
Cabinet Member for City Services

22nd 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

Is this a key decision?

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

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.

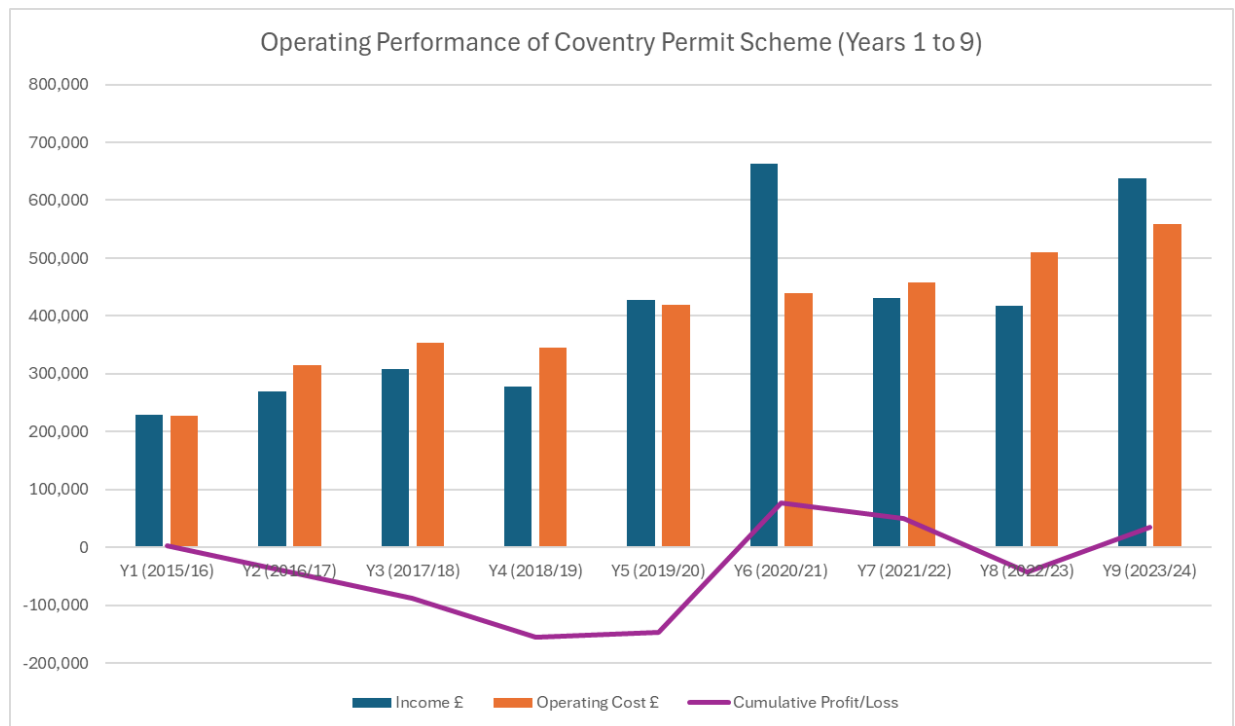
Over the course of the nine years of operation, the scheme has made a small total surplus of £35,372. It should be noted that this is largely due to 2 specific years where income significantly exceeded costs, these years being 2020/21 and 2023/24. Without these two anomalous years, the scheme would likely 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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