highways Act 1980
HAUC	The Highway Authorities and Utilities Committee
Highway	As defined in section 328 of the HA 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 HA 1980, any authority responsible for a highway maintainable at public expense
Highway works	"works for road purposes" or "major highway works"
Immediate activities	Immediate activities are either emergency activities or urgent activities
JAG (UK)	Joint Authorities Group (UK)
Local authority	As defined in section 270(1) of the Local Government Act 1972(a) and includes the Common Council of the City of London
Local highway authority	As defined in section 329 of HA 1980, "local highway authority means a highway authority other than the Minister"
Local street gazetteer (LSG)	A subset of the NSG containing details of all streets in a highway authority area, being a self-contained entity created and maintained by the highway authority covering all streets in their geographic area regardless of maintenance responsibility
Maintainable highway	As defined in section 329 of HA 1980, a "highway maintainable at the public expense means a highway which by virtue of section 36 above or of any other enactment (whether contained in this Act or not) is a highway which for the purposes of this Act is a highway maintainable at the public expense"
Major activities	Major activities are activities other than immediate activities, where (i) the authority has indicated to the promoter, or (ii) the promoter considers, that an order under section 14 of the Road Traffic Regulation Act 1984 (temporary prohibition or restriction on roads) is required; or activities, other than immediate activities, which have a planned duration of 11 days or more"

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 carried out in exercise of the powers conferred by section 184 of the Highways Act 1980 (vehicle crossings over footways and verges); (g) provision of a cattle-grid in the highway or works ancillary thereto; or (h) tunnelling or boring under the highway"
Minor activities	Minor activities are those activities other than immediate activities where the planned duration is 3 days or less
National Highways	National Highways was appointed under the Infrastructure Act 2015 as a strategic highways company responsible for operating, maintaining and improving motorways and certain major A-roads (the strategic road network) in England
Nationally consistent street gazetteer (NSG) Network management duty	A database defined as "an index of streets and their geographical locations created and maintained by the local highway authorities" based on the BS7666 standard As stated in Part 2 of TMA
National grid Reference (NGR) NSG concessionaire	Ordnance Survey Grid Reference, describing a point location using 6 digits eastings and 6 digit northings The NSG concessionaire receives, validates and combines the individual LSGs, TRSG and any individual ASD records into the NSG which is then published on a monthly basis
NRSWA	New Roads and Street Works Act 1991
Opening the street	Removing a lid or cover to a manhole, inspection chamber, meter box or other structure embedded in the street without any "breaking up" of the street
OSGR	Ordnance Survey Grid Reference (see also NGR)
Passenger Transport Authority Permit	One of several geographical authorities made up of representatives from local authorities in the area, responsible for public transport in their area The approval of a permit authority for an activity promoter to carry out activity in the highway subject to conditions
Permit application	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)
Permit authority	A highway authority or other "street authority" which has approval to operate a permit scheme on all or some of its road network by order
Permit scheme Promoter (activity promoter)	A scheme approved by Local Authority Order The organisation promoting the works and is used to cover - undertaker - utility company - highway authority carrying out road works - utility company - highway authority carrying out road works
Protected street	Any street that serves a specific strategic major traffic need and therefore needs to be protected from unnecessary excavation and works and providing there is a reasonable alternative route in which undertakers can place the equipment that would otherwise lawfully have been placed in the protected street
Provisional Advance Authorisation	The early approval of activities in the highway, equivalent to the advance notice given under s 54 of NRSWA

Public Right of Way (PRoW)	<p>PRoW. One of the following:  A synonym for a highway, that is, any way over which there is a public right of passage including those ways for which there is no statutory method for recording their existence.  One of the four rights recordable on the definitive map:  Public footpath  Public bridleway  Restricted byway  Byway open to all traffic</p>
Reasonable Period	<p>A reasonable period means such period as is agreed by the authority and the undertaker to be reasonable or, in default of such agreement, is determined by arbitration to be reasonable, for completion of the works in question</p>
Registerable Reinstatement	<p>Registerable activities correspond to specified works in the regulations  As defined in section 105(1) of NRSWA, "reinstatement includes making good"</p>
Reinstatement Category	<p>As set out in the Specification of Reinstatments of the Highway (SROH) a classification of reinstatement based upon volumes of traffic utilising the street.</p>
Remedial work	<p>Remedial works are those required to put right defects identified in accordance with the provisions of the Code of Practice for Inspections and the associated regulations.</p>
Road	<p>"highway"</p>
Road category	<p>This means one of the road categories specified in paragraph 1.3.1 of Chapter S.1 of the code of practice "Specification for the Reinstatement of Openings in Highways"</p>
Road works	<p>Works for road purposes</p>
Special Designation	<p>A special designation record provides details of any special attributes of a particular street. It forms part of additional street data (ASD)</p>
Special Engineering Difficulties (SED)	<p>By virtue of section 63 of NRSWA, the term special engineering difficulties relates to streets or, more commonly, parts of streets associated with structures, or streets or extraordinary construction where street works must be carefully planned and executed in order to avoid damage to, or failure of, the street itself or the associated structure with attendant danger to person or property</p>
Standard activities	<p>Standard activities are those activities, other than immediate activities, that have a planned duration of between 4 and 10 days inclusive</p>
Statutory right	<p>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"</p>
Statutory Undertaker	<p>A legal term used to describe those organisations that have certain legal rights and obligations when carrying out particular development and infrastructure work. Typically they are utilities, communications companies and Network Rail: those who deal with water, gas, electricity, communications and railways etc. The statutory right is enabled in primary legislation such as the Electricity Act, the Water Act, the Gas Act, the Communications Act.</p>
Strategically significant streets (SSS)	<p>Strategically significant streets includes traffic sensitive streets as defined under regulation 16 of The Street Works (Registers, Notices, Directions and Designations) (England) Regulations 2007 as well as streets which fall into reinstatement categories 0, 1 or 2 as defined in the Specification for Reinstatement of Highways (SROH)</p>
Street	<p>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"</p>

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 Manager	The Department for Transport's digital service for planning and managing roadworks. Data can also be provided to Street Manager by means of an interface which complies with the Department for Transport's Application Programming Interface (API) specification for planning and managing roadworks. See here for the API documentation
Street managers (different from electronic communication system)	As defined in section 49(4) of NRSWA, "the expression "street managers", used in relation to a street which is not a maintainable highway, means the authority, body or person liable to the public to maintain or repair the street or, if there is none, any authority, body or person having the management or control of the street"
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, breaking up or opening the street, or any sewer, drain or tunnel under it, or tunnelling or boring under the street"
Street Works UK	Group representing statutory undertakers, amongst others
Street works licence	As stated in section 50(1) of NRSWA, "the street authority may grant a licence (a "street works licence") permitting a person (a) to place, or to retain, apparatus in the street, and (b) thereafter to inspect, maintain, adjust, repair, alter or renew the apparatus, change its position or remove it, and to execute for those purposes any works required for or incidental to 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)
Substantial road works	Works for road purposes which comprise a reconstruction, widening, alteration in the level, resurfacing or specialist non-skid surface dressing of the part of the highway concerned.
TMA	The Traffic Management Act 2004
Temporary Traffic Regulation Order (TTRO)	This means an order made under section 1, 6 or 9 of the Road Traffic Regulation Act 1984
Traffic	As defined in Section 105(1) of NRSWA, "traffic includes pedestrians and animals".
Traffic control	Any of the five methods of controlling traffic detailed in the Code of Practice "Safety at Street Works and Road Works".
Traffic Management	Traffic management is dictated by road space/occupation. Permit Scheme Regulations note that: "traffic management arrangements" includes signs, signals, road markings, barriers and other measures which are intended to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians).
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
Transport Authority Undertaker	The authority, body or person having the control or management of a transport undertaking 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" - ref "Statutory Undertaker"

Unique street reference number (USRN)	As defined in the British Standard BS7666
Urgent activities	Urgent activities are (a) activities (not being emergency activities) whose execution at the time they are executed is required (or which the person responsible for the activity believes on reasonable grounds to be required) (i) to prevent or put an end to an unplanned interruption of any supply or service provided by the undertaker; (ii) to avoid substantial loss to the undertaker in relation to an existing service; or (iii) to reconnect supplies or services where the undertaker would be under a civil or criminal liability if the reconnection is delayed until after the expiration of the appropriate notice period; and (b) includes activity that cannot reasonably be severed from such activities
Validity Window	The validity window is a period of time that applies to works on some roads at non-traffic sensitive times/where national condition NCT01b applies (see Section 5.4.5).
Working day	As defined in section 98(2) of NRSWA, "for the purposes of this Part a working day means a day other than a Saturday, Sunday, Christmas Day, Good Friday or a bank holiday
Works category	A collective term for the four different types of works defined by regulation; comprised of immediate, minor, standard and major works
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 (Activity Promoter)	A works promoter is anyone (including utility companies, statutory undertakers, highway authority road work providers and contractors) responsible for undertaking works on the highway



## 16.2 APPENDIX B – Modifications and Disapplication of NRSWA

### B.1 Disapplication of NRSWA

The Permit Scheme Regulations disapply or modify certain sections of NRSWA. In permit areas the duties of activity promoters and street authorities under the following sections of NRSWA are replaced by equivalent duties imposed under Part 3 of the TMA and the Permit Scheme Regulations .

NRSWA section		Change	Permit Scheme Regulations – Revised arrangements
S54	Advance notice of certain works	Disapplied	Replaced by applications for provisional advance authorisation.
S55	Notice of starting works	Disapplied	Replaced by applications for permits
S56	Power to direct timing of street works	Disapplied	Replaced by permit conditions and variations, including those initiated by the permit authority.
S57	Notice of emergency works	Disapplied	Replaced by applications for immediate activities.
S66	Avoidance of unnecessary delay or obstruction	Disapplied	Replaced by equivalent provisions for permit authorities to require promoters in breach of the permit requirements to take remedial action and failing that for the authority to act.  24-hour compliance period to be replaced with a requirement for promoters to comply within a reasonable specified period determined by the circumstances.

Table 2: Promoter's Duties – disapplied sections of NRSWA

NRSWA section		Change	Permit Scheme Regulations – Revised arrangements
53	The street works register	Modified	Permit Scheme Regulations prescribe similar provisions for permit registers
S58	Restriction on works following substantial road works	Modified	The authority's ability to issue permits with start and end dates replaces directions to start work covered in S 58(5) to (78).  The Permit Scheme Regulations provide the equivalent of S 58A powers by allowing authorities to take into account whether promoters responded to the S 58 notice by submitting an application for their planned activities.
S58A	Restriction on works following substantial street works	Modified	Schedule 3A is modified to work in conjunction with permits.
S64	Traffic-sensitive streets	Modified	Permit Scheme Regulations provide that permit applicant are notified of proposals to designate streets as traffic-sensitive streets.
S69	Works likely to affect other apparatus in the street	Effectively extended	Permit Scheme Regulations create an equivalent requirement on highway authority promoters.
S74	Charge for occupation of the highway where works are unreasonably prolonged	Modified	Permit Scheme Regulations make provision to operate in parallel with permits.
S88	Bridge, bridge authorities and related matters	Modified	Modified to work in conjunction with permits.
S89	Public sewers, sewer authorities and related matters	Modified	Modified to work in conjunction with permits.
S90	Provisions as to reinstatement of sewers, drains or tunnels	Modified	Modified to work in conjunction with permits.
S93	Works affecting level crossings or tramways	Modified	Modified to work in conjunction with permits.
S105	Minor definitions	Modified	Modified to work in conjunction with permits.

Table 3 Promoter's duties – modifications to NRSWA

## 17 West and Shires Permit Scheme Authority Annex

- 17.1.1.1 The WaSP Scheme is a framework scheme (formerly a 'common regional scheme') but there may be certain areas of the scheme that may be adjusted to suit individual authorities. This primarily includes the permit fee profiles and the additional discounting of fees, as well as specific objectives and measures.
- 17.1.1.2 Each Authority will set out these elements in their own specific Annex.
- 17.1.1.3 This chapter provides for Annex's from each WaSP scheme authority to enable it to set out any specific items pertaining to their operation of the WaSP scheme.
- 17.1.1.4 The Authority's Annex is available on the Council's website or upon request to the Council.

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Cabinet Member for City Services

22 January 2025

**Name of Cabinet Member:**

Cabinet Member for City Services – Councillor P Hetherton

**Director Approving Submission of the report:**

Director of City Services and Commercial

**Ward(s) affected:**

Lower Stoke, Sherbourne, Woodlands

**Title:**

Petitions Determined by Letter and Petitions Deferred Pending Further Investigations

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**Is this a key decision?**

No - This report is for monitoring purposes only.

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**Executive Summary:**

In accordance with the City Council's procedure for dealing with petitions, those relating to traffic management, road safety and highway maintenance issues are considered by the Cabinet Member for City Services.

In June 2015, amendments to the Petitions Scheme, which forms part of the Constitution, were approved in order to provide flexibility and streamline current practice. This change has reduced costs and bureaucracy and improved the service to the public.

These amendments allow for a petition to be dealt with or responded to by letter without being formally presented in a report to a Cabinet Member meeting.

In light of this, at the meeting of the Cabinet Member for Public Services on 15 March 2016, it was approved that a summary of those petitions received which were determined by letter, or where decisions are deferred pending further investigations, be reported to subsequent meetings of the Cabinet Member for Public Services (now Cabinet Member for City Services), where appropriate, for monitoring and transparency purposes.

Appendix A to the report sets out petitions received relating to the portfolio of the Cabinet Member for City Services and how officers propose to respond to them.

**Recommendations:**

Cabinet Member for City Services is recommended to:

- 1) Endorse the actions being taken by officers as set out in Section 2 and Appendix A to the report in response to the petitions received.

**List of Appendices included:**

Appendix A – Petitions Determined by Letter and Petitions Deferred Pending Further Investigations

**Background Papers**

None

**Other useful documents:**

Cabinet Member for Policing and Equalities Meeting 18 June 2015 - Report: Amendments to the Constitution – Proposed Amendments to the Petitions Scheme  
A copy of the report is available at: [edemocracy.coventry.gov.uk](http://edemocracy.coventry.gov.uk).

**Has it been or will it be considered by Scrutiny?**

No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

**Report title:** Petitions Determined by Letter and Petitions Deferred Pending Further Investigations

**1. Context (or background)**

- 1.1 In accordance with the City Council's procedure for dealing with petitions, those relating to traffic management, road safety and highway maintenance issues are considered by the Cabinet Member for City Services.
- 1.2 Amendments to the Petitions Scheme, which forms part of the Constitution, were approved by the Cabinet Member for Policing and Equalities on 18 June 2015 and Council on 23 June 2015 in order to provide flexibility and streamline current practice.
- 1.3 These amendments allow a petition to be dealt with or responded to by letter without being formally presented in a report to a Cabinet Member meeting. The advantages of this change are two-fold; firstly, it saves taxpayers money by streamlining the process and reducing bureaucracy. Secondly it means that petitions can be dealt with and responded to quicker, improving the responsiveness of the service given to the public.
- 1.4 Each petition is still dealt with on an individual basis. The Cabinet Member considers advice from officers on appropriate action to respond to the petitioners' request, which in some circumstances, may be for the petition to be dealt with or responded to without the need for formal consideration at a Cabinet Member meeting. In such circumstances and with the approval of the Cabinet Member, written agreement is then sought from the relevant Councillor/Petition Organiser to proceed in this manner.

**2. Options considered and recommended proposal**

- 2.1 Officers will respond to the petitions received by determination letter or holding letter as set out in Appendix A to the report.
- 2.2 Where a holding letter is to be sent, this is because further investigation work is required of the matters raised. Details of the actions agreed are also included in Appendix A to the report.
- 2.3 Once the matters have been investigated, a determination letter will be sent to the petition organiser or, if appropriate, a report will be submitted to a future Cabinet Member meeting, detailing the results of the investigations and subsequent recommended action.

**3. Results of consultation undertaken**

- 3.1 In the case of a petition being determined by letter, written agreement is sought from the relevant Petition Organiser and Councillor Sponsor to proceed in this manner. If they do not agree, a report responding to the petition will be prepared for consideration at a future Cabinet Member meeting. The Petition Organiser and Councillor Sponsor will be invited to attend this meeting where they will have the opportunity to speak on behalf of the petitioners.

#### **4. Timetable for implementing this decision**

4.1 Letters referred to in Appendix A to the report will be sent out by February 2025.

#### **5. Comments from the Director of Finance and Resources and the Director of Law and Governance**

##### **5.1 Financial implications**

There are no specific financial implications arising from the recommendations within this report.

##### **5.2 Legal implications**

There are no specific legal implications arising from this report.

#### **6. Other implications**

##### **6.1 How will this contribute to the One Coventry Plan?**

(<https://www.coventry.gov.uk/strategies-plans-policies/one-coventry-plan>)

Not applicable

##### **6.2 How is risk being managed?**

Not applicable

##### **6.3 What is the impact on the organisation?**

Determining petitions by letter enables petitioners' requests to be responded to more quickly and efficiently.

##### **6.4 Equalities / EIA**

There are no public sector equality duties which are of relevance.

##### **6.5 Implications for (or impact on) climate change and the environment**

None

##### **6.6 Implications for partner organisations?**

None



**Report author**

**Name and job title:**

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**Service:**

City Services and Commercial

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<b>Contributor/ approver name</b>	<b>Title</b>	<b>Service Area</b>	<b>Date doc sent out</b>	<b>Date response received or approved</b>
<b>Contributors:</b>				
David Keaney	Head of Network Management	City Services and Commercial	10/01/2025	13/01/2025
Dan O'Neill	Interim Traffic and Road Safety Manager	City Services and Commercial	10/01/2025	13/01/2025
Michelle Salmon / Caroline Taylor	Governance Services Officer	Law and Governance	10/01/2025	10/01/2025

This report is published on the council's website: <https://www.coventry.gov.uk/council-meetings>

## Appendix A – Petitions Determined by Letter and Petitions Deferred Pending Further Investigations

Petition No.	Petition Title	No. of signatures	Councillor Sponsor	Type of letter to be sent to petition organiser(s) and sponsor	Actions agreed
e32-24/25	Road Safety Campaign in Stoke Aldermoor	304	Councillor McNicholas	Determination	<p>The existing 20mph Zone includes the majority of roads in Stoke Aldermoor. The signage has recently been audited and all damaged or missing signs are in the process of being replaced.</p> <p>School Keep Clear markings are to be installed on Acorn Street outside the school entrance as a matter of priority. Our Parking Services Team will continue to conduct targeted patrols in the area at the beginning and end of the school day to enforce the existing waiting restrictions.</p> <p>Further investigations will be undertaken to assess whether any additional road safety measures are required. The implementation of any such measures would be subject to securing the necessary funding.</p> <p>The provision of a School Crossing Patrol would be dependent on the school funding the annual cost of the post.</p> <p>The petitioners' concerns regarding the use of off-road motorbikes in the area have been brought to the attention of the local policing team.</p>

e54/23	Lavender Avenue - Yellow Lines	6	N/A	Determination	A proposal for double yellow lines on the inside of the bend on Lavender Avenue will be advertised as part of the next citywide review of waiting restrictions, which is due to be undertaken during the first half of 2025.
e07-24/25	Woodlands Ward - Road Safety	59	Councillor Lepoidevin	Determination	The petition sponsor has highlighted two particular issues of concern in Woodlands Ward: 1. A high number of HGV using Broad Lane, Hockley Lane and Pickford Green Lane - Access to the Eastern Green Development from the A45 is now open and construction traffic for all sites accessible from the A45 will now use that access. This will significantly reduce the number of HGVs using the roads listed above. 2. Speeding on Broad Lane and request for Average Speed Enforcement (ASE) - Speed surveys will be undertaken on each section of Broad Lane. The results of the surveys and a collision analysis will then be discussed with the Police. If the data supports the provision of ASE, Broad Lane will be added to the list of locations for consideration as part of the future programme.

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