



The County Council of Durham
Road and Street Works
Permit Scheme

Year 1 Review

1 April 2020 - 31 March 2021

Contents

Executive Summary	4
Background	4
Scheme Aims	5
The Local Transport Plan 3.....	5
The Highway Maintenance Plan.....	6
The Aim of the Permit Scheme.....	6
Scheme Objectives	6
Objective 1 – Minimise Disruption	6
Objective 2 – Accurate Information	6
Objective 3 – Proactive and Collaborative Planning.....	6
Objective 4 – Parity.....	7
Highway Network Management Section Actions	7
Action 1 – HNMS Establishment Restructure and Staff Recruitment.....	7
Action 2 – Street Gazetteer.....	7
Action 3 – One.Network and Public Information	8
Action 4 – Street Manager	8
Action 5 – Proactive and Collaborative Planning	9
Action 6 – Section 50s, Section 184s, Section 278s and Events	9
Action 7 – Enhanced Inspections and Enforcement	10
HNMS Staff Structure	11
Scheme Performance	12
Department for Transport’s Statutory Guidance Performance Indicators (TPIs)	12
TPI 1 – Number of Works Phases Started.....	12
TPI 2 – Number of Works Phases Completed	13
TPI 3 – Number of Days of Occupancy Phases Completed	14
TPI 4 – Average Duration of Works.....	15
TPI 5 – Number of Phases Completed including Overruns	16
TPI 6 – Number of Deemed Permit Applications	17
TPI 7 – Number of Phase 1 Permanent Registrations (Reinstatements)	18
Key Performance Indicators aligned to DCC Aims and Objectives (KPIs).....	19
AM 1 – Number of Fixed Penalty Notices Issued.....	19
AM 2 – Number of One.Network “Hits”	20
Scheme Financial Performance	21

Permit Fee Structure	21
Income and Expenditure	23
Conclusion	23
Document Control	25

Executive Summary

The Traffic Management Act 2004 (TMA) was introduced to tackle congestion and disruption on the highway network and laid the legislative groundwork for the introduction of permit schemes by highway authorities. The council's permit scheme was implemented on the 30 April 2020 following a short delay due to the Covid-19 pandemic.

The Permit Scheme is informed by both the aims of the Local Transport Plan 3 (LTP3) for County Durham and the objectives of the council's Highway Maintenance Plan (HMP).

The objectives of the scheme are to minimise disruption on the council's highway network, provide accurate information to stakeholders; carry out proactive and collaborative planning and have parity of treatment between the council's works promoters and those external to it.

There are actions arising from the first year of operation of the permit for the Highway Network Management Section to address including making the staff structure fit for purpose to meet the demands of the permit scheme an associated support such as IT and improved communication with stakeholders; and also widen the scope of the scheme to include more activities on the highway.

To assess the success of the first year of the Permit Scheme, the Key Performance Indicators (KPIs) set out in the Department for Transport's Statutory Guidance for Permit Schemes have been used together with the council's own KPI's giving nine metrics to determine performance. The purpose of the KPI's is to measure the outcomes of the permit scheme in terms of the performance of and parity of treatment of works promoters. There is also the need to provide evidence that the permit scheme is meeting its core aims and objectives and is financially viable.

The permit scheme has an income from permit fees of £776,467 with allowable expenditure of £447,507 giving an operating first year surplus of £329,960 which must, by regulation, be rolled over to the following year. The permit scheme is required to have a cost neutral budget by end of year three.

This year 1 review demonstrates that the Permit Scheme has been successfully implemented and is working as anticipated. The framework of the Permit Scheme appears to be sound with discrete improvements required as detailed in the review.

Background

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

The TMA provided local authorities with additional regulatory powers to coordinate road and street works as an alternative to the previous noticing scheme detailed in the New Roads and Street Works Act 1991 (NRSWA).

The primary benefits of a permit scheme are:

- a reduction in both the number of highways works and their duration through proactive management of activities on the highway to minimise disruption to the travelling public;
- an improvement in the quality and timeliness of information that is available to the public; and
- more proactive and collaborative planning and working between all works promoters.

The reduction in disruption caused by road and street works may also support economic growth and reduce carbon emissions.

The development of The County Council of Durham Road and Street Works Permit Scheme (Permit Scheme) was completed at the end of 2019 and approved by the Cabinet in January 2020.

The Permit Scheme commenced 30 April 2020 following a short delay due to the Covid-19 pandemic.

Scheme Aims

The Permit Scheme is informed by both the aims of the Local Transport Plan 3 (LTP3) for County Durham and the objectives of the council's Highway Maintenance Plan (HMP).

These are:

The Local Transport Plan 3

The aims of the LTP3 for County Durham are:

- Support economic growth;
- Reduce carbon emissions;
- Promote equality of opportunity;
- Contribute to better safety, security and health;
- Improve quality of life and a healthy natural environment; and
- Maintain the transport asset.

The Highway Maintenance Plan

The primary aim of the HMP is to 'achieve a safe, serviceable and sustainable highway network'.

The Aim of the Permit Scheme

The overarching aim of the Permit Scheme is 'to manage and maintain the integrity of the local highway network to maximize the safe and efficient use of road space and provide reliable journey times.

Scheme Objectives

To fulfil the aims of the Permit Scheme, LTP3 and the HMP, four objectives have been created. These are:

Objective 1 – Minimise Disruption

Reduce both the number of works in the highway and their duration through proactive management of activities to minimise disruption to the travelling public.

Objective 2 – Accurate Information

Ensure accurate information is available to the public through improved quality and timeliness of activities on the council's highway network.

Objective 3 – Proactive and Collaborative Planning

Encourage proactive and collaborative planning and working between all works promoters.

Objective 4 – Parity

Ensure all works promoters are treated fairly, equitably and with parity.

Highway Network Management Section Actions

During the period 1 April 2020 - 31 March 2021, the Highway Network Management Section (HNMS) undertook the following actions in order to meet the defined objectives of the Permit Scheme.

Action 1 – HNMS Establishment Restructure and Staff Recruitment

Prior to the commencement of the Permit Scheme, a restructure of the HNMS was undertaken. This was followed by a campaign to recruit additional staff.

Unfortunately, difficulties were encountered due to a general lack of experienced staff within the civil engineering sector. This was made more difficult as 9 other north east local authorities were simultaneously recruiting staff for their permit schemes.

As a result of an inability to attract staff, a decision was taken to invest in the recruitment and training of apprentices. It is believed that these apprentices, if carefully trained and nurtured, can fill the skills gap whilst bringing with them energy and enthusiasm.

To aid the development of the apprentices and existing staff, the HNMS has also invested in staff training and development as well as new IT systems to improve the efficiency and effectiveness of the service.

Action 2 – Street Gazetteer

The National Street Gazetteer (NSG) contains definitive infrastructure information for streets in England and Wales. It is used for a variety of services, not only to underpin the Permit Scheme but as the core dataset in all activities that use street data. This makes the NSG a key strategic data source within the council and the HNMS internal management systems.

Prior to the implementation of the Permit Scheme, a comprehensive traffic sensitive streets (TSS) review was undertaken. This was necessary as there had been significant changes to the road network since the previous review which took place many years earlier.

In addition, the HNMS also added Protected Areas information relating to Areas of Outstanding Natural Beauty (AONB), Sites of Special Scientific Interest (SSSI) and Public Rights of Way (PRoW) maintainable at the public expense to the NSG dataset.

The work undertaken resulted in the HNMS winning the national Streets Data Quality and Improvement Exemplar Award in 2020.

Action 3 – One.Network and Public Information

The HNMS obtained the One.Network software application to provide accurate and timely information to the public, councillors, businesses and works promoters about activities on the council's highway network.

Information provided includes road and street works, events, planned and emergency road closures as well as associated diversion routes.

The system is experiencing high usage and is assisting statutory undertakers in planning their works more effectively as well as reducing unnecessary contact with the HNMS and other council service areas.

In addition to the above, the Permit Scheme requires all statutory undertakers to display a permit information board at each works site. This informs the public and emergency services of who is responsible for the works and enables them to direct any enquiries they may have to the relevant works promoter.

Action 4 – Street Manager

Street Manager is a new Department for Transport (DfT) operated digital service designed to transform the planning, management and communication of road and street works. It was introduced by legislation in July 2020.

It is mandatory for local highway authorities, utility companies and their contractors to use the service. An annual fee is charged based on usage.

DfT is continuing to develop the Street Manager system to enable it to monitor all road and street works activity from permits to inspections on both a local and national level.

A member of the HNMS currently represents the north east local authorities on the national Street Manager Governance Group which was created to guide and inform on Street Manager's development.

Action 5 – Proactive and Collaborative Planning

The HNMS proactively encourages work promoters to release their long-term works programmes. This helps both the HNMS and works promoters to identify opportunities for joint working and can assist in coordinating the timing of road resurfacing or reconstruction schemes and infrastructure replacement programmes.

The HNMS recognises that it is much easier to adjust the timing of medium and long-term works programmes to accommodate the plans of other works promoters than to do so when the detailed plans are available and contractual commitments may have been made. While accurate information is important, the HNMS accepts that the longer the lead time, the greater the uncertainty is about the timing of programmed works.

Encouraging work promoters to work collaboratively to minimise disruption to the travelling public is also a focus of the HNMS.

Unfortunately, the pandemic has reduced opportunities for collaborative working as organisations have been required to implement extensive Covid-19 safety measures including social distancing. Nonetheless, the HNMS hopes to see increased opportunities to encourage collaborative working as the pandemic eases and will reward those work promoters who do so with permit fee discounts.

Action 6 – Section 50s, Section 184s, Section 278s and Events

Although the Permit Scheme applies to road and street works, the HNMS has chosen to gather information regarding Section 50s (private utility apparatus), Section 184s (the construction of vehicular crossings) and Section 278s (works on the highway associated with developments). The HNMS also uses information submitted to the council about public events which impact upon the operation of the highway network.

This data enhances the coordination process as well as the information available to the travelling via One.Network.

Permits submitted for the above activities do not incur a charge.

Action 7 – Enhanced Inspections and Enforcement

The responsibility for road and street works inspections is set out in the Code of Practice for Inspections.

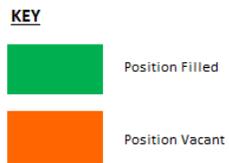
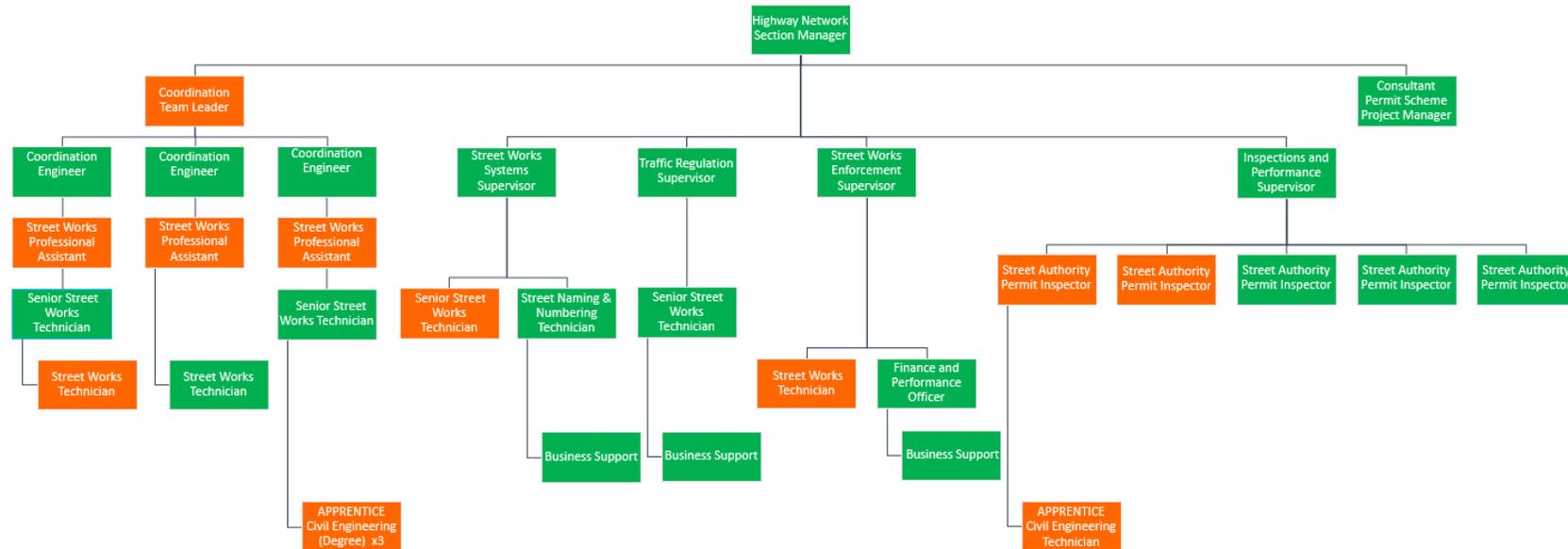
The HNMS Street Authority Permit Inspectors undertake works inspections to monitor and establish the performance of each works promoter operating within the county.

All Street Authority Permit Inspectors are now fully uniformed, wear body cameras for evidence gathering and personal safety, use vehicle tracking technology to ensure efficient deployment of resources and use advanced mapping data to identify where activities are causing disruption on the highway network in real time.

In addition to the above, the HNMS's Enforcement Team issues fixed penalty notices and works overrun charges, considers representations and appeals, agrees and enforces improvement plans and pursues court action when necessary.

HNMS Staff Structure

In order to achieve the Permit Scheme objectives and be fit for purpose, a new staff structure was implemented. The structure below gives the staffing position of the HNMS as of 31 March 2021.

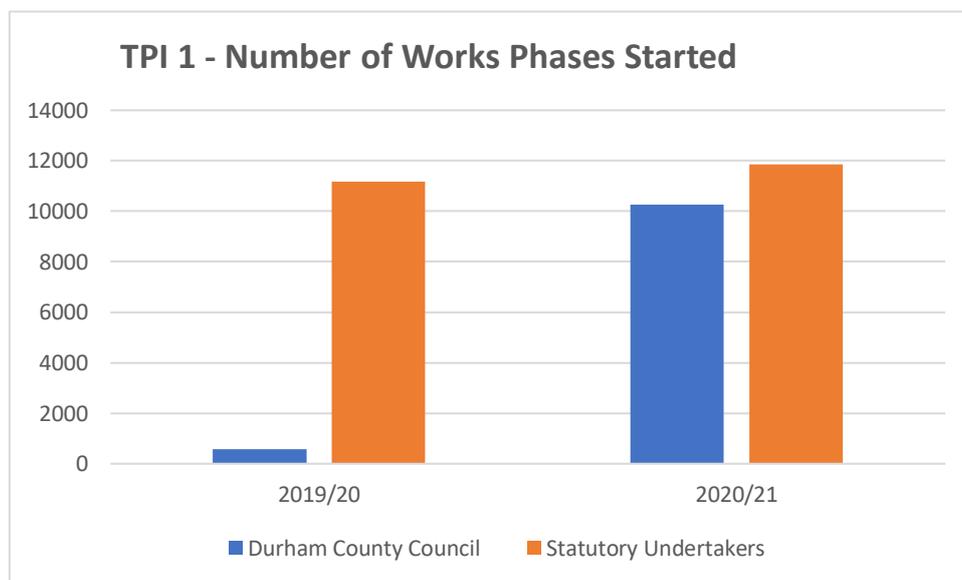


Scheme Performance

To assess the success of the first year of the Permit Scheme, the Key Performance Indicators (TPIs) set out in the Department for Transport's Statutory Guidance for Permit Schemes have been used.

Department for Transport's Statutory Guidance Performance Indicators (TPIs)

TPI 1 – Number of Works Phases Started



Interpretation

Chart TPI 1 shows that the number of works phases started by Durham County Council (DCC) has increased significantly from 577 to 10,258.

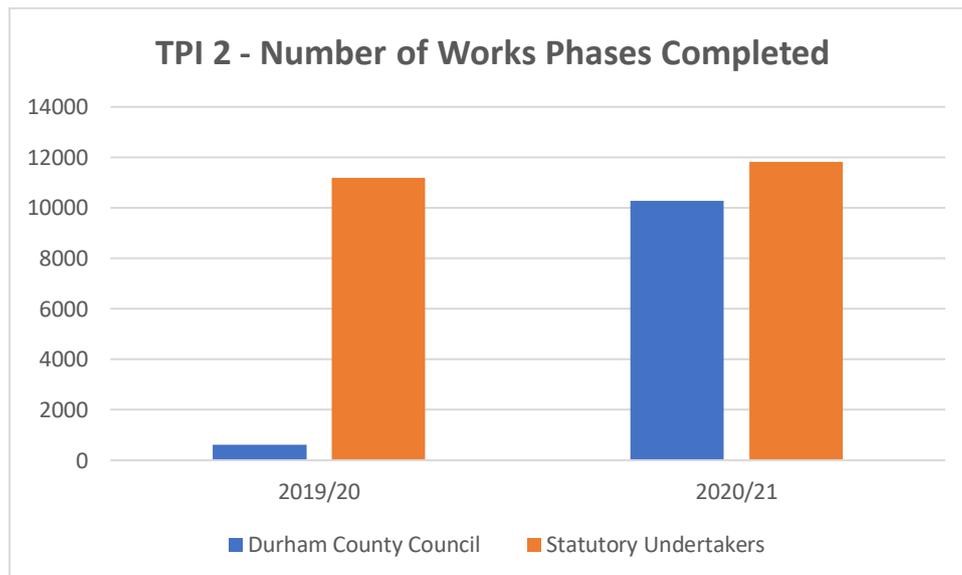
The figure for statutory undertakers has remained stable, rising marginally from 11,184 to 11,857.

This indicates that prior to the Permit Scheme, statutory undertakers were notifying, as required by the NRSWA, stakeholders of their intention to undertake all street works. In contrast, as there was not a statutory obligation on DCC to notify stakeholders of their intention to undertake road works only Major Works and road schemes of a significant nature hence the disparity between the figures for the two years indicated in Chart TP1.

Following implementation of the scheme, DCC appear to have embraced change and are engaging with the Permit Scheme.

This engagement by DCC demonstrates good progress towards achieving the objectives of the Permit Scheme being minimising disruption, reporting of accurate information, proactive and collaborative planning, and parity.

TPI 2 – Number of Works Phases Completed



Interpretation

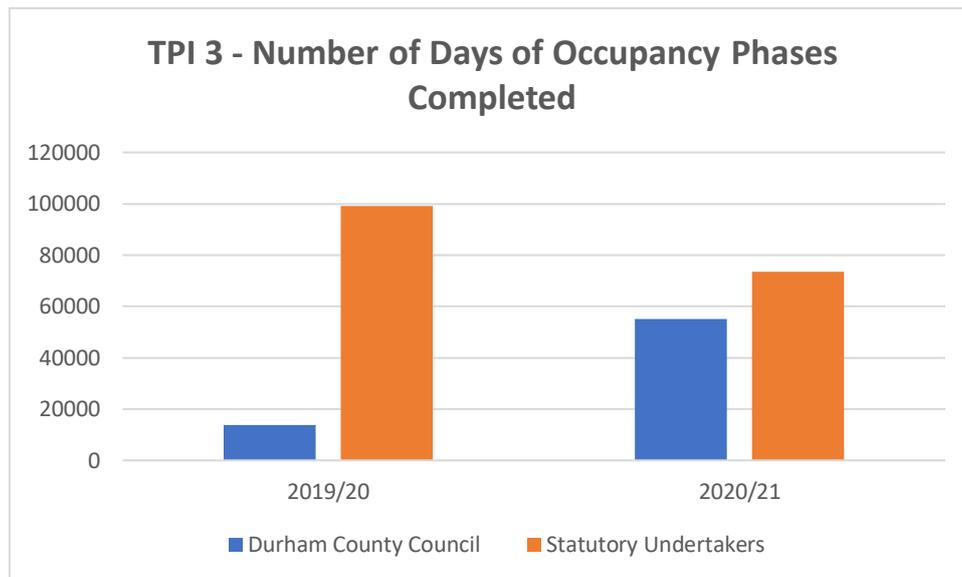
Chart TPI 2 shows that the number of works phases completed by DCC has increased significantly from 628 to 10,272.

The figure for statutory undertakers has remained stable, increasing marginally from 11,199 to 11,833.

DCC were notifying stakeholders of their intention to undertake only Major Works and road schemes of a significant nature hence the disparity between the figures for the two years indicated in Chart TP2.

However, following its implementation, DCC is embracing change and are engaging with the Permit Scheme. This engagement demonstrates good progress towards achieving the objectives of the Permit Scheme.

TPI 3 – Number of Days of Occupancy Phases Completed



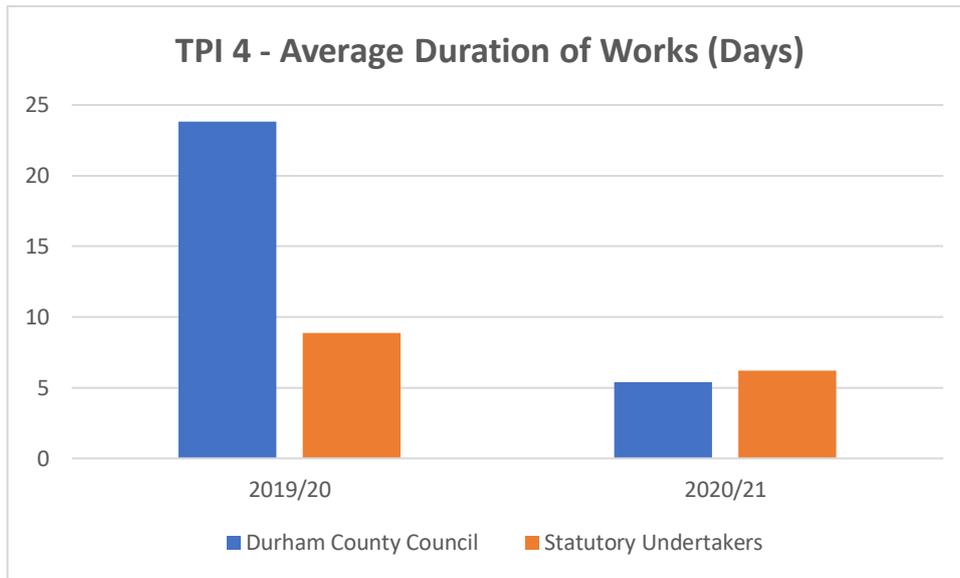
Interpretation

Chart TPI 3 shows that the number of days of occupancy phases completed by DCC has increased from 13,736 to 55,160; however, this can be attributed to more accurate recording of works phases following the implementation of the Permit Scheme and DCC submitting permits for all road works not as in previous years only Major Notices and significant road works. This figure will be used in future annual reviews as the benchmark for DCC occupancy.

The figures for statutory undertakers have reduced significantly from 99,132 to 73,606. The reduction in the days of occupancy by statutory undertakers appears to indicate that improved coordination between the HNMS and statutory undertakers, due to the Permit Scheme, has decreased disruption on the highway network by 25,526 days.

The above indicates good progress towards achieving the Permit Scheme objective of minimising disruption for statutory undertaker works and providing accurate and timely information to stakeholders. Further data will be required before the impact on DCC's work can be measured.

TPI 4 – Average Duration of Works



Interpretation

Chart TPI 4 shows that the average duration of works (days) for DCC has decreased from 23.8 days to 5.4 days.

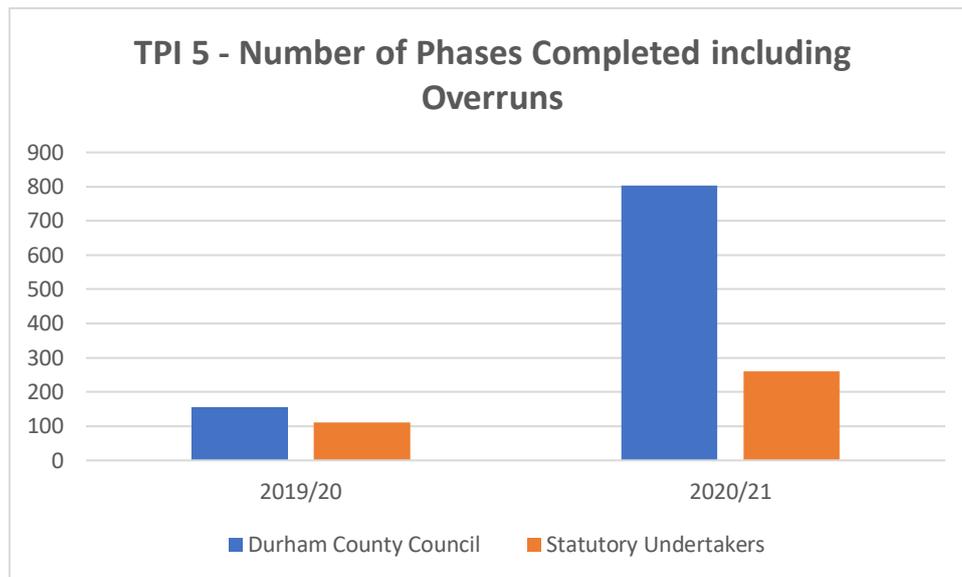
The reduction is believed to be because of a significant increase in the recording of minor and standard works. This figure will be used in future annual reviews as the benchmark for the average duration of DCC works.

The figure for statutory undertakers has reduced from 8.8 days to 6.2 days.

The reduction in the average duration of works by statutory undertakers appears to indicate an improved and closer working relationship between the HNMS and statutory undertakers due to the Permit Scheme

The above indicates good progress towards achieving the Permit Scheme objective of minimising disruption for statutory undertaker's work. Further data will be required before the impact on DCC work can be measured.

TPI 5 – Number of Phases Completed including Overruns



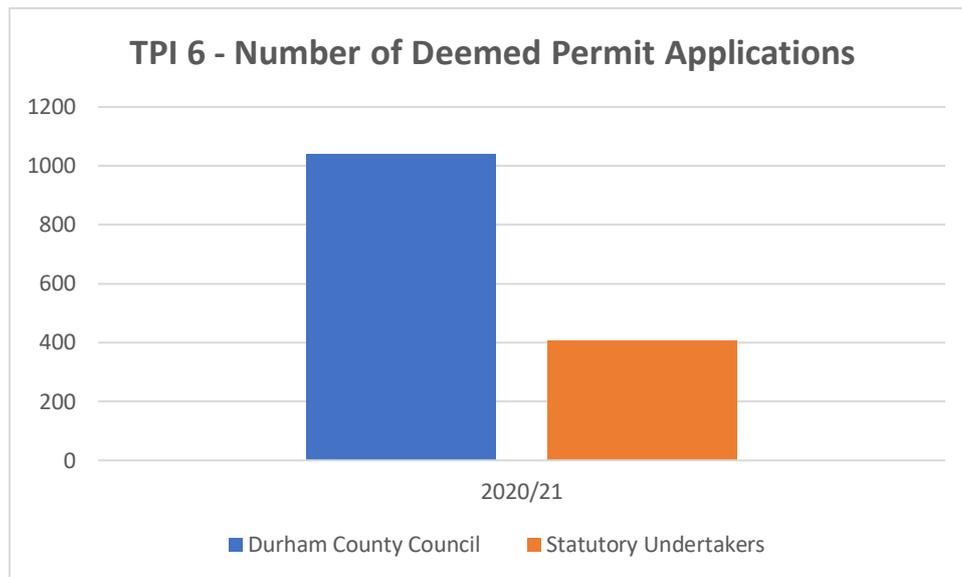
Interpretation

Chart TPI 5 shows that the number of (work) phases completed including overruns for DCC has increased from 156 to 804, which is a result of increased reporting of works phases and works not being recorded as complete / closed in a timely manner. This figure will be used as a benchmark in future reviews.

The figure for statutory undertakers has increased from 110 to 261. This increase will be addressed in collaboration with statutory undertakers as part of an initiative to improve the performance of all works promoters.

The above figures provide evidence of where further collaborative work is required between works promoters and the HNMS, which will be a point of focus going forward.

TPI 6 – Number of Deemed Permit Applications



Interpretation

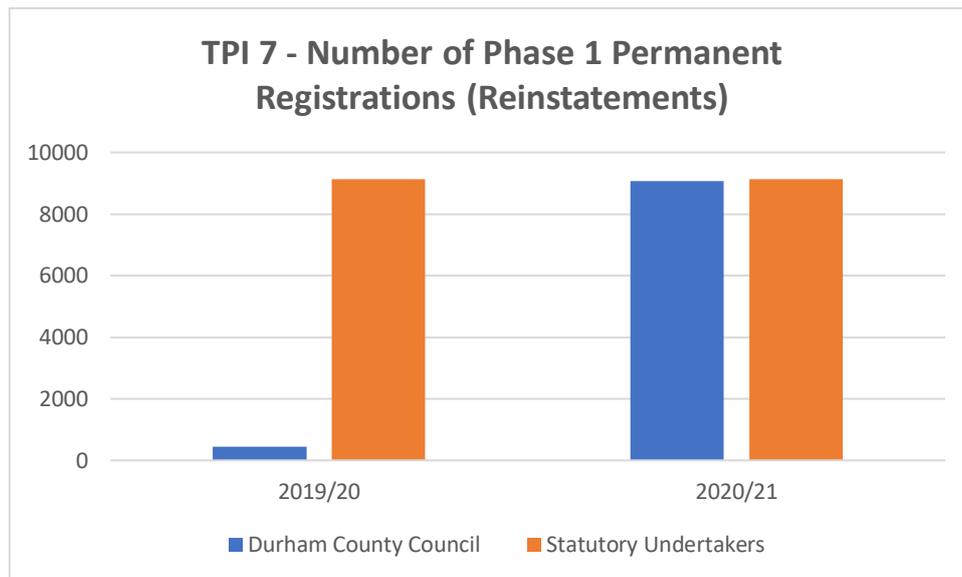
Chart TPI 6 shows that 1041 DCC permits deemed as well as 409 from statutory undertakers. The combined figures represent approximately 4% of all permit applications with the national average being 6% (source: Street Manager).

A permit is deemed (granted) when the HNMS fails to respond to an application within the timeframe required.

The failure to respond to a total of 4% of all permits can be attributed to the HNMS being unable to recruit sufficient staff to assess and coordinate permit applications during 2020/21.

The above indicates good progress towards achieving the objectives of the Permit Scheme. The HNMS will, however, continue its campaign to recruit and train staff to achieve a full establishment to provide all works promoters with an effective and efficient service, and reduce the number of deemed permits in future years.

TPI 7 – Number of Phase 1 Permanent Registrations (Reinstatements)



Interpretation

Chart TPI 7 shows that the number of phase 1 permanent registrations (reinstatements) for DCC has increased significantly from 453 to 9,069 (approximately 88% of all works phases started as per TPI 1)

The figure for statutory undertakers has increased marginally from 9132 to 9138 (approximately 77% of all works phases started as per TPI 1).

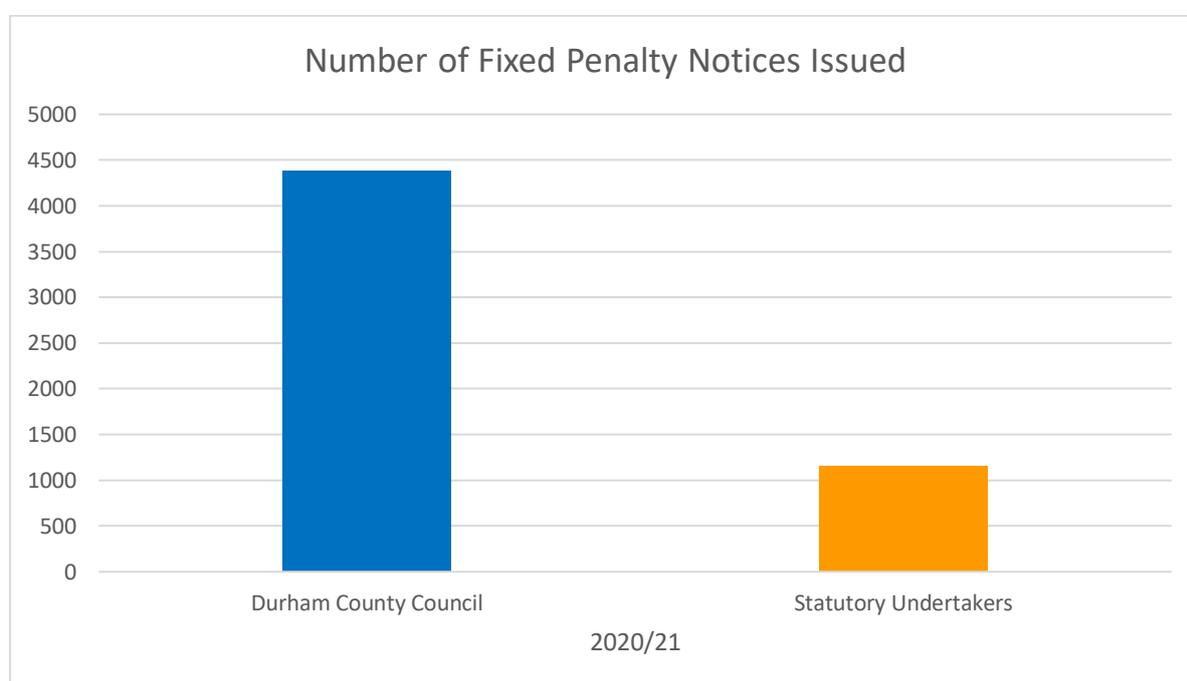
It is desirable for a works promoter to complete a permanent reinstatement of the carriageway and / or footway at the first opportunity as this reduces disruption for the travelling public.

The above indicates progress towards achieving the Permit Scheme objective of minimising disruption; however, it is acknowledged that further work is required to reduce these figures in future years.

Key Performance Indicators aligned to DCC Aims and Objectives (KPIs)

In addition to the TPI's required by the DfT, the success of the Permit Scheme is also assessed against the council's aims and objectives using the Authority Measures (AMs) set out below.

AM 1 – Number of Fixed Penalty Notices Issued



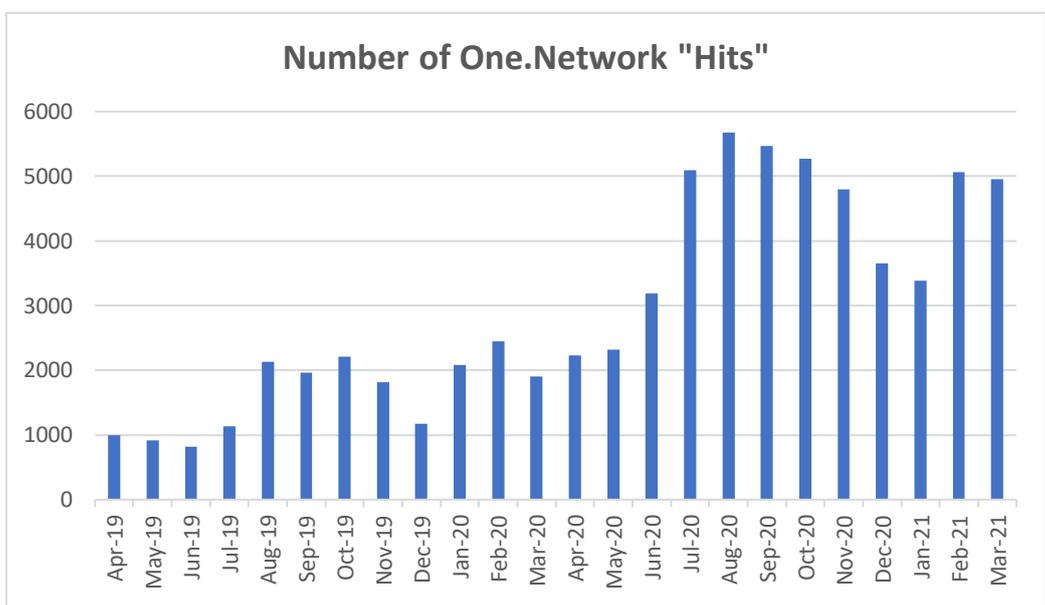
Interpretation

Chart AM 1 shows that the number of fixed penalty notices (FPNs) issued to DCC was 4,386 (4 FPNs per 10 permits) and statutory undertakers 1,156 (1 FPN per 10 permits)

The HNMS will work proactively with both DCC and statutory undertakers to reduce the number of FPNs issued in future years. This figure detailed above will be used as a benchmark in future reviews.

Non-compliance with the requirements of the permit scheme reduces the effectiveness and reliability of the information provided to stakeholders and is therefore considered a key area for improvement.

AM 2 – Number of One.Network “Hits”



Interpretation

Chart AM 2 shows that the number of One.Network “hits” has steadily increased since the introduction of the One.network in April 2019.

The HNMS is actively working with stakeholders such as the public, councillors, businesses and organisations to maximise the use of the One.Network facility to increase awareness of activities on the council’s highway network. The platform is also used by both internal and external works promoters to assist in the coordination of works and to aid collaborative working.

The above indicates good progress towards achieving the Permit Scheme objective of providing accurate and timely information to stakeholders.

Scheme Financial Performance

Permit Fee Structure

The HNMS charges a fee for:

- the assessment / issue of a permit;
- an application for a permit, where the Permit 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 work promoters; and
- a permit or permit variation that has deemed.

The fees the HNMS charge are set in accordance with regulations and are structured to reflect the category of and traffic sensitivity of the road. The current fee structure is shown below.

<p align="center">Permit fee structure for each category of works and for a hierarchy of traffic sensitive and non-traffic sensitive roads.</p> <p align="center">Road category refers to the reinstatement category of the street under the New Roads and Street Works Act 1991.</p>		
<p align="center">Road Category 0, 1 & 2 or Traffic Sensitive</p>		<p align="center">Road Category 3 & 4 and Non-Traffic Sensitive</p>
Provisional advance – It is suggested this fee applies only where value has been added in processing the works.	£105	£75
Major 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
Activity standard	£130	£74
Activity minor	£65	£44
Immediate activity	£60	£39
Permit variation	£45	£35

Permit Variation Fees

- £45 for activities on category 0, 1 or 2 streets; and on category 3 & 4 traffic sensitive streets;
- £35 for activities on category 3 and 4 non-traffic sensitive streets;
- 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; and
- No fee is payable if a permit variation is initiated by the permit authority.

Permit Fee Income and Expenditure

The permit fee income and expenditure including operational surplus for financial year 1 April 2020 - 31 March 2021 is detailed below.

Income – Permit Fees	£776,467.89
Expenditure - Employees	-£276,617.13
Expenditure - Transport	-£984.55
Expenditure - Supplies & Services	-£168,905.43
Surplus	£329,960.78

At present, the permit fee income exceeds the total allowable costs prescribed in the permit regulations by £329,960.78.

Although there is currently a surplus, it is anticipated that the income and expenditure will be balanced over future years as approximately £250,000 of this can be attributed to unfilled posts within the HNMS.

Should the permit fee income and expenditure not balance over the first 3 years of the Permit Scheme, a review of the level of permit fees will be undertaken.

Conclusion

This year 1 review demonstrates that the Permit Scheme has been successfully implemented and is working as anticipated. The framework of the Permit Scheme appears to be sound with discrete improvements required as detailed in the review.

Permit fee income has been higher than predicted by the DfT's Permit Scheme COBA Model and expenditure is lower due to an inability to attract staff to fill vacant posts.

Although the Permit Scheme currently has an operational surplus, it is not considered appropriate to make any adjustment in the permit fee structure at this time. It is, however,

recognised the permit fee income and expenditure must balance over the three-year transition period from noticing to the permit regimes.

At this stage, the overall benefits of the scheme appear to be a reduction in disruption from statutory undertakers works and an improvement in the accuracy and availability of all road and street works information. There has been a significant increase in information associated with DCC works, which has enhanced the ability of the HNMS to coordinate works on the council's highway network to a much greater extent.

Unfortunately, it is not possible to measure the impact of the Permit Scheme on disruption caused by DCC works as information regarding works pre-Permit Scheme appears to be incomplete. The figures contained in this review for DCC works will therefore be used as a benchmark for future evaluation purposes.

Document Control

Version History

Date	Version	Comments
17/10/2021	1	Created by Danny Harland & Bob Major
29/10/2021	2	Proofread by Katie Withers
04/02/2022	3	Final

Review Control

Date	Version	Comments
06/02/2022	1	Date of Issue

Highway Network Management Section

Strategic Highways

Technical Services

Neighbourhoods and Climate Change

Durham County Council

County Hall, Durham. DH1 5UQ

DCCstreetworkspermitscheme@durham.gov.uk

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

To check roadworks in County Durham, visit [Road Works](#)