# Highway Network Management Section

# Road and Street Works Permit Scheme

## Year 3 Review

## 1 April 2022 – 31 March 2023

| Review data | Prepared by | Approved by |
|---|---|---|
| **Name** | Stephen Jones | Paul Anderson |
| **Job title** | Road and Street Works Coordination Team Leader | Strategic Highways Manager |

# Table of Contents


1. Executive summary ..... 3
2. Introduction ..... 5
3. Permit Scheme aims ..... 6
4. Permit Scheme objectives ..... 7
5. Review of actions ..... 8
6. Organisational structure ..... 12
7. Training and development ..... 14
8. Equality, diversity and inclusion (EDI) ..... 16
9. Permit Scheme performance ..... 17
10. Permit Scheme financial performance ..... 25
11. Conclusion ..... 27
12. References ..... 28
13. Contact details ..... 28

# 1. Executive summary

The Traffic Management Act 2004 (TMA) was introduced to give local authorities the tools to tackle congestion and disruption on the highway network and laid the legislative groundwork for the introduction of permit schemes by highway authorities.

The development of the council's Road and Street Works Permit Scheme (the Scheme) was completed at the end of 2019 by the Highway Network Management Section (HNMS). It was approved by the Cabinet in January 2020 and commenced on 30 April 2020. The HNMS is responsible for the implementation of the Scheme policy and its operation. This review covers Year 3 of the Scheme.

The overarching aims of the Scheme are to:

- manage and maintain the integrity of the local highway network;
- maximise the safe and efficient use of road space;
- provide reliable journey times and timely information to the travelling public;
- contribute to the reduction in carbon emissions from the whole-life cycle of local roads;
- support the accelerated digital rollout in County Durham;
- innovate through the effective use of transport data; and promote inclusive transport.

Since the introduction of the Scheme, the HNMS has explored and successfully implemented IT functionalities to enhance the way in which data on road and street works activities, along with events on the highway, are communicated to stakeholders. Furthermore, it has streamlined the process by which applicants apply to install electric vehicle (EV) chargepoint infrastructure in the highway, promoted collaborative working between works promoters and enhanced its use of New Roads and Street Works Act 1991 (NRSWA) section 58 and 58A powers to protect the highway following substantial road and street works.

In addition, the HNMS plans to:

- carry out further updates to enhance National Street Gazetteer data;
- implement outcomes from the Department for Transport's (DfT's) Street Manager and permit scheme regulations review;
- progress the council's street works coring programme;
- introduce additional inspections and enforcement technology;
- consider opportunities to take part in government-sponsored flexi permit trials;
- explore the possibility of implementing a lane rental scheme;
- proactively investigate ways of rolling out digital TTROs

The civil engineering sector is experiencing a significant shortage of skilled and experienced engineers and, like many employers, the HNMS is having difficulty attracting new entrants.

Achieving a full organisational establishment is essential for the effective and efficient operation of HNMS activities to deliver a high quality and timely service for all works promoters.

The findings from the Scheme Year 3 review demonstrate that it has effectively contributed towards achieving its objectives and aims. Notwithstanding the above, the number of Fixed Penalty Notices (FPNs) issued, particularly for road works, is considered an important area for improvement. This Year 3 FPNs showed an increase in the rate of 1 to 1.7 per 10 permits for street works and 6 to 8.9 per 10 permits for road works.

The financial position of the Scheme is sound in that in Year 3 a surplus of £15,945 was generated giving an accumulated overall surplus of £635,940.

In Year 4 the projected surplus is expected to be £8,120 thereby giving an overall projected surplus of £644,060.

It is expected that, with inflation and increases in staff costs, the current financial surplus will be significantly reduced and the Scheme's finances will balance income and expenditure within the next few years.

However, forecasts will be reviewed each year in the light of the actual outturn figures to ensure the council does not bear any financial burden from the Scheme and also street works promoters do not overpay for the permit service.

## 2. Introduction

The Traffic Management Act 2004 (TMA) was introduced to give local authorities the tools to tackle congestion and disruption on the highway network and laid the legislative groundwork for the introduction of permit schemes by highway authorities.

The primary benefits of a permit scheme are to facilitate:

- A reduction in both the number of road and street works and their duration through proactive management of activities on the highway to minimise disruption, which supports economic growth and reduces carbon emissions;
- An improvement in the quality and timeliness of information that is available to the public and stakeholders; and
- More proactive and collaborative planning and working between works promoters.

Road works (maintenance and improvement of the highways) and street works (maintenance and installation of public utilities) fall within scope of the Road and Street Works Permit Scheme (the Scheme). Road works are carried out by Durham County Council, whilst street works are carried out by statutory undertakers.

The Scheme operates in accordance with the Construction (Design and Management) Regulations 2015, which govern the way construction projects are planned in the UK. The Highway Network Management Section's (HNMS) relationship is with the client promoting the execution of the works (works promoter) and not with any contractor carrying them out. It is the responsibility of the client to ensure their contractor is undertaking their duties and take the necessary action to address any performance issues.

The development of the Scheme was completed at the end of 2019 by the HNMS. It was approved by the Cabinet in January 2020 and commenced on 30 April 2020. This review covers Year 3 of the Scheme.

In March 2023, the Department for Transport (DfT) published its Transport Data Strategy plan. The document outlines its approach to utilising data in the development and delivery of innovative solutions to support net zero outcomes and the Levelling Up agenda.

Furthermore, the DfT's Inclusive Transport Strategy (ITS) outlines its vision to make transport more inclusive and travel easier for disabled people. The National Centre for Social Research carried out an evaluation of the ITS for the period 2021 to 2022, which reinforced the importance of improving current practice in providing a supportive travelling experience for disabled people and equal access to travel information in formats that all passengers can easily access and understand, before and during a journey.

The HNMS recognises the importance of its role in promoting inclusive transport and developing innovative ways to utilise data to address climate change and facilitate advancement of digital connectivity for its communities. Consequently, inclusive transport and innovation through data have been identified as additional priorities in Year 3 of the Scheme.

## 3. Permit Scheme aims

The aims of the Scheme are to:

- manage and maintain the integrity of the local highway network;
- maximise the safe and efficient use of road space;
- provide reliable journey times;
- contribute to a reduction in carbon emissions from the whole lifecycle of local roads; and
- support an accelerated digital rollout in County Durham.

The Year 3 review of the Scheme has highlighted the following newly published documents, which have been considered when reviewing and updating the Scheme aims. These documents are:

- DfT Transport Data Strategy: Innovation through data; and
- DfT Inclusive Transport Strategy.

In view of these documents, two additional aims were identified for the Scheme in Year 3. These are to:

- innovate through the use of transport data; and
- promote inclusive transport.

# 4. Permit Scheme objectives

### 4.1. Ongoing objectives

Six objectives were created to fulfil the aims of the Scheme in Year 1 and Year 2 (see **table 1**). The outcome of these objectives is set out in **section 9**.

| Reference | Objective | Description |
|---|---|---|
| **OB1** | Minimise disruption | Reduce the number of works in the highway and their duration through proactive management of activities to minimise disruption. |
| **OB2** | Accurate information | Ensure accurate information is available to stakeholders through improved quality and timeliness of activities on the highway network. |
| **OB3** | Proactive and collaborative planning | Encourage road and street works promoters to effectively forward plan and work together where possible. |
| **OB4** | Parity | Ensure road and street works promoters are treated fairly and equitably. |
| **OB5** | Reduction in carbon emissions from road and street works | Achieve a reduction in carbon emissions from road and street works activities by:<br>• Reducing the occupancy of road and street works in the highway; and<br>• Promoting the first-time completion of permanent reinstatements. |
| **OB6** | Digitalisation | Ensure sufficient staffing resource is available to facilitate an accelerated digital rollout in County Durham. |

**Table 1**: Ongoing objectives from Year 2 of the Scheme.

### 4.2. Additional objectives

To fulfil the aims of the Scheme, two additional objectives were introduced in Year 3 (see **table 2**).

| Reference | Objective | Description |
|---|---|---|
| **OB7** | Innovation through data | Utilise transport data in innovative ways to improve quality of services. |
| **OB8** | Promoting inclusive transport | Support the creation of an inclusive transport system that offers equal access for disabled passengers. |

**Table 2**: Additional objectives for Year 3 of the Scheme.

# 5. Review of actions

## 5.1. **Implemented actions**

In Year 3 of the Scheme the HNMS has implemented the following actions to meet its defined objectives. **Actions 1** to **5** are now complete.

**Action 1**: Traffic monitoring

To optimise its traffic monitoring capabilities, the HNMS has created a traffic monitoring control area at its operational base, which enable it to anticipate and/or react in a timely manner to real time events on the highway network.

These outcomes contribute to Scheme objective **OB2** and **OB7**.

**Action 2**: Events on the highway

The HNMS has explored the use of One.Network functionality for events on the highway and its ability to provide accurate real time information and historical data to stakeholders, which enable it to engage more proactively with organisers of public events.

These outcomes contribute to Scheme objectives **OB1**, **OB2**, **OB3** and **OB7**.

**Action 3**: Electric vehicle (EV) infrastructure

The HNMS plays an important role in facilitating an accelerated rollout of EV infrastructure to support the target pledged in the government's Electric Vehicle Infrastructure Strategy.

It has reviewed its application process for the installation of power supplies for EV infrastructure and streamlined the process to enable timely coordination and installation.

It will keep the decision under continuous review in accordance with its duty to ensure safety; minimise inconvenience to the travelling public; and protect the structure of the street and the apparatus in it.

These outcomes contribute to Scheme objectives **OB1**, **OB2**, **OB3** and **OB5**.

**Action 4**: Greater use of New Roads and Street Works Act 1991 section 58 and 58A powers

The HNMS has expanded its use of New Roads and Street Works Act 1991 (NRSWA) section 58 and 58A powers to protect the highway following substantial road and street works (e.g., resurfacing or reconstruction). These powers support a reduction in carbon emissions from road and street works by maximising the lifespan of the highway asset.

These outcomes contribute to Scheme objectives **OB1** and **OB5**.

**Action 5**: Proactive and collaborative planning with digital works promoters and DCC's Strategic Highways and Highways Services teams

Given the accelerated digital rollout in County Durham, the HNMS is working with digital works promoters along with DCC's Strategic Highways department to coordinate the timing of works and facilitate the planning of long-term works programmes.

Working collaboratively enables us to protect the highway from planned works following major maintenance schemes and identify joint working opportunities.

These outcomes contribute to Scheme objectives **OB1**, **OB3**, **OB4**, **OB5** and **OB6**.

5.2. **New and evolved actions**

In view of the HNMS' goal of continuous improvement of the Scheme, it has identified and set the following new and evolved actions for completion during Year 4 of the Scheme. As of 31 March 2023, these actions are ongoing.

**Action 6**: National Street Gazetteer

The National Street Gazetteer (NSG) contains definitive infrastructure information for streets in England and Wales. Numerous organisations and local authorities use it assist them to work efficiently on, and travel around, our national highway network.

Additional street data (ASD) has been added to the NSG to assist with the coordination of road and street works, including:

- Traffic sensitive streets review;
- Emergency services (including fire, police, hospitals);
- Schools;
- Public Rights of Way (PRoW) update;
- Structures update;
- Retaining walls;
- Pedestrian crossings;
- Parking bays update;
- Traffic signals; and
- Speed limits (more than 30mph).

The HNMS looks forward to updating the NSG with additional information to continuously improve the quality, completeness and scope of the data it provides. It plans to update the NSG with:

- Tree preservation orders;
- High pressure gas pipelines;
- High surface water level;
- Areas of shrinkable clay;
- Surface water flooding high risk areas;
- EV Kerbo charge points;
- Archaeological areas of interest; and
- Surface types.

Its work on the NSG contributes to Scheme objectives **OB2, OB7** and **OB8**.

**Action 7**: Street Manager and permit scheme changes

Street Manager is a digital service provided by the Department for Transport (DfT) for planning, managing and recording road and street works.

The DfT recently proposed a number of legislative changes to improve communication between highway authorities, utility companies and road users. It ran a consultation phase from 28 May 2020 to 23 July 2021, which received 118 responses from, among others, highway authorities, utility companies, representative groups and technology companies.

The UK government's response, after reviewing the responses to the consultation, was to:

- use performance to calculate the number of sample inspections of reinstatements carried out each year, so that poor performers are inspected more frequently;
- amend the way an inspection unit is calculated;
- consolidate the fee that needs to be paid for reinspection's of reinstatements that have failed a previous inspection;
- require up to date information on traffic management and lane closures to be sent to Street Manager and then published; and
- include notifications about Section 58 and Section 58A/Schedule 3A road restrictions in Street Manager that will require work start and stop notices to be sent within 2 hours at weekends; and highway authorities to submit start and stop notices for their works so that up-to-date information is available via Street Manager.

The HNMS looks forward to working collaboratively with road and street works promoters to implement the legislative amendments to permit schemes introduced by the DfT. These planned outcomes are expected to contribute to Scheme objectives **OB1**, **OB2**, **OB3**, **OB4** and **OB6** and **OB7**.

**Action 8**: Coring programme

The HNMS has initiated a highway reinstatement coring programme in accordance with the DfT's Street Works Inspections (Coring).

It is planning to undertake a mini tender, in accordance with the Durham County Council Framework Contract for Provision of Civil and Geotechnical Engineering Investigations and Testing, to select a geotechnical service provider.

The HNMS looks forward to working with the successful supplier to implement its street works coring programme to:

- Determine whether statutory undertakers' reinstatements comply with the DfT's Specification for the Reinstatement of Openings in Highways (SROH);
- Drive improvements in reinstatement compliance; and
- Protect the integrity of the council's highway asset.

These planned outcomes are expected to contribute to Scheme objectives **OB1** and **OB5**.

**Action 9**: Enhanced site inspections and permit enforcement

The HNMS looks forward to introducing new body worn video technology with the ability to support the automatic upload of data to the Cloud when it becomes available.

These outcomes are expected to contribute to Scheme objectives **OB1** and **OB4**.

**Action 10**: Flexi permit trial

The Traffic Management Permit Scheme (England) Regulations 2007 currently require one permit application per Unique Street Reference Number (USRN).

The Department for Transport (DfT) and the Department for Science, Innovation and Technology (DSIT) have stated their intention to launch a new programme of trials to explore the use of a new type of flexi permit, which covers a number of minor and standard works in a specified area for a limited period of time. They plan for trials to start in Q4 2023 / Q1 2024 and last for 6 months.

The HNMS intends to take part in a flexi permit trial in collaboration with the DfT and DSIT to investigate the possible benefits of their introduction to facilitate the accelerated digital rollout in County Durham.

These planned outcomes are expected to contribute to Scheme objectives **OB1**, **OB2**, **OB3**, **OB4** and **OB6**.

**Action 11**: Digital temporary traffic regulation orders

Current temporary traffic regulation orders (TTROs) are ‘made’ and published as paper documents by Traffic Authorities by law, following a process of consultation and approvals. However, the traditional system of accessing a text based TTRO can create complications for consultees and data users.

Innovating through data by introducing digital TTROs delivers benefits that include time savings in the order-making process, quicker access for enforcement use, along with ease of temporary traffic management engineering and diversion route design. In addition, the ability to share data simplifies the application process, enhances coordination and improves the quality of service provided to the public by facilitating faster communication about the impact of works. Furthermore, it enables TTROs to be passed to sat-nav companies to influence route choice.

The HNMS plans to investigate the options for suppliers of digital TTROs and software services. It intends to join the Transport Technology Forum (TTF) Working Group to access updates from the DfT and service suppliers on the development of digital TTROs. It looks forward to designing and developing digital TTROs and publishing them for local users.

These planned outcomes are expected to contribute to Scheme objectives **OB1**, **OB2**, **OB3**, **OB7** and **OB8**.

# 6. Organisational structure

Regulation 16A (2) of Permit Schemes: Statutory Guidance for Highway Authorities prescribes that the Scheme evaluation must consider the costs and benefits of operation, which includes the additional costs to the local highway authority of operating the Scheme (including staffing costs). The HNMS therefore has a duty to continuously evaluate the organisational structure to determine if any changes are required to ensure it remains fit for purpose.

The civil engineering sector is experiencing a significant shortage of skilled and experienced engineers and technicians. The HNMS, like many employers, it is having difficulty attracting new entrants to fill its organisational structure. It routinely reviews the experience and qualification requirements prior to advertising roles to ensure that the essential and desirable criteria are still appropriate.

The onboarding of new starter civil engineering degree apprentices continued for the academic year commencing September 2022. The HNMS believes that apprentices can make a significant contribution to the team.

As of 31 March 2023, there are currently 3 vacant positions in the HNMS organisational structure. Achieving a full organisational establishment is essential for the effective and efficient operation of HNMS activities and achieving Scheme objectives **OB1**, **OB2**, **OB3** and **OB6**.

**Figure 1** displays the HNMS organogram as of 31 March 2023.

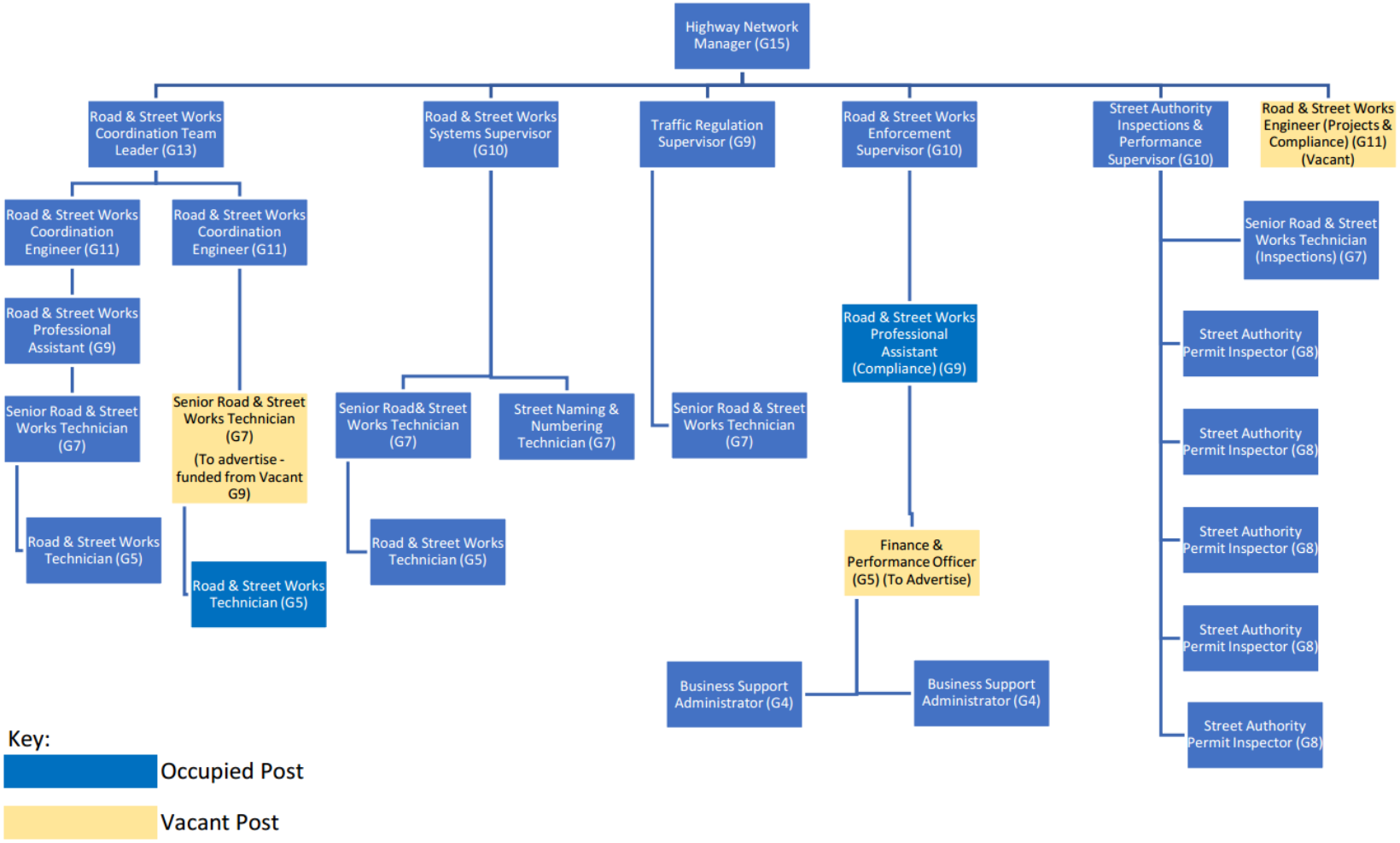


**Figure 1**: HNMS organogram as of 31 March 2023.

- Highway Network Manager
    - Road and Street Works Coordination Team Leader
        - Road and Street Works Coordination Engineer
            - Road and Street Works Professional Assistant
                - Senior Road and Street Works Technician
                - Road and Street Works Technician
        - Road and Street Works Coordination Engineer
                - Senior Road and Street Works Technician (Vacant)
                - Road and Street Works Technician
    - Road and Street Works Systems Supervisor
        - Senior Road and Street Works Technician
            - Road and Street Works Technician
        - Street Naming and Numbering Technician
    - Traffic Regulation Supervisor
        - Senior Road and Street Works Technician
    - Road and Street Works Enforcement Supervisor
        - Road and Street Works Professional Assistant (Compliance)
            - Business Support Administrator
            - Business Support Administrator
    - Street Authority Inspections and Performance Supervisor
        - Street Authority Permit Inspector
        - Street Authority Permit Inspector
        - Street Authority Permit Inspector
        - Street Authority Permit Inspector
        - Street Authority Permit Inspector
            - Senior Road and Street Works Technician
    - Road and Street Works Engineer (Projects and Compliance) (Vacant)

# 7. Training and development

The HNMS supports its staff to gain the necessary experience and academic qualifications to enable them to successfully achieve professional registration with civil and highway engineering institutions.

The many opportunities offered to staff enable them to develop the attributes and qualities of a professionally qualified civil engineer based on the standards required by the Engineering Council.

All HNMS staff are trained, qualified and competent to industry standard to ensure that they have the knowledge and skills necessary to fulfil their roles. The HNMS recognises and takes seriously the part it plays in raising engineering standards in the road and street works sector.

All HNMS staff are encouraged and supported to:

- achieve academic qualifications, including HNC and BEng degree in Civil Engineering.
- successfully undertake the New Roads and Street Works Act 1991 (NRSWA) Street Works Supervisor training to enable their entry onto the Street Works Qualifications Register (SWQR);
- attain CSCS certification to gain recognition that they have the appropriate training and qualifications to work safety on road and street works sites;
- undertake the LANTRA National Highways Sectors Scheme (NHSS) 12D M7 training for managers, designers and technical officers. These quality management schemes are designed to ensure that the design of temporary traffic management is undertaken to industry and nationally recognised standards;
- complete the IHE's Professional Certificate in Temporary Traffic Management Engineering, an industry benchmark that has received endorsement from National Highways; and
- attend the Asphalt Materials and Pavements course delivered at Newcastle University, which is endorsed by the Chartered Institution of Highways and Transportation (CIHT).

# 8. Equality, diversity and inclusion (EDI)

The HNMS takes seriously its duties under the Equality Act 2010 and considers them high priorities.

In addition, it prioritises the needs of vulnerable road users in its coordination of the Scheme (as per the hierarchy of road users in the Highway Code). Road users most at risk from road traffic are pedestrians, in particular children, older adults and disabled people, cyclists, horse riders and motorcyclists.

Furthermore, it is dedicated to playing a role in the promotion of inclusive temporary traffic management design and removal of barriers to the independent mobility of disabled and older people (in accordance with the social model of disability). It uses these concepts in its planning and implementation across all projects and day to day management.

These commitments are expected to contribute to Scheme objective **OB8**.

# 9. Permit Scheme performance

It is a requirement to evaluate the Scheme's performance against the DfT's statutory key performance indicators.

The key performance indicator figures outlined below are publicly available through the DfT's Street Manager platform.

## 9.1. DfT's key performance indicators

### 9.1.1. **TPI 1** – Number of works phases started

**Figure 2** shows that the number of works phases started by DCC has increased from 7,349 to 8,467 and the figure for statutory undertakers has decreased from 11,144 to 10,393 giving a percentage split, of the total number of permits, of 45% and 55% respectively.

The decrease in number of works phases started for statutory undertakers can be attributed to more proactive planning and working supported by the HNMS.

Overall, these figures indicate progress towards achieving Scheme objectives **OB1**, **OB3** and **OB5**.

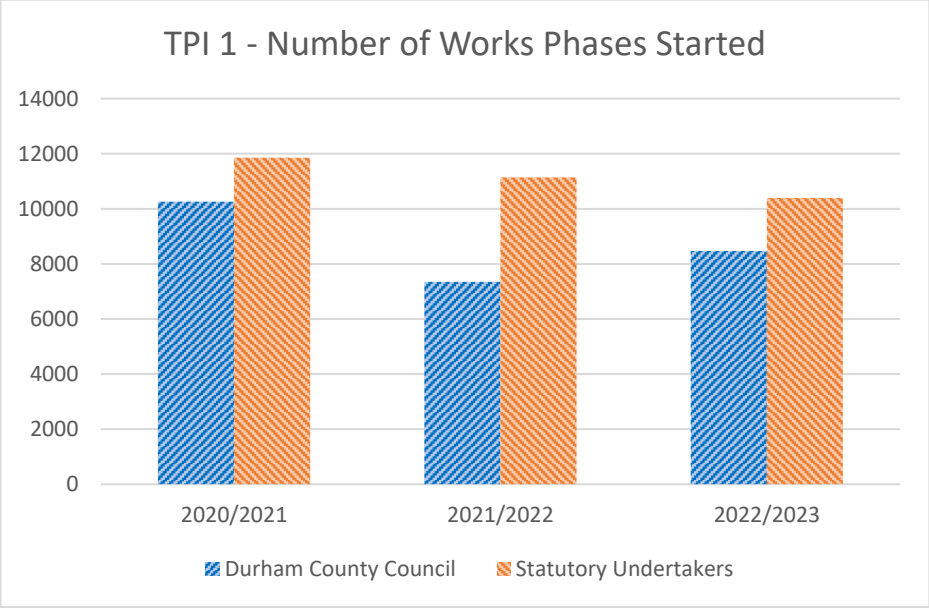


**Figure 2**: TPI 1 – Number of works phases started.

| | 2020/2021 | 2021/2022 | 2022/2023 |
|---|---|---|---|
| **Durham County Council** | **10,258** | **7,349** | **8,467** |
| **Statutory Undertakers** | **11,857** | **11,144** | **10,393** |

9.1.2. **TPI 2** – Number of works phases completed

**Figure 3** shows that the number of works phases completed by DCC has increased from 7,385 to 8,335 and the figure for statutory undertakers has decreased from 11,150 to 10,382.

The decrease in number of works phases completed for statutory undertakers can be attributed to the reduction in number of works phases started (in **TPI 1**).

The increase in number of works phases completed for Durham County Council can be attributed to the increase in number of works phases started (in **TPI 1**).

Overall, these figures indicate progress towards achieving Scheme objectives **OB1**, **OB3** and **OB5**.

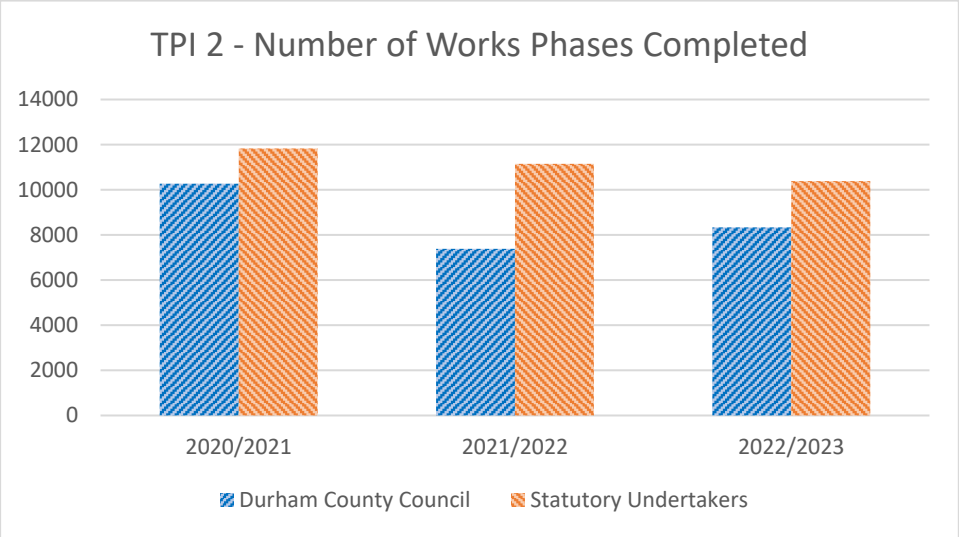


**Figure 3**: TPI 2 – Number of works phases completed.

| | 2020/2021 | 2021/2022 | 2022/2023 |
|---|---|---|---|
| **Durham County Council** | **10,272** | **7,385** | **8,335** |
| **Statutory Undertakers** | **11,833** | **11,150** | **10,382** |

9.1.3. **TPI 3** – Number of days of occupancy phases completed

**Figure 4** shows that the number of days of occupancy phases completed by DCC has increased from 63,744 to 68,645 and the figure for statutory undertakers has reduced from 66,629 to 63,309. The combined change is an increase 3,581 days.

The reduction in number of days occupancy phases completed by statutory undertakers can be attributed to more proactive planning and working supported by the HNMS.

The HNMS intends to work collaboratively with all works promoters to reduce the number of days of occupancy phases they complete in future years. The planned outcome is expected to contribute towards achieving Scheme objectives **OB1**, **OB2**, **OB3** and **OB5**.

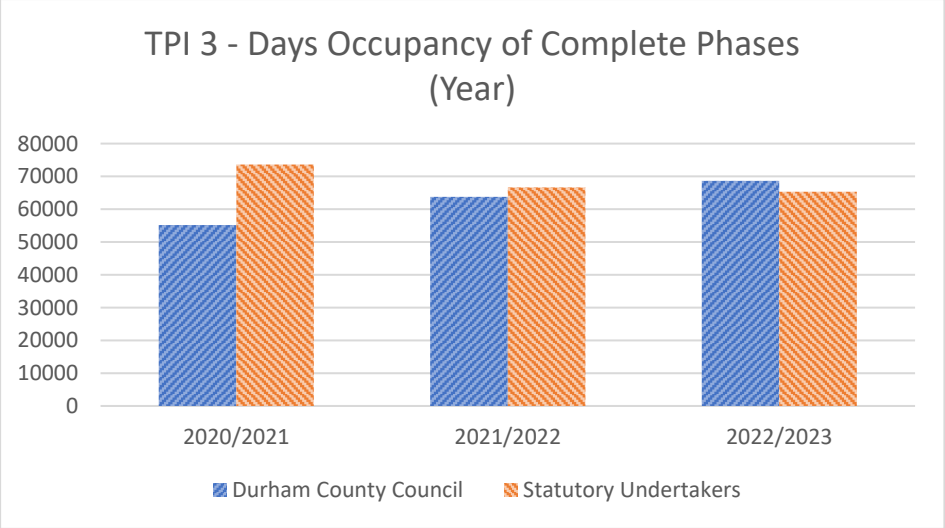


**Figure 4**: TPI 3 – Number of days of occupancy phases completed.

| | 2020/2021 | 2021/2022 | 2022/2023 |
|---|---|---|---|
| **Durham County Council** | **55,160** | **63,744** | **68,645** |
| **Statutory Undertakers** | **73,606** | **66,629** | **65,309** |

9.1.4. **TPI 4** – Average duration of works (days)

**Figure 5** shows that the average duration of works for DCC has decreased from 5.7 days to 4.48 days and the figure for statutory undertakers has decreased from 5.6 days to 5.59 days.

The reduction in average duration of works (days) for statutory undertakers and Durham County Council can be attributed to more proactive planning and working supported by the HNMS.

The HNMS intends to work collaboratively with all works promoters to reduce their average duration of works in future years. The planned outcome is expected to contribute towards achieving Scheme objectives **OB1**, **OB2**, **OB3** and **OB5**.

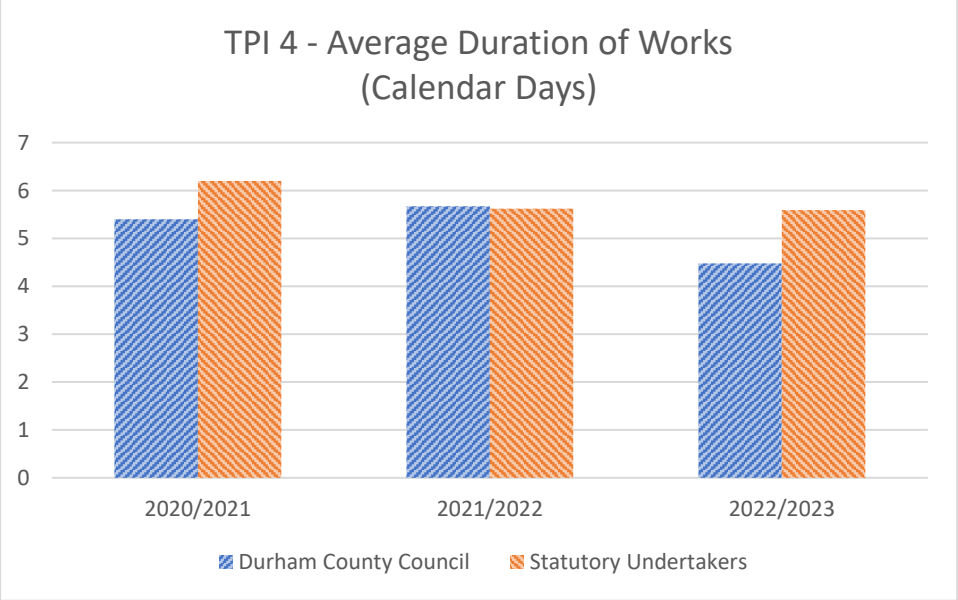


**Figure 5**: TPI 4 – Average duration of works (days).

| | 2020/2021 | 2021/2022 | 2022/2023 |
|---|---|---|---|
| **Durham County Council** | **5.4** | **5.67** | **4.48** |
| **Statutory Undertakers** | **6.2** | **5.62** | **5.59** |

9.1.5. **TPI 5** – Phases completed involving overruns

**Figure 6** shows that the number of (works) phases completed involving overruns for DCC has increased from 678 to 723 days (which equates to a decrease from 9.2 to 8.5 permits in 100) and the figure for statutory undertakers has increased from 117 to 295 days (which equates to an increase from 1.0 permits to 2.8 permits in 100). An overrun is a situation in which works have continued beyond expiration of the permit.

The HNMS intends to work collaboratively with all works promoters to reduce the proportion of phases involving overruns. The planned outcome is expected to contribute towards achieving Scheme objectives **OB1**, **OB2**, **OB3** and **OB5**.

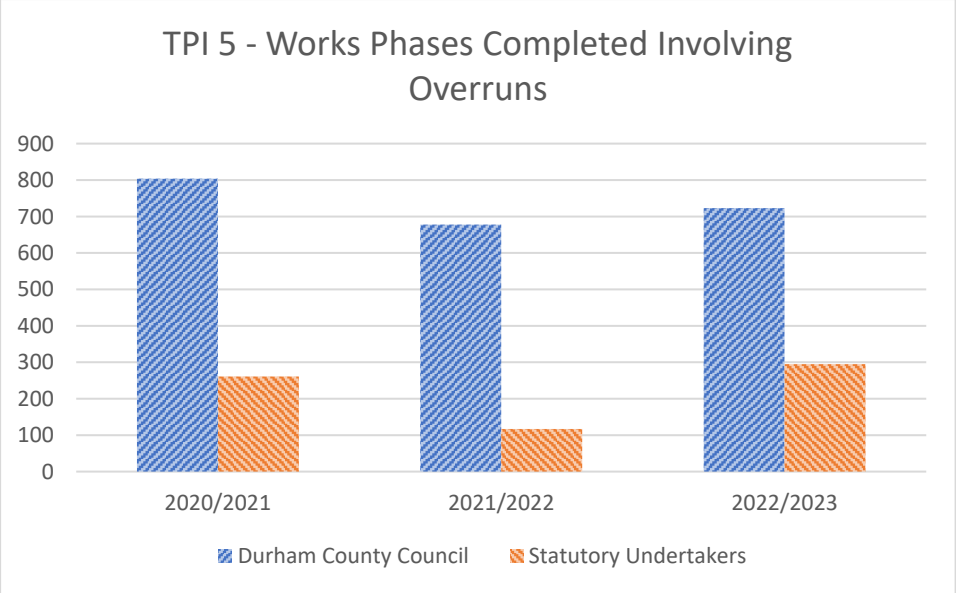


**Figure 6**: TPI 5 – Number of works phases completed involving overruns.

| | 2020/2021 | 2021/2022 | 2022/2023 |
|---|---|---|---|
| **Durham County Council** | **804** | **678** | **723** |
| **Statutory Undertakers** | **261** | **117** | **295** |

9.1.6. **TPI 6** – Number of deemed permit applications

A permit is deemed (automatically granted) when the HNMS fails to provide a response within the statutory timeframe.

**Figure 7** shows that in Year 3 of the Scheme, 201 DCC permits deemed as well as 156 statutory undertaker permits. The combined figures represent approximately 1.9% of all permit applications.

The overall reduction in deemed permit applications can be attributed to the onboarding of additional staff to the HNMS to increase its capacity to coordinate proposed road and street works to ensure safety; minimise inconvenience to the travelling public, particularly for vulnerable road users; and protect the structure of the street and the apparatus in it. Achieving a full organisational establishment is essential for the effective and efficient operation of HNMS activities to deliver a high quality and timely service for all works promoters.

Overall, these figures indicate progress towards achieving Scheme objectives **OB1**, **OB3** and **OB5**.

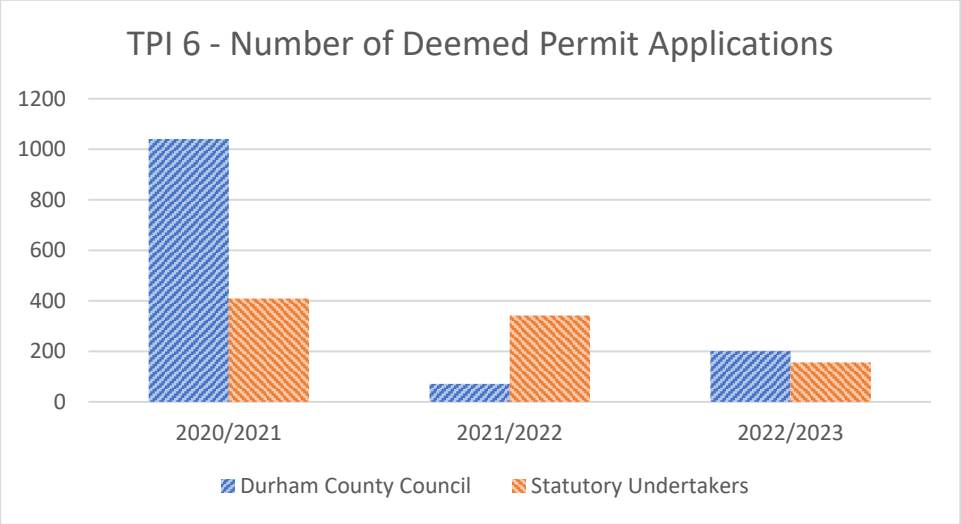


**Figure 7**: TPI 6 – Number of deemed permit applications.

| | 2020/2021 | 2021/2022 | 2022/2023 |
|---|---|---|---|
| **Durham County Council** | **1,041** | **71** | **201** |
| **Statutory Undertakers** | **409** | **342** | **156** |

9.1.7. **TPI 7** – Number of phase 1 permanent reinstatements

It is desirable for a permanent reinstatement of the highway excavation to be completed to reduce disruption for the travelling public and carbon emissions from road and street works activities.

**Figure 8** shows that the number of phase 1 permanent registrations (reinstatements) for DCC has increased from 7,330 in Year 2 to 8,235 in Year 3; and the figure for statutory undertakers has decreased from 8,998 in Year 2 to 8,156 in Year 3.

The decrease in the actual number of phase 1 permanent reinstatements for statutory undertakers can be attributed to an increase and reduction (respectively) in number of works phases started (in **TPI 1**).

The figure for number of phase 1 permanent reinstatements for statutory undertakers equates to a decrease from 80.7% to 80.1%.

The HNMS intends to work collaboratively with all works promoters to increase the proportion of phase 1 permanent registrations (reinstatements). The planned outcome is expected to contribute towards achieving Scheme objectives **OB1**, **OB3** and **OB5**.

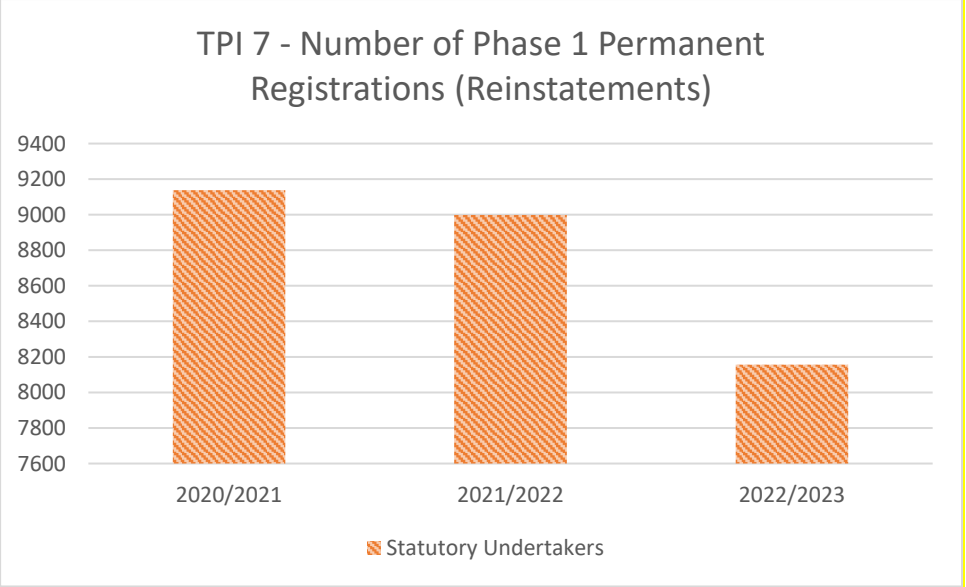


**Figure 8**: TPI 7 – Number of phase 1 permanent registrations (reinstatements).

| | 2020/2021 | 2021/2022 | 2022/2023 |
|---|---|---|---|
| **Statutory Undertakers** | **9,138** | **8,998** | **8,156** |

9.2. Authority performance indicators

In addition to the DfT's TPIs, the success of the Scheme is evaluated using the council-defined Authority Measures (AMs) presented below.

9.2.1. **AM 1** – Number of fixed penalty notices issued

**Figure 9** shows that the FPNs issued to DCC in Year 3 were 7,505, which equates to 8.9 FPNs per 10 permits (from 6 per 10 permits in Year 2). The number of FPNs issued to statutory undertakers in Year 2 was 1,791, which equates to 1.7 FPN per 10 permits (from 1 per 10 permits in Year 2). It is anticipated DCC figures will improve in the next 3 years due to the introduction of new technology within the operational teams and new methods of working, from identification of defect until completion and final sign off.

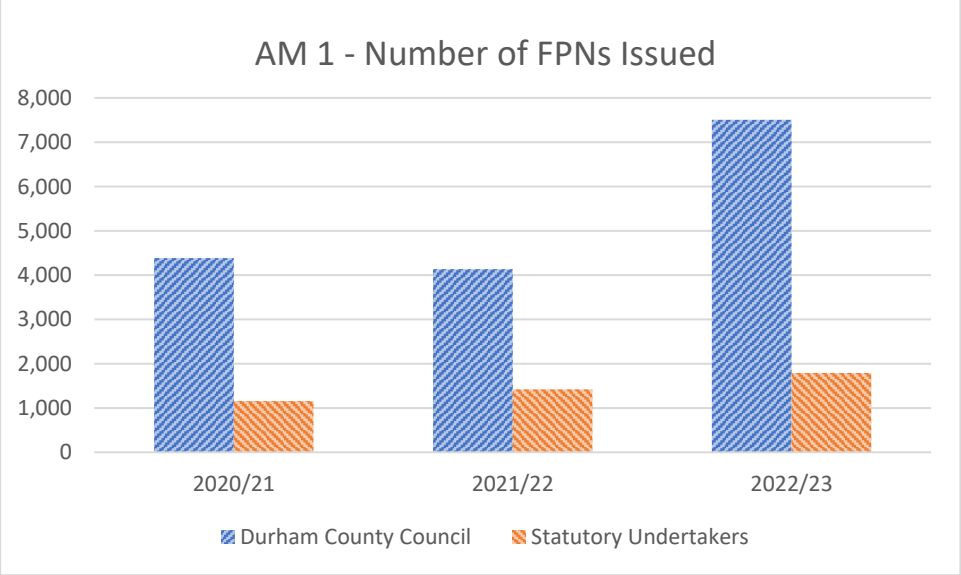


**Figure 9**: AM 1 – Number of fixed penalty notices issued.

| | 2020/2021 | 2021/2022 | 2022/2023 |
|---|---|---|---|
| **Durham County Council** | **4,386** | **4,135** | **7,505** |
| **Statutory Undertakers** | **1,156** | **1,423** | **1,791** |

# 10. Permit Scheme financial performance

## 10.1. Permit fee structure

The HNMS charges a fee for:

- the assessment/issue of a permit;
- an application for a permit, where the Scheme requires a provisional advance authorisation (PAA) to be obtained as part of that application; and
- each occasion on which there is a variation of a permit or the conditions attached to a permit.

The HNMS does not charge a fee for:

- the issue of a permit to internal DCC works promoters; and
- any permit or permit variation that has deemed.

The fees charged by the HNMS are set in accordance with regulations and are structured to reflect the category and traffic sensitivity of the road. The current fee structure is shown in **table 3**.

| Category of works | Details | Road Category 0, 1 & 2 or Traffic Sensitive | Road Category 3 & 4 and Non-Traffic Sensitive |
|---|---|---|---|
| **Provisional advance** | It is suggested this fee applies only where value has been added in processing the works. | £105 | £75 |
| **Major works & planned works** | Over 10 days and all major works requiring a traffic regulation order. | £196 | £140 |
| **Major works** | 4 to 10 days. | £130 | £74 |
| **Major works** | Up to 3 days. | £65 | £44 |
| **Standard activity** | N/A | £130 | £74 |
| **Minor activity** | N/A | £65 | £44 |
| **Immediate activity** | N/A | £60 | £39 |
| **Permit variation** | N/A | £45 | £35 |

**Table 3**: Permit fee structure for each category of works and for a hierarchy of traffic sensitive and non-traffic sensitive roads. (The term 'road category' refers to the reinstatement category of the street under the New Roads and Street Works Act 1991.)

## 10.2.Permit variation fees

**Table 4** outlines the current permit variation fees as of 31 March 2023.

| Details relating to permit variation fees | |
|---|---|
| Activities on category 0, 1 and 2 streets and on category 3 & 4 traffic sensitive streets. | £45 |
| Activities on category 3 & 4 and non-traffic sensitive streets. | £35 |
| If a permit variation moves an activity into a higher permit fee category, the promoter will be required to pay the difference in the permit fee. | |
| No fee is payable if a permit variation is initiated by the permit authority. | |

**Table 4**: Permit variation fees as of 31 March 2023.

## 10.3.Permit fee income and expenditure

**Table 5** shows the Scheme five-year financial plan. It outlines for Year 3 the actual, in Year 4 the projected and in Years 5, 6, 7 and 8 the forecast permit fee income and expenditure including operational surplus.

| Fee Type | ACTUAL | PROJECTED | FORECAST | FORECAST | FORECAST | FORECAST |
|---|---|---|---|---|---|---|
| | Year 3 2022/23 | Year 4 2023/24 | Year 5 2024/25 | Year 6 2025/26 | Year 7 2026/27 | Year 8 2027/28 |
| **Income: Permit fees** | £896,766 | £946,500 | £946,500 | £946,500 | £946,500 | £946,500 |
| **Expenditure: Staff costs** | -£554,873 | -£723,227 | -£759,388 | -£797,358 | -£837,226 | -£879,087 |
| **Expenditure: Transport** | -£9,367 | -£9,003 | -£9,453 | -£9,926 | -£10,422 | -£10,943 |
| **Expenditure: Supplies & services** | -£277,966 | -£163,876 | -£172,070 | -£180,673 | -£189,707 | -£199,192 |
| **Expenditure: Central support & other recharges** | -£38,615 | -£42,274 | -£44,388 | -£46,607 | -£48,937 | -£51,384 |
| **Total** | -£880,821 | -£938,380 | -£985,299 | -£1,034,564 | -£1,086,292 | -£1,140,607 |
| **Operational surplus** | £15,945 | £8,120 | -£38,799 | -£88,064 | -£139,792 | -£194,107 |
| **Accumulative surplus** | £635,940 | £644,060 | £605,261 | £517,197 | £377,405 | £183,298 |

***Table 5**: Five year financial plan.*

Regulation 32 of the Traffic Management Permit Scheme (England) Regulations 2007 stipulates that permit fee income must be applied towards the prescribed costs, i.e., the costs of the Scheme relating to the activities of statutory undertakers.

A sustained annual surplus, where the income regularly exceeds the prescribed costs, indicates that the permit fees should be adjusted to provide a cost neutral financial position. The Secretary of State may direct the highway authority to adjust permit fees to achieve this objective using his powers under section 36 of the TMA.

It is expected that, as a result of inflation and increases in staff costs, the current financial surplus will be significantly reduced and income and expenditure balanced to provide a sound financial position over the next few years. However, forecasts will be reviewed each year in the light of actual outturn figures to ensure the council does not bear any financial burden and street works promoters do not overpay for the permit service.

# 11. Conclusion

The findings from the Scheme Year 3 review demonstrate that it has effectively contributed towards its objectives by delivering:

- a reduction in disruption to road users caused by road and street works;
- an improvement in the quality, completeness and availability of road and street works information for stakeholders;
- a reduction in carbon emissions from highway maintenance and highway-related activities;
- an advancement in digital connectivity for communities as part of the UK government's Levelling Up agenda;
- innovation using transport data to improve the quality of services; and
- improved access to travel for people with disabilities.

There is a requirement to undertake further reviews of the performance of the Scheme on a triennial basis.

There has been an overall improvement in the performance of the street works promoters and a corresponding reduction in the performance of the road works promoter. The HNMS will use its best endeavours to work with all works promoters to drive improvement to achieve the objectives and aims of the Scheme.

The financial position of the Scheme is sound with the expectation that, as a result of inflation and increases in staff costs, the current financial surplus will be significantly reduced over the next few years to achieve a net zero operating cost.

# 12. References


12.1. Construction (Design and Management) Regulations 2015. Accessed at: https://www.hse.gov.uk/construction/cdm/2015/index.htm.

12.2. Department for Transport. 2002. New Roads and Street Works Act 1991: Code of Practice for Inspections. Accessed at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/4386/codeofpracticeforinspections.pdf.

12.3. Department for Transport. 2017. Street Works Inspections (Coring). Accessed at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/881105/statutory-guidance-for-streetworks-inspections-coring.pdf.

12.4. Department for Transport. 2020. Inclusive Transport Strategy. Accessed at: https://www.gov.uk/government/publications/inclusive-transport-strategy.

12.5. Department for Transport. 2020. Statutory Guidance for Permit Schemes. Accessed at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/896688/statutory-guide-for-permit-schemes.pdf.

12.6. Department for Transport. 2023. Transport Data Strategy. Accessed at: https://www.gov.uk/government/publications/transport-data-strategy-innovation-through-data.

12.7. HAUC(England). 2020. Code of Practice for the Coordination of Street Works and Works for Road Purposes and Related Matters. Accessed at: https://static.hauc-uk.org.uk/downloads/Code-of-Practice-for-Co-ordination-HAUC-England-Edition-2020.pdf.

12.8. HAUC(UK). 2022. Investigating Opportunities to Minimise the Impact of Street and Road Works on Climate Change. Accessed at: https://static.hauc-uk.org.uk/downloads/HAUCUK_LRG_Climate_Research_Fund_Published_Extended.pdf.


# 13. Contact details


Highway Network Management Section
Strategic Highways
Neighbourhoods and Climate Change
Durham County Council

DCCstreetworkspermitscheme@durham.gov.uk

http://www.durham.gov.uk/


**To check road works in County Durham, visit** Road Works