

What is a Streetworks Permit Scheme

Background:

The Traffic Management Act 2004 (TMA) introduced Streetworks Permit Schemes as an alternative to the current system of managing streetworks through Noticing. Since that time the number of Permit Schemes introduced has increased to the point where approximately 60% of all Local Authorities now operate Permit Schemes.

Until recently a Permit Scheme was required to be signed off by the Secretary of State for Transport but changes brought in under the Deregulation Act 2015 now require schemes to be given effect at a Local level by way of Order.

Operation:

Bristol currently manages streetworks and roadworks coordination by its Noticing system. The Noticing system requires Statutory Undertakers to provide Notice of their intention to carry out works on the highway giving their expected date and duration of the works. If these Notices are not challenged by the Highway Authority they are deemed to have consent to proceed. The Highway Authority then uses this information to coordinate all works on the highway to ensure they are undertaken with minimum disruption to the public. The Highway Authority cannot stop works from being undertaken but can give direction as regards the timings and in certain circumstances the location of such works. Typically there are c40,000 different streetworks and roadworks activities in Bristol City Councils areas of responsibility per year.

A Permit Scheme would provide the Highway Authority with an increased level of control as Statutory Undertakers and the Local Authorities own services will be required to apply for a Permit to undertake works on the highway. This Permit would allow the Highway Authority to apply conditions to the works, such as timings, duration and specifics of the traffic management to be used. Given all works would in future require a Permit, every application would need to be authorised and have specific conditions which is not the case in the current Noticing system. Given the complexities of the proposed new processes the Network Management team would need to substantially increase the level of resource in order to manage the new permit application and approval processes.

Key objectives and benefits of a permit scheme are:

- To reduce disruption on the highway network
- Reduction in costs to business/the local economy caused by delays
- Reduction in carbon emissions and improve air quality
- Improve overall management of the highway network through greater control and co-ordination capabilities
- Promotion and encouragement of collaborative working
- Enhance reliability of journey times/journey experience
- Enhanced programming of activities and better forward planning by all works

promoters

- Demonstrates parity between external and internal works promoters
- Contributes to a safer environment for road users
- Increased dialogue regarding the way activities are carried out

Whilst DfT research (Evaluation of Street Works permit schemes) has identified benefits (as above) of implementing a new permit system, in a letter from the Secretary of State to all Authorities in the South West he stated that he would like to see permit schemes adopted Willingly, rather than having to use his statutory powers to direct an authority to introduce such a scheme.

In addition, DfT is in the process of rolling out the use of “Street Manager” nationally with a cut off implementation date of March 2020 for all local authorities. Street Manager is a national database of all streetworks and road works and will support the noticing and permitting systems, however, the noticing element is yet to be finalised and therefore transferring to the new permit scheme should reduce any difficulties managing this change

Finance:

DfT guidance has stipulated that Permit Schemes are designed and operated on a cost neutral basis by each Local Highway Authority. Each Permit attracts a charge with a variable fee dependant on the location and time of the proposed works. The fees collected from the Permit scheme should cover the administrative cost of running the scheme which would include the additional staff and the new systems. It is imperative that Permit Fees are set at the correct level as the new scheme cannot be run to generate additional revenue.

Maximum Permit fees are set by the Department for Transport. BCC’s feasibility study and Cost Benefit Analysis will inform the level fees should be set in order to ensure our full costs of the scheme are covered but without generating a revenue surplus. It should be noted that Permit Schemes cannot be run to fund other areas of Transport or other functions within the Authority.

DfT have stipulated that an annual report is published for the first three years of running the scheme to ensure parity between works promoters and demonstrate that the scheme is not being run a to generate surplus income.

Consultation:

It is a requirement when implementing a new Permit Scheme that a consultation exercise is undertaken with those affected and their views and opinions are considered before implementation.

Prior to full consultation, informal consultation has taken place to ensure the views of those principally affected, namely Statutory Undertakers, can be taken on board at an early stage.

In addition to Statutory Undertakers, an extensive list of other stakeholders has been identified and will be included in the full consultation. These include:

- Key decision makers within the Authority (Officers and Councillors)

- Representatives from the Emergency Services
- Council Contractors that operate on the highway
- Neighbouring Authorities
- ICT providers for highway systems

The consultation will be similar to those undertaken by Authorities who have already introduced Permit Schemes and is likely to last for the duration of 8 weeks. Consultation is expected to be undertaken in August/September 2019

Resource implications:

In order for a Permit Scheme to operate it will be necessary to increase the current establishment within the Streetworks team. It is important to remember that these additional costs will be covered by the new permit scheme as that the scheme should be cost neutral.

It has been estimated that ten new posts would need to be created and filled in Bristol in order to operate an effective Permit Scheme and conduct the necessary inspections to achieve a level of acceptable compliance on the highway network.