

Regional Permit Scheme Update

Report by the Director of Environment, Transport and Development

Summary

The Traffic Management Act 2004 (TMA) introduced 'permits' for works and other activities on the street as a tool for local highway authorities to reduce the congestion and disruption caused by those activities. The provision for permits is one of a number of duties and powers in the TMA, all aimed at improving the management of the road network. The principal benefits for the Council are stricter control of street works and the scope to recover some costs. It is likely that Permits will improve the controls on the timing and duration of works, and the quality of the traffic management and the road repairs/reinstatements. It is likely for instance that there will be more first time permanent repairs reducing the number of occasions utility companies carry out a temporary repair only to subsequently come back at a later date to carry out a final reinstatement.

On 15 September 2008, County Council Cabinet approved the County Council taking part in a consultation for a regional common permit scheme, and subject to a satisfactory consultation outcome to join such a common scheme when the requisite software systems were in place and proven. Development of a regional common permit scheme has reached a key stage.

Norfolk participated in the regional feasibility study to help identify an appropriate common permit scheme that could be adopted by all authorities across the East of England. As part of the feasibility work various schemes were evaluated. The Department of Transport has recently advised that Permit Schemes will not require central government approval from April 2012.

This report updates members on work within the Region in relation to a Common Scheme where Permits would be sought and charged for on all roads (known as a 100% scheme), and advises that the case is not strong enough for Norfolk to take part. Notwithstanding the weakness of a 100% scheme for Norfolk, there is merit in taking forward a scheme better tailored to the county's needs.

Various options that have been considered and an approach is advocated where the Council would only charge for Permits on those streets designated as 'Traffic Sensitive' and the roads designated for treatment during winter on a Priority 1 and 2 basis. In this option the Council would directly control works on all the strategic routes in the county, and all those other routes, which are considered to be essential to the county's economic and social well-being. This report also updates Members on officer discussions with Suffolk County Council and other authorities that are also not taking part in the regional Common Scheme about collaborative working based around our preferred approach.

Action Required

- (i) To note that we propose not to take part in the Anglian Sub-Regional Permit Scheme.
- (ii) To comment on the proposed approach to develop a permit scheme for Norfolk.

1. **Background**

- 1.1. The Traffic Management Act 2004 (TMA) introduced duties on Highway Authorities to ensure then expeditious movement of traffic on it's road network and those networks of surrounding authorities and to coordinate works on the highway. The Act included the concept of permits for works and other activities on the street as a tool for local highway authorities to reduce the congestion and disruption caused by those activities. The provision for permits is one of a number of duties and powers in the TMA, all aimed at improving the management of the road network.
- 1.2. A permit scheme allows the Streetworks authority (the County Council) to grant a permit to undertake roadworks. This differs from the current noticing system where we receive notices from utilities, and others, that they intend to carry out work on the highway, and whilst we can impose conditions they do not require permission for works to take place. A permit to work scheme gives a higher level of control of on street activities.
- 1.3. Permit schemes are now operational in London, Northamptonshire and Kent. Each permit scheme is tailored to that particular street works authority to help them meet their duties. To date each permit scheme has required the approval of the Secretary of State. The Department of Transport has recently advised that such central government approval will not be required from April 2012.
- 1.4. On 15 September 2008, Cabinet approved the County Council taking part in a consultation for a regional common permit scheme, and subject to a satisfactory consultation outcome to join such a common scheme when the requisite software systems were in place and proven.

2. **Progress So Far**

- 2.1. Norfolk participated in the regional feasibility study to help identify an appropriate common permit scheme that could be adopted by all authorities across the East of England. As part of the feasibility work the following various schemes were evaluated.

2.2. **Option 1 - 100% scheme**

Permits would be required for all streets within Norfolk and a permit charge applied to all the permits submitted.

In this option the Council would seek to directly manage all work undertaken on Norfolk's road network.

The feasibility work suggests that a 100% scheme would not be appropriate to Norfolk, with our large rural road network, because the additional works planning and administrative burden generated (cost to operate) would far exceed the network management benefits realised.

2.3. **Option 2 - 40mph and Traffic Sensitive Network**

Permits would be required for all streets within Norfolk. However the Council would only seek detailed information and apply charges on those streets subject to a speed limit of 40mph or less and all streets designated as 'Traffic Sensitive' (as defined under New Roads and Street Works Act 1991).

In this option the Council would seek to directly manage work undertaken on our most important road network and the urban road network within our communities.

This would cover 36% of Norfolk's road network.

The feasibility work suggests that such a scheme would not be appropriate to Norfolk because the additional works planning and administrative burden generated (cost to operate) would exceed the network management benefits realised.

2.4. Option 3 - Traffic Sensitive Network plus Winter Service Gritting Routes

Permits would be required for all streets within Norfolk. However the Council would only seek detailed information and apply charges on those streets designated as 'Traffic Sensitive' (as defined under New Roads and Street Works Act 1991) and the roads in the county that are designated for treatment during winter on a Priority 1 and 2 basis.

In this option the Council would directly control works on all the strategic routes in the county and all those other routes, like HGV Access Routes and Local Access Routes, that are considered to be essential to the economic and social well-being of Norfolk. This option would include all current scheduled bus routes.

This would cover 32% of Norfolk's road network.

The feasibility work undertaken indicates that the benefits to Norfolk of operating such a scheme out weigh the cost to operate.

2.5. Option 4 - Only Traffic Sensitive Network

Permits would be required for all streets within Norfolk. However the Council would only seek detailed information and apply charges on those streets designated as 'Traffic Sensitive' (as defined under New Roads and Street Works Act 1991).

Details of Norfolk's existing 'traffic sensitive' network are set in information placed in the Members Room. They represent 3% of Norfolk road network.

In this option the Council would seek to only directly manage work undertaken on our most important road network. The feasibility study results show that as this network is so small that it would prove costly to introduce, operate and maintain and would result in only small real network management benefits.

This option would not include all current scheduled bus routes.

2.6. During the course of the feasibility work it was evident that each Street Authority in the region had slightly different ideas about how they sought to meet their street works duties. The scheme that found most support amongst the more urban authorities across the region was a 100% permit scheme. Such a scheme offers significant benefits to authorities that have a large proportion of urban roads and as a result Hertfordshire County Council, Luton Borough Council, Southend-on-Sea Borough Council and Bedford Borough Council decided to develop a Common 100% permit scheme. The current working name for which is the 'Anglian Sub-Regional Permit Scheme' (AS-RPS).

2.7. Norfolk and 8 other authorities declined to enter into the AS-RPS on the basis of the results of the feasibility work. However given the potential benefits a permit scheme can provide (notably a stricter control of streetworks and scope to recover some costs) officers still believe it is worthwhile developing and implementing a permit scheme more appropriate to Norfolk's needs. Option 3 above, based on the county's

Traffic Sensitive Network plus the Priority 1 and 2 gritting routes, is the preferred solution at present, and forms the basis of discussions with the authorities that have not sought to be part of the AS-RPS.

3. **Cost Benefit Analysis**

3.1. The feasibility work undertaken to date has used an outline appraisal method that considers only the benefits arising from reducing congestion and setting those benefits against the cost to implement and operate a scheme. While there is no requirement to use a specific methodology to calculate the costs and benefits of permit schemes the detailed assessment work needed is likely to use the following indicators or outputs in any financial evaluation for Norfolk:-

- Reductions in delays and congestion (including impact on bus operator's revenue)
- Changes in carbon (Greenhouse Gases) emissions (including impact on local air quality)
- Accident reduction
- Journey time reliability improvement
- Reduction in road maintenance costs
- Costs of implementation and operation (including all of the stand-alone operating costs and incremental operating costs)
- Reductions in number and duration of Street Works
- Reduction in waste materials (likely increase in use of first time permanent reinstatements)

4. **Next Steps**

4.1. Work continues to refine the outline financial appraisal.

4.2. At the time of writing this report discussions have opened with Suffolk County Council, as part of the Council's Transformation and Efficiency Programme, to assess if they wish to consider the development of a joint permit scheme to be implemented across the two authority areas. Discussions are at an early stage and will include an exploration of the followings approaches:-

1. **Common Permit Scheme** – Similar to that being developed by those authorities with a significant proportion of urban roads (para 2.6 above) but using a criteria more appropriate for rural authorities. There may be scope for sharing of 'back office' systems and administration, although Suffolk use a different suite of street works software to this authority. There may also be scope for other authorities that are not part of the AS-RPS to take part which would further help bring down costs.
2. **Single Project Permit Scheme** – Joint procurement of individual permit schemes for each authority. Such an approach allows for maximum local flexibility, with each authority setting its own criteria. There would be less scope for shared 'back office' systems or administration but it would bring down the set up costs for a permit scheme in each local authority area through the use of a single Project Team and pooling of training and

operational support. Such an approach could prove an attractive method of developing and implementing a scheme for those authorities that are not taking part in AS-RPS and wish to retain their local diversity of service delivery.

- 4.3. The results of the discussions with Suffolk County Council will inform the way forward. However, it is clear from the feasibility work undertaken to date that a viable Business Case, for introducing a regime of permits on a network of roads in Norfolk, can be made.

- 4.4. Once we have fully assessed the resource implications for the preferred permit scheme and have an idea how many other authorities, if any, would wish to enter a joint scheme a full report will be submitted to Members for approval.

5. **Resource Implications**

- 5.1. **Finance** : A permit scheme allows the authority to recoup the proportion of its costs attributable to utility company works. There will need to be a transparent system for attributing costs and an annual review of charges, but the County Council's costs in so far as they relate to operating a permit scheme for public utility works would be self financing as costs are recovered through the scale of permit charge set. In addition the cost of developing and implementing a permit scheme, likely to be in the region of £350K, can be recovered over a 3 year period through an additional levy on standard charges set.

- 5.2. **Staff** : Officers are working towards the position that a scheme will not require extra staff above existing establishment.

- 5.3. **Property** : None at this stage, although a permit scheme would provide the opportunity to deliver the inspection regime using staff that worked remote from an office. This coupled with the opportunity to share 'back office' systems and administration with Suffolk County Council or any other authority that Norfolk may develop a Joint Scheme with could provide the opportunity to further rationalise the office/depots used.

- 5.4. **IT** : The Council already has a suite of software capable of supporting a permit scheme in Norfolk. There would be some further development required to make use of all of its functionality and to ensure the needs of both the Street Authority and the Council as its own promoter of highway works are catered for. Suffolk County Council uses a different suite of street works software to that used in Norfolk. The development of a joint scheme would need to take into account the impact (and cost) of changes to IT systems. This is incorporated in the Corporate IT Plan.

- 5.5. **Any other implications** : Officers have considered all the implications which members should be aware of. Apart from those listed in the report (above), there are no other implications to take into account.

6. **Section 17 – Crime and Disorder Act**

- 6.1 The introduction of permits to work may slightly improve the on street practices of those undertaking roadworks. Poorly maintained sites are often subject to petty vandalism. It is hoped better control and works being carried out for a shorter duration will reduce this.

Action required

- (i) To note that we propose not to take part in the Anglian Sub-Regional Permit Scheme.
- (ii) To comment on the proposed approach to develop a potential permit scheme for Norfolk.

Background Papers

Cabinet Report 18 September 2008

Officer Contact

If you have any questions about matters contained in this paper please get in touch with:

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