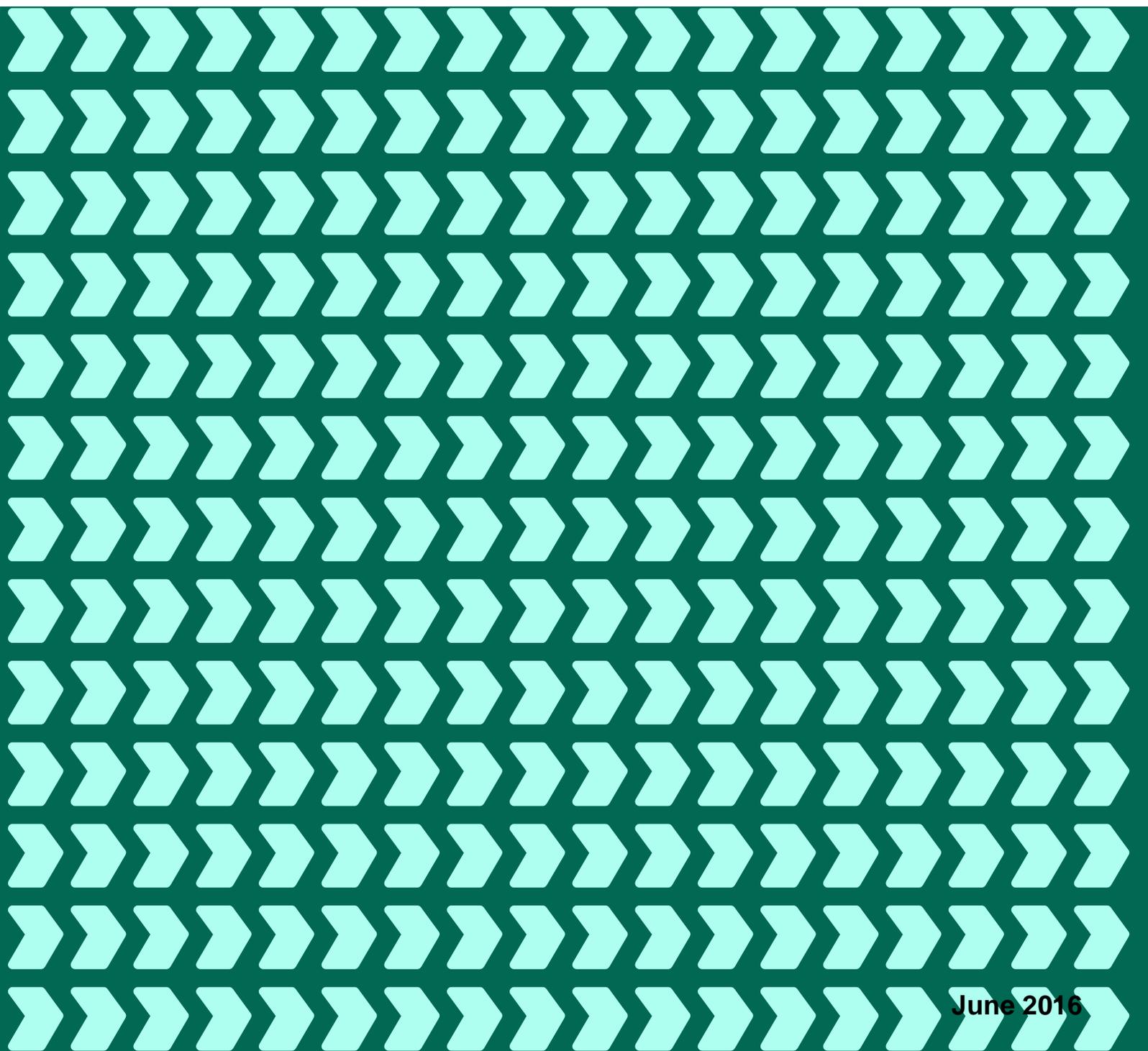




Department
for Transport

Advice Note
For local highway authorities
developing new or varying existing
permit schemes
Moving Britain Ahead



June 2016

The Department for Transport has actively considered the needs of blind and partially sighted people in accessing this document. The text will be made available in full on the Department's website. The text may be freely downloaded and translated by individuals or organisations for conversion into other accessible formats. If you have other needs in this regard please contact the Department.

Department for Transport
Great Minster House
33 Horseferry Road
London SW1P 4DR
Telephone 0300 330 3000
Website www.gov.uk/dft
General enquiries: <https://forms.dft.gov.uk>



© Crown copyright 2016

Copyright in the typographical arrangement rests with the Crown.

You may re-use this information (not including logos or third-party material) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/version/3/> or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or e-mail: psi@nationalarchives.gsi.gov.uk

Where we have identified any third-party copyright information you will need to obtain permission from the copyright holders concerned.

Contents

- Foreward 4
- 1. Considering a permit scheme or a variation? 5
- 2. Permit scheme objectives 7
- 3. Developing a Permit Scheme that is right for your authority 8
- 4. Engagement with works promoters 10
- 5. The development team 11
- 6. Development practicalities 12
- 7. What do you need to note specifically when considering varying your scheme? 13
- Annex A: High Level Check List 14
- Annex B: Detailed checklist 16
- Annex C: Notes on Cost Benefit Analysis 24

Foreward

The Government supports the introduction of soundly developed and reasonably operated permit schemes. We are therefore issuing this advice note to provide guidance for those English local highway authorities considering developing a new scheme or varying an existing one.

Permit Schemes were introduced by Part 3 of the 2004 Traffic Management Act as amended by the Deregulation Act 2015. The structure of schemes is described by the 2007 Permit Scheme (England) Regulations as amended in 2015. Two sets of Statutory Guidance have also been published. The first, published 17 March 2015, sets out the permit scheme conditions and the second, published 6 October 2015, covers the regulations. Authorities are expected to have regard to this and any other statutory guidance.

Since 1 July 2015, each scheme has been implemented by order, providing greater opportunities and responsibility for targetting schemes to increase innovative ways of managing the network for the benefit of all users. The details of permit scheme development and operation are for the Highway Authority to decide, within its Traffic Management Duty and subject to the statutory requirements. However, the Department would stress that permit schemes should be seen as much more than a process for delivering proactive traffic management, although they certainly do that. They also provide a tool for targeting improvements to ensure more effective use of the strategic network. They do so by having both the ability to target fees and to offer discounts above those required by the regulations to improve performance and reduce occupation of the network, especially on strategic routes.

It is recommended that authorities take the opportunity to learn directly from other authorities who have already implemented a well-developed and reasonably operated Permit Scheme. We expect that shared expertise on scheme design and implementation practicalities, as well as information provided by the Permit Forum, will assist in the operation of good schemes. This advice note has been developed to reflect the experience learned from schemes that have operated for some time, and with the support of a task group of members from the HAUC (England) Permit Forum.

1. Considering a permit scheme or a variation?

- 1.1 We recommend that you consider key questions before taking a decision to implement or vary a Permit Scheme.
 - What are the nature and scale of the problems in your area arising from works in the highway?
 - Are there ways to tackle those problems that can be introduced quickly, in advance of a Permit Scheme?
 - Is a Permit Scheme likely to offer value for money?
 - What do you need to do to focus the scheme on the roads and times that offer the greatest potential to reduce road user delays?
 - Why does the Scheme need to be varied?
- 1.2 You should seek first to understand the nature of the problems in your area – evidence and data are crucial in helping you do this. Informal benchmarking of outcomes, management information and processes against those of comparable authorities is the single most valuable tool for identifying specific local problems and potential solutions.
- 1.3 The benchmarking process may identify common ground between authorities, and facilitate joint working. Such common ground should assist developing economies of scale across permit schemes. The Joint Authorities Group (www.jaguk.org) enables regional and national networks of local authorities to benchmark and share problems and work to solve them.
- 1.4 Authorities will need to prepare, and have approved by their management structure, the documents which related to their schemes. It will be for the appropriate person in each authority to take responsibility for the schemes compliance with legislation. They do this when they sign the scheme 'order' bringing it or the variation into operation. The documents that should be produced to support this are the expected costs and benefits of running the proposed scheme on their networks (see Regulation 4).
- 1.5 The law states that a permit scheme can only raise fees to cover prescribed costs (regulation 29). These are costs only for running the additional traffic management function around approving a permit. **Schemes cannot run at a profit and they cannot be used to fund any other local authority transport function.** Authorities will already be operating and funding an effective 'noticing' system so it is the additional costs associated with a Permit Scheme that should be considered. It is essential that a clear outline cost benefit analysis is prepared as this will be required to help ensure value for money. The cost benefit analysis will also help form a basis for the annual report required by regulation 16A (2015 Amendment regulations).

- 1.6 The outline appraisal does not require lengthy documentation or analysis of the varied different effects of a potential scheme. The dominant benefit of all Permit Schemes is expected to be a reduction in unnecessary delays for road users, especially on strategic routes. The dominant cost will be the cost of the additional staffing and facilities essential for implementation of a Permit Scheme. Local authorities might, then, start with an outline appraisal that simply compares only one key benefit with one key cost – the expected reduction in delays to road users, set against expected additional staff costs and overheads. If this comparison is strongly positive, decision-makers may feel confident that further development of the scheme is likely to be worthwhile.
- 1.7 The key task in an outline appraisal is to estimate the reduction in road user delay expected to be achieved through implementing a permit scheme on the road network. In making that estimate, local authorities should make use of any available local data about the extent of delays on its network, and about the proportion of delay that is due to works in the highway. They must then make reasonable assumptions about the proportion of that delay that can be prevented through better management of works. In making those assumptions, local authorities may want to take account of the experience of local authorities implementing the earliest permit schemes where evidence began to emerge from 2010.
- 1.8 As part of the initial consideration for a scheme, authorities should ensure that their street works gazetteer is up to date – you will need this as part of the base data for your scheme design and operation. You may wish to refresh this annually for the first 3 year and then every 3 years thereafter in line with the evaluation requirements – see regulation 16a.
- 1.9 You should build into your scheme design the process for scheme evaluation, setting it out in the scheme documentation. The HAUC permit forum have issued an evaluation template for use and the statutory guidance issued 6 October 2015 contains a set of KPIs.
- 1.10 You will need to develop a scheme document. There are several out there on which you can base your scheme. There are some of things you need to bear in mind:
- 1.11 The scheme document and any additional information you issue will be both useful and descriptive, but it will not contain requirements to be met for the issuing of a permit. These are set out in primary and secondary legislation and described in the statutory guidance. No permit scheme can make or extend the law.
- 1.12 You can only apply the conditions provided for in the statutory guidance that was issued 17 March 2015. No scheme documentation can be used to make additional ‘conditions’ or make requirements that fall outside the legislation or statutory guidance.
- 1.13 Any ‘breach’ by a works promoter from anything described in scheme documents or any additional information produced cannot therefore be the subject of a Fixed Penalty Notice under regulation 19 or 20. It should be treated as a breach under s59 and 60 of the 1991 New Roads and Street Works Act.
- 1.14 Permit schemes provide a significant opportunity to improve an authority’s management of its network. Specifically they provide the ability to give the public a better quality service and this objective should be uppermost in everyone actions. Overall improvement to processing works can be gained by simply communicating information between all parties in a timely and consistently accurate way.

2. Permit scheme objectives

2.1 Minimising delays to road users, especially on significant routes, is expected to be the key objective of a permit scheme. Permit Schemes enable proactive road management and can assist in the delivery of national infrastructure projects, but this is only part of the picture. Well developed and reasonably operated Permit Schemes enable authorities to incentivise behaviour change by the targeted application of fees and the provision of discounts.

2.2 Schemes can also be used to help achieve a range of other local authority objectives such as reliable journey times and better information for road users. It will be for each authority to decide which objectives are important locally, and therefore need to be addressed in the detailed design of their scheme.

2.3 The regulations require that the objectives of a proposed Permit Scheme are clearly set and should be capable of being reported on at the required intervals. It is recommended that schemes do not set themselves too many additional objectives (limit them to around 4) and they should be focused and targeted. You may also wish to check that your ETonN supplier can provide the required format for you to use when developing your annual/three yearly reports.

2.4 Possible objectives of a permit scheme include:

- a reduction in safety hazards and incidents in and around works sites;
- a reduction in the adverse impact of works on local residents and/or businesses ;
- a reduction in the adverse impact of works on disabled people and/or public transport users;
- targeted work to help delivery of a national infrastructure project;
- protection of the structure of the street and apparatus within it, in a way that helps manage long-term maintenance costs;
- better information for road users about works in the highway;
- greater compliance with highways legislation by works promoters;
- greater cooperation and collaboration between different works promoters;
- greater adoption of minimally invasive works methods, and measures to mitigate the impact of excavations;
- reduction in the environmental impact of works (less noise, greater cleanliness, more recycling of materials etc.);
- increased productivity of the local authority's own highway service teams;

The above list is not exhaustive. Any objective could be targeted by either the disapplication of permit fees or the application of a discount to fees.

3. Developing a Permit Scheme that is right for your authority

3.1 Permit Schemes need to be developed by each single local highway authority. Local authorities have the flexibility, in line with statutory requirements, to design schemes that address particular local needs.

3.2 Experience is showing that in order to maximise benefits for all users, a scheme requires permits across all of the road network it manages. However, this does not mean that permit fees need to be applied to all roads in order to secure the maximum benefits. Authorities should also remember Regulation 29 which states that a permit scheme can only raise fees to cover prescribed costs.

3.3 Unless there is a very strong benefit case otherwise, it is strongly recommended that permit fees are only applied to the more strategically significant roads: Category 1, 2 roads and Traffic Sensitive Street roads. This will mean that although permits would still be required for works on non-strategic routes, it should be very unlikely that these works would attract a permit fee. These permit applications would receive only 'notice' equivalent treatment by the authority. The application for and the issuing of a permit provides for additional overall improved network management.

3.4 We also strongly recommend that authorities use the evaluation process to keep fees under review to ensure that they are **only covering prescribed costs**. It is recommended that discounts, in addition to those required by the regulations, are offered on strategic routes where works take place outside of traffic sensitive times. Permit fee discounts are a powerful tool to help drive better performance and reduce duration of works or to direct that works take place at less disruptive times. Discounts should be proportionate, and targeted on the specific behaviours that most need to change. They also need to be achievable by all those applying for permits (Regulation 40).

3.5 It is suggested that no authority attempts to 'reinvent the wheel' but work with an existing successful scheme to ensure the best value for money and benefit for the wider community. It might be helpful to flag the following 'thought' process for scheme development:

- You will already be running an effective adequately staffed 'noticing' system.
- Your noticing system will provide data to support future decisions.
- The permit scheme design and development costs cannot be recouped from permit fees, even at variations.
- You will need to build into your scheme the means by which you will evaluate it – initially 12 months after it comes into operation and publish this 3 months after (Regulation 16A).

- A permit scheme can only cover the cost of the 'permit' element and not the work done within noticing i.e. the added value.
- You will need to ensure parity with all works promoters – utilities, your works and the works of other authorities such as National Rail (regulation 40).
- You will need to ensure your scheme facilitates national infrastructure projects.
- The permit element of your scheme should not run at a profit or a loss. You may want to look at this over 3 years rather than annually (regulation 16A).
- You will achieve proactive traffic management.
- You will be able to drive better performance.

Where you have question on the development of your scheme you may also wish to seek assistance from the Joint Authorities Group (www.jaguk.org)

4. Engagement with works promoters

4.1 Permit schemes do not remove the requirements under the 1991 New Roads and Street Works Act section 59 and 60, but they do fundamentally change some aspects of how utilities and authorities work together. A move to proactive control of the network helps assure the public that their roads are being well managed.

4.2 The changes to operating a Permit Scheme will affect utilities and their contractors and so the objectives, aims, and requirements of a scheme should be discussed with them at the earliest possible stage and those discussions should be on-going.

4.3 A good working relationship with works promoters is essential for the development and delivery of successful Permit Schemes, and authorities should welcome and be open to challenges or suggestions made about the scheme design and timing of its introduction.

4.4 Engagement with stakeholders is a practical tool that can help develop a scheme that is best possible for the area, and for maximising its value for money. Authorities should also understand that running a permit scheme requires them to provide added value to their works promoter 'customers' and to help deliver relevant national infrastructure projects. As a minimum this should mean improved communication, but it could extend to the authority offering the opportunity to take advantage of specific services such as 'buying' specialist materials, for example, red or blue road topping etc.

4.5 Works promoters are the greatest experts on the business pressures and incentives that affect their behaviour while authorities have their experience and expertise in network management. Both aspects should be fully used in scheme development. Schemes should be designed to achieve efficient, effective, considerate and reasonable behaviour from those planning and executing works. Where disputes occur, they should be capable of local or regional resolution via the dispute resolution procedure as defined. Reasonableness should prevail in all circumstances by all parties.

4.6 Using the scheme to set out a clear long term vision for network management should enable authorities to address any concerns about the scheme. Those who have to apply for a permit become customers of the authority. A permit approval should be something of value added by the authority as part of its overall strategy. The utilities have a right to expect good customer service.

4.7 The consultation requirements for Permit Schemes are set out in Regulation 3. It is recommended that the authorities use their standard length for public consultations. As a minimum, we would recommend 28 working days. This does not include the 4 weeks' notice utilities are provided with before a scheme commences. However, it is strongly recommended that stakeholder engagement on Permit Schemes should never be limited to a formal consultation process.

5. The development team

5.1 Given the range of administrative, legal and economic issues that need to be considered, it is suggested that you convene a small multi-disciplinary project team early in the process of development or variation.

5.2 This team would be able to see the application process through to completion. The team would be likely to include the authority's traffic manager and other experts in the management of highway works, along with staff with experience of legal and economic issues, or at least with experience of procuring legal and economic advice. Given the potential role of many Permit Schemes in improving information and stakeholder relationships, there may also be an important role in the development team for a communications expert.

5.3 Evidence to support scheme development will be key. You will already have all the data collected from operating street works within the duties of the 1991 New Roads and Street Works Act. Permit Scheme development builds on this. Permit scheme authorities will also have published annual reports after the first twelve months of operation and you might find it helpful to look at some of these. It is not considered reasonable for an authority to consider a variation where they have not gathered evidence and provided an annual report.

5.4 Private consulting firms may, in some cases, offer local authorities services to help them develop certain aspects of a permit schemes. They may provide a targeted source of expertise. However authorities should ensure that they retain control as they retain duties and responsibilities over a scheme's objectives and direction.

5.5 Authorities must have in mind that consultant fees and costs, as well as any other development costs, **are not recoverable within permit fees at any point**. We would suggest that you first consult other authorities with a scheme already in operation about the use of consultants before you decide on whether to employ one for this purpose.

5.6 The development team, once formed, can remain 'virtual' and be used as an informed resource over the life of the scheme. It can also be called on at reporting time and when the authority decides or needs to vary the scheme.

6. Development practicalities

6.1 You will need to decide on the key features of the scheme – one where the scheme design provides sound overall value for money. You should consider consulting on the outline scheme informally and at the same time prepare for more formal consultation in line with Regulation 3. Please remember that the Secretary of State remains a statutory consultee and documents will need to be provided to the Department’s permit scheme mail box at Permit.schemes@dft.gsi.gov.uk . You will find it helpful if, at the same time, you are preparing documents so that the scheme can receive an ‘order’.

6.2 Several similar authorities or authorities across an area may prepare schemes at the same time and may share some information and use similar documents. However, it should be remembered that each authority must have its own ‘order’ both to bring a scheme into operation and for each and every variation.

6.3 To ensure your scheme documentation has been developed so that it can be brought into operation by ‘order’, you may wish to consider the checklist provided at Annex A. This will have been supported by a set of documents you have prepared that are likely to cover the following key issues:

- Issue 1: That the scheme is compliant with the requirements of relevant legislation and the Secretary of State’s statutory guidance. You may wish to use a checklist provided at Annex B for this.
- Issue 2: That the proposed permit fees are evidence based, reasonable and adequately justified.
- Issue 3: That the proposed scheme will deliver value for money. This requires a basic appraisal of the costs and benefits of the scheme, demonstrating that the scheme is likely to deliver net benefits to road users and wider society that exceed the additional costs of the scheme. You may wish to consider the information provided at Annex C.
- Issue 4: You need to be sure that your scheme is deliverable, and whether it is in the public interest to give effect to the scheme through ‘an order’.
- Issue 5: You should also make sure that the authority’s street works gazetteer is up to date and the scheme is compliant with the current electronic communication requirements.

6.4 An order giving effect to Permit Schemes is required to enable a scheme to operate. It is a requirement that stakeholders need to be informed of the implementation date at least four weeks before the scheme starts.

6.5 We strongly recommend that every scheme either coming into operation for the first time, or bringing in any significant variation, undergoes at least a four week trial of the process. This period of ‘silent running’ will enable any issues to be resolved without the added issue of fees and fines.

7. What do you need to note specifically when considering varying your scheme?

7.1 As national policy and local circumstances change there may be times when a scheme needs to be varied. However, please note that the need for a variation **should be based on clear evidence**. At the very least data should be collected during scheme operation and the last scheme evaluation (see the requirements of regulation 16A) to facilitate this.

7.2 Variations need to be consulted on. Consultation length can be proportionate to the nature of the variation but it is recommended that authorities consult for a minimum of 28 working days. Consultation should always be meaningful with sufficient documents provided to stakeholders, time given to respond, and consideration given to feedback provided. Full consultation should always take place when the following are to be varied:

- Proposed changes to fees, as derived from the evaluation;
- Changes to the number or type of roads for which permits would be required;
- Anything that would have an adverse impact on the work promoter; or
- Changes in any permit designation

7.3 You are still expected to be running and funding an effective system of notification, so a variation can only cover the costs of the added value given to permit applications. All key stakeholders identified in regulation 3 must be consulted. Remember the Secretary of State remains a statutory consultee.

7.4 Even where an authority's scheme is 'linked' to other schemes, it will need to consult on its own scheme based on its own evidence and evaluation.

7.5 The above information is not exhaustive and it is expected that scheme developers will give reasonable consideration to the needs of the work promoter and all other road users when considering changes to schemes.

7.6 You should note that changes will first be subject to consultation and are not retrospective. Changes can only be applied from the 'go live' following the date the order is signed and after the 4 week notice period.

Annex A: High Level Check List

Checklist a senior officer may wish to see before approving an 'order' for a new or varied permit scheme.

Full Name of the Highway Authority			
Type of scheme (Single/Common/Join)			
Date final Checks Completed		Officer who confirms completion of full checks	
		Finance officer final clearance	

Content checklist: The reference column refers to the relevant section in the 2007 Regulations as amended in 2015 (Reg), and to the Statutory Guidance issued March 2015 (S.G.1) and/or that issued 6 October 20145 (S.G.2).

No.	Reference		Subject	Yes/No	Place in scheme doc
	Reg	S.G			
1			<p>Scheme compliance statement which includes:</p> <p>The Legal name of the authority/authorities included</p> <p>An assurance of compliance with current electronic communication structure.</p> <p>A table showing regulatory compliance.</p> <p>Confirmation that all financial requirements have been met.</p>		
2.			<p>The Permit Scheme document must:</p> <p>Clearly define the streets to which the scheme applies</p> <p>Detail the team that will be in place to operate the scheme</p> <p>Detail the approach to post-implementation evaluation</p> <p>Should demonstrate benchmarking undertaken & completed.</p>		
3.	4 (1) (c) & 40		Demonstration of compliance with the non-discrimination obligation.		
4.	4 (1) (b)		Permit Scheme Objectives including the improvements expected.		

No.	Reference		Subject	Yes/No	Place in scheme doc
	Reg	S.G			
5.	4 (1) (d)		How and when the Permit Authority proposes to evaluate the scheme so as to measure it continually against its objectives [by written statement from senior manager].		
6.	4 (1) (e)		The costs and benefits, financial or otherwise, which the Permit Authority anticipates will result from the Permit Scheme.		
7.	4 (1)(f) 29 &30		The evidence considered by the Permit Authority as to the fees which may be charged, and the reasons for its decision (fees matrix). LA Undertaking - Fee self-certification. To confirm that the fees and costs are developed in line with the Regulations, they cover the costs of the scheme only, and are proportionate to the value added by issuing a permit.		
8.	4(g)		The proposed implementation date.		
9.	4(h)		Details of any transitional arrangements which the Permit Authority would wish to apply in relation to the Permit Scheme coming into effect.		
10.	3 & 4 (1) (g)		Consultation Report – changes to scheme clearly shown in response to the consultation.		
11.			References to nationally significant initiatives, for example, implementation of Superfast Broadband or similar.		

Annex B: Detailed checklist

Detailed checklist that may support an authority developing or significantly varying a permit scheme

Name of authority			
Type of scheme			
Date Checks Completed		Officer completed checks	
		Finance officer who completed checks	

Content checklist: It should be noted that the ‘Reg. Ref.’ column refers to the relevant section in the 2007 Regulations as amended in 2015, and the ‘S.G. Ref.’ column refers to the relevant section in the March 2015 Statutory Guidance (S.G.1) and/or the Statutory Guidance issued 6 October 2015 (S.G.2).

No.	Reg. Ref.	S.G. Ref.	Subject	Yes/No	L.A.Ref
			Consultation		
1	r3 (1) (a)	2.2 – 2.9	Consulted all statutory undertakers and s50 holders in the area – regulation 3.		
2	r3 (1) (b)	2.2 – 2.9	Consulted all authorities whose streets/areas are included or affected by the scheme – regulation 3.		
3	r3 (1) (c)	2.2 – 2.9	Consulted TfL – only applicable if scheme is in or borders TfL network.		
4	r3 (1) (d)	2.2 – 2.9	Consulted any PTE if the scheme covers their area.		
5	r3 (1) (e)	2.2 – 2.9	Consulted the emergency services which operate in the area covered by the scheme.		
6	r3 (1) (f)	2.2 – 2.9	Consulted the Secretary of State for Transport – as set out in regulation 3.		
7	r4(i)	1.35	The proposal contains a summary of responses to the consultation and the changes made in the light of the consultation.		
8			It is good practice to consider providing all activity promoters operating within the permit area, and all those consulted on the proposed scheme, with the details of post consultation changes before the scheme goes live.		

No.	Reg. Ref.	S.G. Ref.	Subject	Yes/No	L.A.Ref
			Scheme objectives, design, cost-benefit analysis and evaluation arrangements		
9	r4(b)	1.21	The scheme must state its objectives.		
10		1.28	There is an explanation of the Permit Authority's chosen design for the permit scheme – 100% of the network, or an area largely defined by its significantly significant streets.		
11	r4(c)	9.4 – 9.7	The scheme sets out how the permit authority will ensure non - discrimination between permit applicants.		
12		1.35	The scheme is designed to ensure, as far as possible, parity of treatment between both types of works by evidence of compliance with KPIs.		
13	r4(d)	2.10 – 2.13	The scheme sets out how and when the permit authority will evaluate the scheme to ensure that the stated objectives are met.		
14	r4 (1) (e)	2.12 & 3.70	The submission sets out the costs and benefits of the scheme and the consultation considers responses to the consultation.		
			Coverage of the scheme		
15	r4(2)	2.10 – 2.13	The Permit Authority will need to be able to confirm that the scheme has been prepared in accordance with and complies with these regulations.		
16	r7(1)	1.33- 1.35	The scheme states the area it will cover.		
17	r8(1)	1.28 – 1.30	The scheme states the streets within the area that are included in the scheme.		
18	r6(1)	3.2 – 3.4	The scheme states the types of works the scheme applies to.		
19		1.55	The scheme includes both highway and statutory undertakers' works.		
20		1.37 – 1.41 & 7.1	All works comprising "registerable works" in terms of the 2007 Notices Regulations under NRSWA are included in the scheme.		
21	r9(2)	3.9 & 3.10	The scheme states which specified people or types of people do not have to apply for a permit, and in which circumstances.		
			Implementation and transition		
22	r4(g)	1.35 & 4.3	The scheme states the date when the permit scheme is going to start operation.		
23	r4(h)	1.35 & 9.8 – 9.9	The scheme sets out any transitional arrangements that the authority proposes to implement.		
			Compliance with general technical and definitional requirements		
24		1.42	The scheme is set up to receive applications, issue notices and otherwise communicate electronically.		
25		1.42	The scheme is designed to operate in a manner which complies with the Technical Specification (EToN) and follows its requirements.		
26		1.43	The scheme uses a nationally consistent local street gazetteer for identifying streets.		

No.	Reg. Ref.	S.G. Ref.	Subject	Yes/No	L.A.Ref
27		1.44	The scheme provides that a “street” refers to that length of road associated with a single USRN, i.e. to part of a whole street where a street is subdivided.		
28		1.45	The permit authority’s local street gazetteer is upgraded to level 3.		
29	r33(2)	7.1 – 7.5 7.20 – 7.22	The permit authority is committed to creating and maintaining a register containing the names of each street included in the scheme and specifying whether such streets have been designated as protected, of special engineering difficulties, or traffic-sensitive.		
30		7.1-7.5	The permit authority is committed to maintaining a register in connection with their permit scheme containing information about all registerable activities on those streets.		
31		7.10-7.11	The permit authority is committed to ensuring that all the information held in permit registers is referenced to the Elementary Street Unit Identifier, and the Unique Street Reference Number (USRN) and that permit registers follow the street works equivalent by being GIS (Geographic Information System) based.		
32		1.40	The scheme uses the same or equivalent definitions or requirements as are used in the NRSWA notice system for: Registerable activities/works; Categories of activities/works (major, standard, minor and immediate activities/works); Street gazetteers, including street referencing by means of Unique Street Reference Number (USRN) and Associated Street Data (ASD); Street reinstatement categories as defined in the NRSWA Reinstatement Specification; The distinction between main roads and minor roads, where such distinctions are relevant; and Streets designated as protected, having special engineering difficulty or traffic-sensitive.		
			Provisional Advance Authorisations (PAAs)		
33		3.20	If the scheme requires a PAA for major works then the promoter should be required to provide the final detailed information in support of its application for a permit at least 10 working days before the activity is due to commence.		
34		3.19 & 3.51	The scheme incorporates a requirement for PAAs in relation to major permits only.		
35	r11(2)	3.19	Where a scheme requires PAAs to be applied for it specifies the information that should be included in the application for a PAA.		
36		3.19 – 3.20	The scheme requires an application for a PAA to specify proposed start and end dates for the relevant activities, although the scheme should allow sufficient flexibility to enable the dates to be reasonably adjusted when a permit is ultimately issued.		
37		3.16	The information stipulated by the scheme to support an application for a PAA should be equivalent to, and certainly should not exceed, that required in support of an application for a permit.		

No.	Reg. Ref.	S.G. Ref.	Subject	Yes/No	L.A.Ref
38	r11(6)		Where a scheme requires a PAA to be applied for, it requires that a copy of the PAA is sent to a relevant authority or any other body having apparatus in the street when it is requested by that body.		
39			Where a PAA has been given but a full permit has not yet been issued and proposals change, the scheme stipulates that the Permit Authority has to be informed of the proposed changes and a revised application for PAA or permit made.		
			Immediate activities		
41			Immediate Activities are defined as emergency works as defined in section 52 of NRSWA, or 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 promoter; (ii) to avoid substantial loss to the promoter in relation to an existing service; or (iii) to reconnect supplies or services where the promoter would be under a civil or criminal liability if the reconnection is delayed until after the expiration of the appropriate notice period; This includes works that cannot reasonably be separated or severed from such works.		
42			That the scheme provides that the initial (emergency) stage of emergency works are exempt from requiring a permit.		
43			The scheme requires promoters of immediate activities to apply for a permit within two hours of the activity starting.		
44			The scheme is able to link an immediate activity and the conditions attached to it prior to a permit being issued with the application for a permit for that immediate activity when it is made.		
45			The scheme has different procedures in place for immediate works & fault finding (e.g. for identifying the exact position of gas leaks)		
46			The ASD must be marked with any streets for which the scheme requires a promoter to ring the authority when starting immediate works.		
			Other works requiring permits		
47	r9(1)		The scheme includes a provision requiring a permit to be obtained before specified works are carried out in a specified street.		
48	r9(8)		The scheme provides that each phase of work requires a separate permit, e.g. a separate permit would be required for interim and permanent reinstatements.		
49			Standard activities are defined in the scheme as those activities, other than immediate or major activities, that have a planned duration of between 4 and 10 working days inclusive.		
50			The scheme stipulates that a standard permit is applied for 10 days in advance of works commencing.		

No.	Reg. Ref.	S.G. Ref.	Subject	Yes/No	L.A.Ref
51			Minor Activities are defined in the scheme as activities other than immediate or major activities, where the planned working is 3 working days or less.		
52			The scheme stipulates that a minor permit is applied for 3 days in advance of works commencing.		
			Applications for permits		
53			The scheme requires promoters applying for permits or PAAs to copy their applications to any authority or undertaker that has requested to see permit applications on certain streets.		
54	r9(3)		The information that has to be included in a permit application is specified in the scheme.		
55	r9(4)		The scheme requires that each application for a permit only covers one street.		
56	r9(5)		The scheme requires each application for a permit or a variation of a permit to include an estimate of the likely duration of the works.		
57			The scheme requires a sufficiently detailed description of the activities to be provided to allow the street authority to assess the likely impact of the activity.		
58			The scheme requires promoters to include an accurate location in their application based on National Grid References, one in the centre of the excavation for small excavations and one at each end of trenches, along with the dimensions of the space taken up by the activity in the street.		
59			The scheme requires each application for a permit to include proposed start and end dates, and should require applicants to indicate whether they wish the permit to cover work at weekends and on Bank Holidays (where applicable).		
60			The scheme allows the Permit Authority to require the applicant to provide an illustration of the works (including plans, digital photographs etc.) in appropriate cases. Activities on streets with Special Engineering Difficulty will in any case require a plan and section. This should include details of what the works are, whether they are likely to affect more than one lane of the street and if possible a numerical measure of estimated disruption.		
61			The scheme requires applicants to supply details of the planned techniques to be used, such as open cut, trench share, minimum dig technique or no dig.		
62			The scheme requires applicants to supply details of their traffic management proposals including applications for approval for portable light signals, including any requirement for action by the local authority, such as the need for Temporary Traffic Regulation Orders to facilitate the works.		
63			The scheme requires that activity promoters provide their best estimate of the excavation depth as part of the application.		
64			The scheme requires applicants to indicate whether the activity is intended to be completed with interim or permanent reinstatement or a mixture of both. If the latter, then details would need to be provided as to where interim or permanent reinstatements will be completed within that permit.		
65			The scheme requires applications to include the provisional number of estimated inspection units appropriate to the activity.		

No.	Reg. Ref.	S.G. Ref.	Subject	Yes/No	L.A.Ref
66			The scheme requires all applications to include the 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 for out of hours contact by the promoter.		
			Permit content and conditions		
67	r9(6)		The scheme provides for each permit to specify the duration within which the specified works on a specified street are by that permit authorised.		
68			There is a commitment to date permits in calendar days not working days.		
69			The scheme is designed so that in relation to category 0, 1, 2, and traffic-sensitive streets the planned commencement date and finishing date for the activity are the start date and end dates respectively on the permit. The permit will not be valid before the start date on the permit and will cease to be valid once the end date has passed unless a variation is granted.		
70			The scheme is designed so that category 3 and 4 streets that are not traffic-sensitive are effectively treated as 'noticing' – they will provide for permit start and end dates which should allow for flexibility in the start of the activity, but once the activity is started it must be completed within the activity duration period specified in the permit. The starting window should be 5 working days for major and standard activities and 2 working days for minor activities.		
71			The scheme is designed to ensure that working at weekends or on bank holidays is reflected in the permit start and end dates and are subject to any legislative controls.		
72			The scheme provides for the national permit conditions to be applied where appropriate.		
73			The scheme provides that the permit will specify in detail the activity it allows and the conditions attached.		
74			The scheme provides that any constraints in the original application should be reflected in conditions in the permit.		
75			The scheme provides that an issued permit will contain all the conditions attached to the permit so that there is no ambiguity about the validity and terms of the permit.		
76			The scheme imposes a national condition that requires the permit reference number to be prominently displayed for each set of works.		
			Time limits for responses to applications		
77			The scheme sets out times in which the permit authority will respond to applications for: PAAs, variations of permits; and permit conditions.		
78			The time limits for the permit authority to respond to a permit application are set out in the statutory guidance.		
			Issue of permits: procedure		
79			The scheme provides that permits will be sent to the promoter electronically through the EToN system.		
80			The scheme provides that the permit will be placed on the permit register and copied to any undertaker, authority or other		

No.	Reg. Ref.	S.G. Ref.	Subject	Yes/No	L.A.Ref
			relevant body that has asked to be informed about activities on a particular street.		
81			The scheme provides that a permit will be issued to the promoter for every permit that is granted.		
82			The scheme provides that all permits will be given a unique reference number (following the EToN numbering conventions).		
83			The scheme provides that permits will be marked so as to indicate cross references to any linked permits which have also been issued.		
			Revocation and variation of permits		
84	r15(1)		The scheme includes provisions to enable the permit authority to vary and/or revoke permits and permit conditions.		
85	r10(6)		Where a condition is specified in a permit the Permit Authority must use the wording and numbering for that condition set out in the Statutory Guidance – Permit Scheme Conditions issued 17 March 2015.		
86			The scheme includes a statement of the Permit Authority's policy as to the circumstances in which it will review, vary or revoke permits on its own initiative.		
87			The scheme sets out the process by which: a promoter who no longer requires a permit for an activity can request the authority to revoke or cancel a permit that has already been issued; or an authority can cancel or withdraw an application that has been submitted but for which a permit has not yet been granted.		
88			The scheme sets out clearly how applications for variations to permits or conditions should be made. It provides that where the existing permit has more than 20% of its duration or more than two working days to run, whichever is the longer, the promoter shall apply for a variation electronically.		
89			The scheme stipulates that in any other case the promoter shall first telephone the Permit Authority to ascertain whether the Authority is prepared to grant a variation and only apply, again electronically, if the Authority is so prepared.		
90	r15(2)		The scheme specifies the information that needs to be included in an application for a variation or revocation of a permit or permit condition.		
			Other miscellaneous aspects of scheme content		
91			Part 8 of the Regulations amend NRSWA section 58 (restrictions on works following substantial road works) and section 74 (charge for occupation of the highway where works unreasonably prolonged) for undertakers' works only. The scheme provides similar arrangements for highway authorities' works, in the interests of parity.		
92			The permit scheme has taken into account any known national infrastructure projects. For example: Broadband roll out and rail projects etc.		

No.	Reg. Ref.	S.G. Ref.	Subject	Yes/No	L.A.Ref
93	r13		If a scheme has specified types of works where a permit does not apply, but still wants to apply national conditions to these types of works, then the scheme specifies how these conditions are to be identified and how these will be brought to the attention of the undertaker.		
			Fees		
94	r4(f)		The proposal provides the evidence considered by the permit authority when deciding on the proposed fee levels, and the reasons for their decisions.		
95	R29 & 30		Permit fees are within the maximum specified and appropriate only to the added value being added.		
96	r30(2)		Where applicable the scheme sets out the range of fees that may be charged and the criteria which are taken into account when determining how the applicable fee is identified from the range.		
97			The scheme provides that where a permit variation would move an activity into a higher category, the promoter will be required to pay the difference between the permit fees for the two categories as well as the permit variation fee.		
98			The scheme provides that where, through no action, failing or fault on the part of the promoter, the Permit Authority revokes the promoter's permit, no fee should be payable for the new permit.		
99			The permit scheme sets out the circumstances in which the permit fees are discounted.		
			'Linked schemes' – looking for economies of scale		
100	Sg14	16 (4)	Schemes may need to demonstrate to each other (and via their approving structure) that they have fully discussed and come to an agreement on the economies of scale they are working to achieve – so they can evaluate outcomes.		
101			Schemes may wish (where relevant) to appoint a person to be responsible for financial accounting.		
102			Schemes may wish to consider sharing (and being able to demonstrate effective) network management duty.		

Annex C: Notes on Cost Benefit Analysis

Permit Schemes: Cost Benefit Analysis

The following gives some initial and supporting information about how you may wish to consider calculating the costs and benefits of permit schemes. It is a guide only and should be used as such as it is for each scheme developer to use a methodology that best suits their authority, scheme objectives and evaluation methods.

Costs

All costs incurred due to the implementation of a permit scheme should be included as part of the cost benefit analysis. These include -

- Operating costs (stand-alone and incremental) - consultants, in-house staff, maintenance/running cost etc.
- Capital costs - Additional IT equipment, specialist software, accommodation etc. To note: capital costs are subject to a 15% optimism bias uplift and 20% risk adjustment uplift (or 38% cumulatively).

Delays and Congestion

Reductions in street works will reduce the incidence of delays at site and reduce congestion as less diversion takes place. The benefits can be calculated using the most suitable tool that meets your needs such as a micro-simulation models or good quality survey data based on recognised survey techniques. There are tools available that will assist the collection and use of street works data affecting inter-urban and urban road users, delays to traffic may be estimated by using the same congested assignment package as used to predict the overall traffic effects of transport schemes by changing link capacity. Models may also be useful for options affecting public transport users if significant diversion is expected during street works. The **TUBA** program may be used to value delays to road and/or public transport users, using standard economic parameters.

In other cases, simplified approaches to the estimation of delays to public transport users may be sufficient based on survey data. This may well include time delays at road works per vehicle and the numbers involved. Where traffic diverts onto other routes to avoid street works survey data measuring the increase in traffic on these routes can be used to calculate decongestion benefits. These benefits unit costs will vary with traffic levels and the type of road, and thus it will be important to demonstrate that they are appropriate for the timing of the street works and road type being considered.

For street works that affect public transport, the impact on operators' revenues should also be considered. In the absence of a transport model, a simple elasticity based relationship could be used. A standard time elasticity is -0.9 which means that for every 1% decrease in travel time or delay there will be a 0.9% increase in demand. The increase in demand can then be multiplied by the fare to give the change in operator revenues.

Carbon (Greenhouse Gases)

- 1 Methods for calculating the changes in carbon emissions and values given in [WebTAG Unit 3.3.5](#) can be used.

Local Air Quality

In using any method, valuations of changes in local air quality can be calculated using the unit costs given in [WebTAG Unit 3.13.2](#).

Accident

Reductions in accidents using survey data should use values given in [WebTAG Unit 3.4.1](#).

Reliability

Reductions in street works will reduce the variability of travel times which road users are willing to pay for. [WebTAG Unit 3.5.7](#) gives guidance on how to appraise these reliability benefits. In the absence of modelled outputs on travel times and the variability of these travel times a simple mark up on travel time savings can be used depending on the levels of congestion. A suitable range for urban roads is 10% to 20%.

Road Maintenance Costs

Where street works are reduced, a consequence could be a reduction in road maintenance. Road maintenance is a mixture of renewal and replacement. Options include low maintenance or renewal costs and frequent replacement or high maintenance or renewal costs and infrequent replacement. If the road maintenance cost savings are to be estimated they should be the savings from either extending the replacement period or reducing the level of maintenance but not both. If the whole life cycle approach to road maintenance is optimised there should be little difference between the two methods. If there is any significant difference then the lower of the two savings should be used in the appraisal. The level of maintenance and replacement periods should be consistent with current practice.

Pedestrians

For most main roads the impact on pedestrians is likely to be insignificant and for most purposes other than commuting any changes in journey time will have a very low value. If pedestrian benefits are to be counted they should only apply to commuters and based on rigorous survey evidence.

Appraisal Horizon

The standard appraisal horizons are 60 years or the life of the scheme. In the case of permit schemes the standard appraisal period is normally taken to be 25 years.

Reductions in Street Works

Until the results of evaluation schemes are known it is a standard assumption that permit schemes will reduce street works by 5%. A higher figure can be assumed if there are good evidence based reasons for doing so. Given the uncertainty behind these reductions any cost benefit analysis should have a sensitivity test which asks "what is the level of reduction that would be needed to return a benefit to cost ratio of 2?"

Units of Account

If a transport model is used with TUBA, outputs will be produced in a common unit of account so that costs and benefits can be directly compared. It should be noted that prices tends to be discounted to 2010 prices.

If survey data is used along with values given in the above, some adjustments will need to be made to put all values into a common unit of account, in this case market prices. To do this:

All revenues and capital costs should be multiplied by 1.209 to convert into market prices (time savings are already in market prices);

Any reduction in car kilometres will result in a reduction in excise duty and VAT which should be entered in the public accounts table (see below); and

Any increase in public transport use will result in a reduction in VAT (public transport is zero-rated) which should be entered in the public accounts table.

Discount Rate

A 3.5% discount rate should be used to convert all annual values to net present values and all annual vales should be in real terms i.e. before allowing for inflation.

Reporting Tables

The results of the cost benefit analysis can be presented in a [Transport Efficiency Table](#), an [Analysis of Monetised Costs and Benefits](#) table and a [Public Accounts](#) table. These tables, in particular the AMCB table, can be adapted to include benefits such as street works benefits.

It should also be noted that while this cost benefit analysis can take account of set up costs, IT costs, consultant fees etc., these cannot be recovered in fees income. Fee income can, by regulation, only cover the extra costs incurred in relation to statutory undertakers over and above those of carrying out the previous coordination duty under NRSWA. Costs such as consultant fees incurred in setting up the scheme, compiling reports etc. cannot therefore be recouped through permit fees.