



ISLE OF WIGHT COUNCIL

DIRECTORATE OF NEIGHBOURHOODS

ISLE OF WIGHT COUNTY PERMIT SCHEME (IWCPS)

CONSULTATION REPORT

05 February 2020.

Title: **Permit Scheme Proposals Consultation Report**
Project: Proposed Isle of Wight County Permit Scheme
Date: 5th February 2020

Introduction

The formal consultation regarding the proposed Isle of Wight County Permit Scheme ('IWCPs') ran for a period of 30 working days beginning on the 17th October 2019. The deadline for receipt of responses was no later than 5pm on 13th December 2019.

It was stated in the consultation documents that 'all responses received by the 13th December 2019 will be taken into consideration and, if the Isle of Wight Council consider it to be appropriate, amendments will be made to the proposals.

Documentation and an accompanying covering letter was issued to 75 key stakeholder organisations, including local neighbouring Highway Authorities, Utilities, road user representative groups and non-government organisations, along with County Councillors and the Parish Council's within the County. Some organisations had a number of consultees within them and if known those individuals were contacted directly.

A drop-in session was held on the 27th November for consultees to attend and discuss the proposals. This session was attended by 8 representatives.

166 comments on the proposals from 9 organizations were received by the deadline.

Any additional comments from consultants or legal representatives etc. have been added to the comment list so there is transparency regarding all changes to the scheme document.

A list of comments received, and responses or amendments are provided in this document.

List of Consultees who responded by the deadline

1. DfT
2. SE Joint Utilities Group
3. Southern Water
4. Network Rail
5. SSEN
6. Openreach
7. Wighthibre
8. Portsmouth City PFI – Colas
9. Councillors

No responses were received after the deadline.

Consultees

Internal Departments	
Legal Services	Environmental Health
Highways PFI contract Team	Planning

Local Government	
County Councillors	Parish Councils
Town Councils	

Central Government	
Department for Transport	Environment Agency
Highways England	

Emergency Services	
Isle of Wight Fire Service	Hampshire Fire & Rescue Service
Isle of Wight Ambulance Service	Hampshire & Isle of Wight Police

Passenger Transport	
Network Rail	Passenger Transport (IWC)
Passenger Focus	

Representative and Interest Groups	
JAG UK	Approved Driving Instructors Association
Automobile Association	British Cycling
British Motorcyclists Federation	Freight Transport Association
Guide Dogs Association For The Blind	Road Haulage Association
Royal Association For Deaf People (Rad)	Royal Automobile Club
Royal Blind Society	Streetworks UK
IW Chamber of Commerce	

Surrounding Local Authorities	
Hampshire County Council	West Sussex County Council
Portsmouth City Council	Southampton City Council

Bus Operators	
Southern Vectis (Go-Ahead)	

Utility Companies	
BSkyB Telecommunications Services Ltd	British Gas Connections
British Waterways	Cable & Wireless
Ericsson	ES Pipelines Ltd
Esso Petroleum	Fulcrum Pipelines Ltd
Global Crossing (UK) Telecoms Ltd	GTC Pipelines Ltd
H2O Networks	Hutchison 3G
Independent Pipelines Ltd	Independent Power Networks Ltd
Internal Communication Systems Ltd	National Grid plc
O2	Oil & Pipeline Agency
Openreach	Orange PCS
Romec Ltd	Scotia Gas Networks
Scottish & Southern Energy plc	Southern Water
SSE Telecom	T Mobile UK Ltd
Utility Grid Installations Ltd	Verizon
Virgin Media	Vodafone Group
WightFibre	

Highway Works Promoters	
Ringway Island Roads Construction	Ringway Island Roads Operation & Maintenance
Ringway Island Roads Network Management	

Section 50s	
DARES	JA Dempsey
MCM Construction	Emerald Construction

Comments from Consultees

Organisation	Section of Permit Scheme document	Suggested amendment / clarification / comment / question received from the Consultee	Response / reply / recommendation from Highway Authority
Consultation Letter			
SEJUG		The letter states that the Permit Scheme will reduce the number of road works and will encourage work to be undertaken at times which avoid peak travel times. SEJUG would like to know how will this be achieved?	The 5% reduction can be achieved by number, duration and size of works. Permit fees may be reduced for working out of traffic sensitive times. DfT Statutory Guidance 2015.
SEJUG		The letter mentions cost savings by road works Promoters? How will this be achieved and what is the evidence to support this?	Cost savings can be achieved through the improved planning which a permit scheme can deliver, along with greater encouragement to work collaboratively.
SEJUG		There is no reference to street manager requirement in this consultation - bearing in mind the Permit Scheme is proposed to start on the same date as street manager. Notification of Street manager required should be included throughout this document.	The DfT approved terminology has been used throughout, with EToN not mentioned, and 'electronic means' used as agreed.
General Comments			
Southern Water		Southern Water does not believe that a Permit Scheme will reduce the number of roadworks that take place (as suggested in P1 of the Consultation letter). All works carried out on behalf of SW are essential, and must be carried out whether a Permit or Noticing regime is in place (i.e. safety, leakage repairs, new connections, asset repairs etc).	The scheme will encourage better planning and reduce the number of repeat works taking place. First time reinstatements and collaborative working will all go to reducing the overall amount of works on the network.

Southern Water		Will Island Roads be having a trail before Permit Fees are introduced? Suggest at least 1 month minimum, with 2 months preferable to allow the Scheme to bed in	Permit fees will not be charged during the first month of the scheme (April 2020).
Councillor		The law, if I am right, does not allow for profit to be made on operating road permits, but we should make sure that our operating the system is adequately resourced so that it has the ability to be robust, and that the scheme properly funds that cost.	Additional staff resource will be introduced to operate the scheme, which will be cost neutral to the permit fee levied.
DfT		The fees will not exceed the maximum charges as set by the DfT. They are set in regulations to a maximum and I think this should be stated.	The permit fees will not exceed the maximum as set by Regulation.
DfT		I am sure that you are ensuring the document will be future proofed in relation to Street Manager, the Government response to the consultation that closed 13 September (especially as it may relate to changes to conditions / statutory guidance documents) and changes to the Co-Ord.	There are no references to EToN, only 'electronic means', as directed by the Government response.
Northwood Parish Council		<p>THAT Northwood Parish Council welcomes the changes to a Utilities Permit Scheme providing that:</p> <ul style="list-style-type: none"> operating the system must be adequately resourced so that it had the ability to be robust, and that the scheme properly funds that cost; additional staff had to be employed to ensure that all necessary, effective monitoring procedures were undertaken; the standards of maintenance for temporary and final reinstatements must be monitored to ensure all reinstatements were completed to a high standard and in line with specifications 	<p>The scheme will have with additional staff brought in to assist in the running, with their additional costs being funded through the permit fees.</p> <p>Reinstatements will be inspected in line with the Specification for the Reinstatement of Openings in Highways, or any subsequent document.</p>
Councillor		This is very good news, something I have been requesting for years, so not before time. Just make sure we charge the right amount, where permitted.	Fees are set to cover the additional running costs of the scheme.
SSEN		SSEN feel the scheme is essentially too long and could be significantly reduced in some areas. There is a large section on dispute resolution which we feel does not need to be documented as we should all be working to the relevant Permit Guidance documents currently in place.	The scheme is based on the Hampshire and West Sussex documents. The dispute resolution section is the same as in these documents.
SSEN		We are disappointed by your decision to charge on category 3 and 4 roads and feel these permit costs are not justified. Having a charge for works on these streets the same as for category 0, 1 and 2 roads and a higher charge for a PAA	Due to the number of works undertaken on the Island, the permit fees have had to be set

		<p>on a non-TS street to a TS street (albeit at non-TS times) does not seem appropriate. Whilst most of your charges are at the current maximum rate, we feel increasing the costs for traffic sensitive street works on those categories not at the maximum rate and removing the cost from non- traffic sensitive works would have been more suitable and will save a considerable amount of clerical time in processing fees on both sides. The inclusion of a 50p on permit fees to make the TS streets more expensive than the non-TS streets is not effective in calculating charges and should be rounded down to the nearest pound. This will not be accepted from a finance perspective and to my knowledge no other permit scheme in the county has adoptive this charging regime. Please can this be reviewed and amended.</p>	<p>at maximum across all categories to allow the costs of running the scheme to be covered.</p> <p>Cat 3 & 4 roads are critical on our network due to these being the strategic links between the cat 1 & 2 roads.</p> <p>The PAA charge on cat 3 & 4 roads which are non traffic sensitive is less than cat 3 or 4 roads which are traffic sensitive, but due to the 30% reduction in fees if working wholly at non traffic sensitive times, the reduced fee (30%) is less than the standard 3 or 4 traffic sensitive road fee.</p> <p>The 50p on the reduced fee cost is the same as the West Sussex scheme calculation for fees.</p>
SSEN		<p>SSEN welcomes the 50% reduction in permit fees for collaborative schemes and strongly feel a process cementing this would be beneficial.</p>	<p>Noted.</p>
SSEN		<p>Whilst we would all like to envisage and support your comments regarding reducing the number of road works and to encourage work to be undertaken at times which avoid peak travel times, we do not agree this is feasible. How will this be achieved when we are being encouraged to support an increase in new housing and to reinforce our network which will involve several maintenance and reinforcement schemes being implemented. Working off peak will only result in longer duration of works.</p>	<p>Each works application will be considered on its own merits, but the overall disruption to traffic will be the priority, so while some works may be extended in overall duration, the impact to the network will be reduced overall. Extended working hours may also be considered more, to reduce working days.</p>
SSEN		<p>SSEN would also like to question how cost savings by road works Promoters would be achieved? Please show the evidence which supports this.</p>	<p>Better planning and coordination at all stages of the works will lead to cost savings.</p>
SSEN		<p>There is no reference to street manager requirement in this consultation. Bearing in mind this is planned to start the same date as street manager. Notification of Street manager required should be included throughout this document.</p>	<p>The DfT approved terminology has been used throughout, with EToN not mentioned, and 'electronic means' used as agreed.</p>

Network Rail	1. Background	This act was introduced to tackle congestion and disruption on the road network. The TMA places a duty on local authorities to make sure traffic moves freely and quickly on their roads and the roads of nearby authorities. The TMA gives councils more tools to manage parking policies, coordinate street works and enforce some moving traffic offences.	Noted. DfT has directed local authorities to implement permit schemes in their areas.
Cost Benefit Analysis - Interim			
Southern Water		Where does the figure of £49,989,185 estimated financial benefit come from? How was this calculated?	Please see the detailed Cost Benefit Analysis.
Southern Water		As mentioned above, a Permit Scheme will not reduce the number of roadworks that take place, so the CBA should not take this into account. All works carried out on behalf of SW are essential, and must be carried out whether a Permit or Noticing regime is in place.	The DfT expect that the key objective, and basis of a Cost Benefit Analysis, of a Permit scheme is the reduction of works by 5%. All Permit Schemes are measured against this assumption. The 5% reduction can be achieved by number, duration and size of works.
Southern Water		Does Island Roads have data available on the levels of disruption caused on 'minor roads' from utility works, so that an assessment can be made? Will this be included in the final CBA to justify charging a Permit fee on Minor Roads?	Please see the detailed final Cost Benefit Analysis. Lower level disruption on minor 3 & 4 roads needs to be controlled as these form critical links between the 1 & 2 roads on our network.
Cost Benefit Analysis - Full			
SEJUG		SEJUG finds the Summary document, CBA Draft & Appendixes extremely complicated and difficult to understand. SEJUG suggests a simple matrix showing number of works against proposed charges and expected cost to justify proposed permit charges. The estimate benefit to the local community of £49,989,185 in the interim CBA is not clarified in the final CBA. The figures are not consistent	The CBA uses a recognised methodology approved by the DfT. The DfT expect that the key objective, and basis of a Cost Benefit Analysis, of a Permit

		and are not justified. There will be no MPB benefit of £100,090,759 because there will not be a 5% reduction in works, as all works are essential and, as previously mentioned, will probably increase, not decrease, with new housing and infrastructure required.	scheme is the reduction of works by 5%. All Permit Schemes are measured against this assumption. The 5% reduction can be achieved by number, duration and size of works.
SSEN		This is extremely complicated and difficult to understand. A simple matrix showing works against proposed charges and expected cost is all that is required to justify your permit charges. The estimate benefit to the local community of £49,989,185 in the interim CBA is not clarified in the final CBA. The figures are not consistent and are not justified. There will be no MPB benefit of £100,090,759 because there will not be a 5% reduction in works as all works are essential and will probably increase with new housing and infrastructure required.	The CBA uses a recognised methodology approved by the DfT. The DfT expect that the key objective, and basis of a Cost Benefit Analysis, of a Permit scheme is the reduction of works by 5%. All Permit Schemes are measured against this assumption. The 5% reduction can be achieved by number, duration and size of works.
Appendix A - Fees and Discounts			
Southern Water		As previously mentioned, SW Southern Water strongly objects to the adoption of a full scheme as opposed to a partial scheme. Southern Water does not believe that charges for Permits on 'Minor Roads' (Cat 3 & 4 non traffic sensitive) should be applied. Charges should reflect DfT Permit Guidance which encourages fees being focused on busier streets. The Hampshire Permit Scheme Zero rates Permit fees for Non TS Cat 3 & 4 Streets. As this is a 'rural' permit scheme, and the Isle of Wight is mainly rural, then surely the Isle of Wight Permit Scheme should follow suite? Kent CC also charge zero permit fees for minor roads, and West Sussex CC, although they charge a Permit fee for minor roads, they are much more reasonable charges being applied (£20 for minor works on 'minor roads').	Due to the number of works undertaken on the Island, the permit fees have had to be set at maximum across all categories to allow the costs of running the scheme to be covered. Cat 3 & 4 roads are critical on our network due to these being the strategic links between the 1 & 2 roads.
Southern Water		Southern Water would like to point out that the Isle of Wight Council/ Island Roads has an existing Network Management Duty under the Traffic Management Act, and general duty of co-ordination under S59 (NRSWA), where IoW CC has a duty to make an assessment on 'minor roads' so that it can co-ordinate works.	Due to the number of works undertaken on the Island, the permit fees have had to be set at maximum across all categories to allow the costs of running the scheme to be covered.

		IoW CC should therefore be already carrying out this functionality under NRSWA and should not need to introduce a fee structure on Minor Roads to fulfil this existing duty.	The DfT have instructed LA's to implement permit schemes on their networks.
Southern Water		In addition, Works should not affect congestion at all on 'minor' roads, so the permit fee should reflect the lack of congestion caused (i.e. zero). Can Island Roads demonstrate what the benefits will be for Southern Water, justifying a permit charge on minor roads? What will new Permit co-ordinators be doing for Cat 3 & 4 non traffic sensitive streets to justify over an above IoW CC's statutory duty under NRSWA?	<p>The majority of works on the Island take place on cat 3 & 4 non traffic sensitive streets.</p> <p>Therefore, due to the number of works undertaken on the Island, the permit fees have had to be set at maximum across all categories to allow the costs of running the scheme to be covered.</p> <p>Cat 3 & 4 roads are critical on our network due to these being the strategic links between the cat 1 & 2 roads.</p>
Southern Water		Southern Water would like to remind IoW CC that Permit Fees are deemed as an allowable cost by Utility Regulators, which could result in a larger increase in Customer Bills due to 'efficient' permit costs being allowed to be passed back to customers. Zero charge for minor works permits will significantly reduce this liability.	<p>Due to the number of works undertaken on the Island, the permit fees have had to be set at maximum across all categories to allow the costs of running the scheme to be covered.</p> <p>Cat 3 & 4 roads are critical on our network due to these being the strategic links between the cat 1 & 2 roads.</p>
Southern Water		Fee Policy - ii - fire hydrants are maintained by Southern Water on behalf of the Fire Authority, so any works on these should be free of charge, as they are with all other Permit Schemes in SW's Area of Operation	<p>Agreed. The Permit Authority retains the option to waive or reduce fees at its discretion.</p> <p>Fees will not be payable in the following circumstances: by the Highway Authority or contractor working on their behalf in respect of its own works for road purposes, however a</p>

			<p>record of the permit and fee will be used for reporting purposes and fee reviews.</p> <p>Works carried out on behalf of the Fire and Rescue Service will be treated in the same way as works by the Highway Authority or contractor working on their behalf so will not be charged a fee.</p> <p>However, if Southern Water are working for their own purposes at their own costs, such as repairing a leak they are responsible for, then a fee will be charged.</p>
SEJUG		50p on permit fees is not effective in calculating charges and should be rounded to the nearest pound. This will not be accepted from a finance perspective and no other permit scheme in the Region has adopted this charging regime.	50p is only on fees which are the calculated 30% reduction of the cat 3 & 4 traffic sensitive streets fee. West Sussex have the same fee structure.
SEJUG		SEJUG welcomes the 50% reduction in permit fees for collaborative schemes and strongly feel a process cementing this process would be beneficial.	Noted.
SEJUG		30% discount – please confirm if this will apply to works using innovative methods?	As per 15.7.5, if innovative methods reduce traffic disruption, the Permit Authority has the option to waive or reduce fees at its discretion.
SEJUG		As mentioned above, SEJUG strongly opposes Isle of Wight Council adopting of a full scheme that charges an unreasonably high permit fee on 'minor roads'. Surely fees should be focused on busier streets, where disruption will have a much greater effect? SEJUG suggests that Isle of Wight Council adopt the Permit Fee regime of Hampshire CC, which is Zero charge for 'minor roads' permits. If this is not possible, then SEJUG strongly suggests that a much more reasonable Permit fee is imposed on SEJUG members (WSCC Permit scheme has a charge of £20 for minor works on 'minor roads'). Isle of Wight Council already has a general duty of co-ordination under S59 (NRSWA), which should cover co-ordination of	<p>Due to the number of works undertaken on the Island, the permit fees have had to be set at maximum across all categories to allow the costs of running the scheme to be covered.</p> <p>Cat 3 & 4 roads are critical on our network due to these being the strategic links between the 1 & 2 roads.</p>

		minor works on minor roads. How can the Isle of Wight Council justify this proposed Permit fee on minor roads?	
Portsmouth PFI		<p>I've noticed in your scheme document mentions the maximum charge being used however looking at the tables and CBA the charges are more than the DfT Max charge.</p> <p><i>Example you have a charge of £150 and/or £168 for a Major permit in a CAT 3 or 4 at non-sensitive times or if the route is altogether non-sensitive..... There's two different prices for the same thing one being above the max charge.</i></p>	<p>The charges do not exceed the DfT maximum allowable fee.</p> <p>The higher figure represents the 30% reduction of the cat 3 & 4 traffic sensitive streets fee, when working wholly out of traffic sensitive times.</p>
SSEN		SSEN do not agree charging on all streets is necessary. Please remove the 50p element as this will be a financial issue and will result in problems with clearing invoices in full. Suggest rounding down the proposed charge.	50p is only on fees which are the calculated 30% reduction of the cat 3 & 4 traffic sensitive streets fee. West Sussex have the same fee structure.
Openreach		Openreach request that the permit fees are reviewed taking into account the Statutory Guidance for Permit Schemes, 'it is strongly recommended that permit fees are only applied to the more strategically significant roads: Category 1, 2 roads and Traffic Sensitive roads. This will mean that although permits would still be required for works on non-strategic routes, it should be very unlikely that these works would attract a permit fee. These permit applications would receive only 'notice' equivalent treatment by the authority.'	<p>Due to the number of works undertaken on the Island, the permit fees have had to be set at maximum across all categories to allow the costs of running the scheme to be covered.</p> <p>Cat 3 & 4 roads are critical on our network due to these being the strategic links between the cat 1 & 2 roads.</p>
Openreach		We would like to see a full breakdown of the predicted costs to operate as it's not clear in the Cost Benefit Analysis document how the Isle of Wight will be using the additional revenue and how this will help you achieve your objectives.	<p>Please see the detailed Cost Benefit Analysis.</p> <p>Due to the number of works undertaken on the Island, the permit fees have had to be set at maximum across all categories to allow the costs of running the scheme to be covered</p>
Network Rail		Network Rail is very disappointed that virtually all fees are set at the highest level allowed by the DfT. There is no credible evidence given to support this level of fee.	Due to the number of works undertaken on the Island, the permit fees have had to be set at maximum across all categories to allow the costs of running the scheme to be covered.

			Cat 3 & 4 roads are critical on our network due to these being the strategic links between the cat 1 & 2 roads.
Wightfibre		We note that Hampshire County Council does not charge fees for its 'minor roads' permits and seek confirmation from the Council that this will be the case with the IWCPs.	Due to the number of works undertaken on the Island, the permit fees have had to be set at maximum across all categories to allow the costs of running the scheme to be covered. Cat 3 & 4 roads are critical on our network due to these being the strategic links between the cat 1 & 2 roads.
Wightfibre		Please confirm that when serving multiple permits for the purpose of positioning temporary traffic signal head in side roads, that the permit fee will have a zero charge where no physical works are carried out in such side roads.	As per the HAUC (England) Guidance Operation of Permit Schemes 2017, 1.2 states not fee should apply to the permit for a signal on a street, which has been served for coordination purposes.
Wightfibre		Please confirm that when serving a permit as a direct request of the authority, for example the Council requiring an additional permit application for a 1 day TTRO within a three week permit, that this would have a zero charge.	The permit application should state the highest traffic management type being used, so this would be for the TTRO. The TM type can then be down graded once the closure period is finished.
Appendix B - KPI's			
SEJUG		SEJUG notes that these may not be available in their current form when street manager is introduced	Noted.
SSEN		These may not be available in their current form when street manager is introduced.	Noted.

Scheme Document			
SEJUG SSEN	1.3	Please clarify legislation, as incorrect	Traffic Management Permit Scheme (England) Regulations 2007, as amended by the 2015 Regulations.
SEJUG SSEN	1.4.1	South East – please confirm what you mean by this are you referring to the SEPS scheme? Please confirm who the Statutory undertakers are that were involved in development of the scheme. SEJUG strongly disagrees that this reflects the best practice in Hampshire as Hampshire only has a partial charging scheme.	South East is referring to the SEPS.
SEJUG SSEN	1.4.2	SEJUG strongly objects to the introduction of a full scheme (rather than a partial scheme) and assumptions on the number of likely permits issued should be based on evidence. Why has a full scheme been assessed as appropriate as opposed to a partial scheme, especially as the majority of the Isle of Wight is mainly rural.	Due to the number of works undertaken on the Island, the permit fees have had to be set at maximum across all categories to allow the costs of running the scheme to be covered
Southern Water	1.4.2	Southern Water strongly objects to the adoption of a full scheme as opposed to a partial scheme. Why is a full scheme more appropriate in a mainly rural Authority?	Due to the number of works undertaken on the Island, the permit fees have had to be set at maximum across all categories to allow the costs of running the scheme to be covered. Cat 3 & 4 roads are critical on our network due to these being the strategic links between the cat 1 & 2 roads.
Network Rail	1.5	It is good to read IWCPS will shadow fees, charges and performance data will be collated for highway authority activities, but Network Rail would like to see these reported on annually. Network Rail disagrees, all works must have a Permit, cannot exempt S50 There is no mention of developer works which must be incorporated as these need to be visible not only on current EToN systems but also in the awaited DfT Street Manager process.	Noted. Permits apply to statutory undertakers works, with S50 contractors carrying out their activities under licence. Developers works, carried out under agreement and / or licence, will be visible through ELGIN, and the permit system if able.

SEJUG SSEN	1.5.1	Permit schemes use similar concepts to the notice system in a number of key areas to ensure consistency. Please clarify why you believe this is the case? Notices are being removed in favour of permits.	The scheme builds on the processes and activities on noticing, with the enhancements of the permit scheme principles.
Network Rail	1.5.1.	You state permit schemes use similar concepts to the notice system which is not strictly correct in that Island Roads (IR) has a legal duty to coordinate all works and the TMA gives a permit scheme an additional option to assess congestion only.	The scheme builds on the processes and activities on noticing, with the enhancements of the permit scheme principles.
SEJUG SSEN	1.5.3	irrelevant – suggest removal	A statement of what has been done while developing the scheme.
Network Rail	2	Network Rail considers that all of NRSWA covered these so it is not strictly accurate to state these unless such objectives were lacking before. Network Rail recognises the TMA and Network Management Duty (TMA Part4) and trusts that IR did comply with these requirements.	This is defining the objectives and benefits of the scheme. The Traffic Management Act is complied with.
SEJUG SSEN	2.4.2	How will this be achieved?	Through the additional time which will be able to be spent on reviewing the applications and coordinating works.
DfT	2.4.2	The objectives listed for IWCPs include: To ensure parity of treatment for all Promoters. This is not an objective it is a regulatory requirement under regulation 40.	Noted.
SEJUG SSEN	2.5.4	Irrelevant – suggest removal	A statement of aligned Council objectives.
SEJUG SSEN	2.6.1	Improved general quality of life, particularly for residents – please clarify SEJUG on how this will be achieved?	Less congestion and disruption on the network will improve quality of life for people, through lesser pollution and improved journey reliability.
SEJUG SSEN	2.6.2	Irrelevant – suggest removal	A statement of understanding.

Network Rail	2.6.2	Network Rail recognises that congestion management using IWCPs could deliver the likely benefits for the first four bullet points but doubts the credibility of the last two.	If the first four points of 2.6.1 are delivered, points five and six must follow.
Network Rail	2.6.3	<p>Network Rail appreciates the use of the DfT BCA but considers this is a flawed approach to deciding what costs and benefits actually occur.</p> <p>It would have been extremely useful to have used data from the last three years (if available) and the permit input matrix to develop a better estimate of the additional costs, that is over and above the NRSWA Statutory Duty to Coordinate Works.</p> <p>A full impact assessment gives a much better understanding of the impact when introducing a permit scheme.</p>	The CBA uses a recognised methodology approved by the DfT.
SEJUG SSEN	2.6.4	The benefits result from the reduction in road works due to the implementation of the permit scheme. As mentioned above, SEJUG would like to know how will this be achieved, as the number of utilities works will remain consistent or most likely increase due to new housing demands. A reduction in road works cannot be foreseen or guaranteed	The value of the benefits which will be achieved have been calculated through the CBA, which uses the recognised methodology approved by the DfT.
Southern Water	2.6.4	There will be no benefits from the reduction of roadworks, as there will be no reduction in roadworks, as all Utility works are essential whether carried out under a noticing or Permit scheme.	The value of the benefits which will be achieved have been calculated through the CBA, which uses the recognised methodology approved by the DfT.
Network Rail	3.1	<p>Network Rail is disappointed that again the IWCPs is seen as a replacement in toto for NRSWA Duty to Coordinate.</p> <p>The use of the HAUC (England) Guidance, Operation of permit Schemes is welcomed as hopefully staff will follow the same applications as other authorities in the south east region.</p> <p>The words seem to indicate that NRSWA Duty to Coordinate has not been fully accomplished hence introduce a Permit Scheme to manage this Duty.</p> <p>Network Rail feel that this is already covered in primary legislation and does not need to be in the scheme itself in full.</p>	<p>The Permit scheme is an enhancement over Noticing, with the additional controls allowing for improved management and co-ordination of the highway network.</p> <p>The scheme is being introduced following direction from the DfT.</p>

Network Rail	3.2 (?)	Please clarify under CDM who would be considered the Principal Contractor?	The Principal Contractor will be the utility as the promoter.
SEJUG SSEN	3.5.4	using noise barriers is not a business as usual for SEJUG members and there is an increase in cost for supplying and using this equipment. If this is something that the Isle of Wight Permit Scheme insists on using, then SEJUG members suggest that there needs to be a signification reduction in the permit costs.	Noise barriers are just an example given that may need to be considered being used in certain circumstances.
SEJUG SSEN	3.6	SEJUG feels this is unachievable at present, until a suitably agreed document process is in place.	Collaborative working has and will continue to be considered where possible with multiple works being planned and coordinated.
SEJUG SSEN	3.7	Forward planning is already taking place through co-ordination meetings and through ETon 6. This should only be submitted by electronic means and updates from both Authority and Utility sides should be entered onto the works.	This is to reiterate best practice and to ensure that forward planning is maximized.
Network Rail	4	<p>Network Rail feel this would be better placed in the cost/benefit analysis rather than in the scheme itself.</p> <p>Please remember the Permit Scheme charges do not include site inspection/monitoring. You can only carry out Cat A, as per NRSWA for which the sample inspection regime applies. All site/inspection/monitoring is at Peterborough Costs (not recoverable as cost of running the scheme).</p> <p>Network Rail recognise that the KPIs are only about how well IWCPs is managed internally. There is nothing adding value to the way NRSWA should have been used manage the road network.</p> <p>FPN given for breaches of NRSWA and IWCPs should recorded as should the number withdrawn.</p>	Section 4 is a statement of how the scheme will be monitored and reported on.
DfT	5.4	Street Gazetteer – your format goes off here a bit!	Acknowledged and corrected.
SEJUG SSEN	5.6	Please clarify as the street categories are defined by the NSG not NRSWA.	The reinstatement categories are defined by NRSWA, NSG defines the street categories.
SEJUG SSEN	5.6.2	Street categories can be incorrect and all street data should be checked and updated as required.	Noted, but 5.6.2 will be treated as the underlying decision for category.

SEJUG SSEN	6.1	'registerable activities' as defined in NRSWA – this should be the 'Co-ordination Code of Practice' (where registerable activities are defined).	Amended.
Network Rail	6.1	As before all S50 and Develop Works works must have a Permit for coordination purposes.	S50 and developer works are undertaken under licence but will be entered into Street Manager or any subsequent system, for coordination purposes. (S. 1.5.5)
SEJUG SSEN	6.2	Statutory Guidance for Highway Authority Permit Schemes (Oct 2015) – should this not refer to the HAUC(England) Guidance for the Operation of Permit Schemes Feb 17?	Amended.
SEJUG SSEN	6.3	Suggest referring to part 3 of the HAUC(England) Guidance for the Operation of Permit Schemes – “The proposed start and end dates given in notifications can be working or nonworking days.”	Noted, basically saying the same thing.
Network Rail	7 - 14	It is essential that full details of IWCPs staff are given to the work promoters. There must be a telephone number and email that can be used to ensure timely communication between IWCPs and Work Promoters.	Contact information will be available, as before.
SEJUG SSEN	7.1	PAAs fulfil a similar function to notices served under S54 of NRSWA – irrelevant – PAA's do not exist in noticing. A PAA is not required when using Major category for road closure on a second phase, a permit application only is submitted.	PAAs do fulfil a similar function to S54's in NRSWA. If a second phase does not fall under the original works dates and is also under the Major category for this phase, then a PAA will be required for this phase. (HAUC (England) Guidance 2017 2.3).
Openreach	8.1	Permit applications can be made by post where appropriate.	Permit applications should be made by electronic means.
Openreach	8.2	If immediate works start outside of the normal working day then a permit application must be made by 10am on the next working day.	Retrospective permits for immediate works must be obtained within 2 working hours of the start of the activity.
SEJUG SSEN	8.4	No neighbouring Authorities – suggest removal.	The Isle of Wight has two immediate neighbouring Authorities. Where works

			impact on the operation of cross Solent travel, neighbouring Authorities will be notified.
SEJUG SSEN	9.3	All Promoters are strongly encouraged to develop standard activity descriptions – what do you want this to contain as we are encouraged to ensure a full works description is used and is site specific in plain English?	Plain English is required for assistance in processing applications, and also as works descriptions follow through to ELGIN (public website).
SEJUG SSEN	10.2	illustration required in what format? Temporary Traffic signal application is not yet supported under Street Manager.	Any picture format which can be submitted as an attachment to the application or emailed to the permit team.
SEJUG SSEN	10.3	please clarify “requirement for action” and to whom would an E-mail be sent?	As per five listed actions within 10.3, which can be submitted as an attachment to the application or emailed to the permit team.
Southern Water	10.3	Although there is a facility within EToN for approval of temporary traffic signals, the DfT have confirmed that this will not be in place by 1/4/20 for Street Manager go live. Therefore it will not be possible to use the 'latest electronic means system'. So will the process be by Street Manager comment, followed by a separate process (ie SEHAUC form)?	Actions within 10.3 can be submitted as an attachment to the application or emailed to the permit team, as appropriate.
SEJUG SSEN	10.9	Location also will require a surface type as per street manager requirement.	Noted.
SEJUG SSEN	10.16.1	See 6.3 – calendar days	Noted, basically saying the same thing.
DfT	11.3 / 11.6.1	In several other places I think you need to make it clearer that while the HAUC (England) Guidance, Operation of Permit Schemes (Feb 2017) supports how a scheme works best, it is the Statutory Guidance that is authoritative.	Noted.
Southern Water		Southern Water would also like confirmation that Immediate Works Permits will not be refused & that any required changes will be in line with 5.3 of the HAUC(England) guidance - permit should be granted followed by an Authority Imposed Variation.	Noted and confirmed.
Openreach	11.6.2	Please revise this sentence; electronic means cannot replace the EToN technical specification.	‘Electronic means’ has been described in Appendix D.

SEJUG SSEN	11.9.3	not currently in street manager	This is future proofing the scheme. Street Manager will allow attachments to be added and submission made that way.
SEJUG SSEN	12.2 (n)	contingency plans are required. Can you please clarify under what legislation and in what format these are required?	This is something being considered by the HA when making a decision on an application, not something to be submitted by the Promoter.
SEJUG SSEN	12.3.2	please clarify “cross reference” the details?	The permit will reference the details which were included with the application, as required by Section 10 and HAUC (England) Guidance 2017, 2.2
Southern Water	12.4.1	Refusal and Withdrawal of Application & 14 - Revocation - Southern Water has concerns that refusal or revocation of a permit could result in a contravention of Southern Water’s statutory rights, and could result in failure to comply with other legislation (the Water Industry Act etc). For non major activities on minor roads, Southern Water suggests the permit be deemed to be accepted in all cases, so that it mirrors as closely as possible the works being dealt with under the noticing regime. Southern Water fears that there is a risk that a permit could be refused for a non-valid reason, & would also like to stress that duration of works should not be challenged unnecessarily.	As permit fees apply to all works categories, all applications will be responded to and no applications should be considered as deemed automatically. Each application will be considered on its own merits.
SEJUG SSEN	13.4	Where the Promoter needs to apply to vary a permit or to vary permit conditions they should contact the Council to discuss the matter at the earliest possible time – this contradicts the allowable use of permit variations, which the Authority can grant or refuse. We should not need to make contact with the Authority for every change, as this is not required under permit legislation.	Noted.
SEJUG SSEN	13.5.5	how will this take place?	Contact will be via phone and / or email.
SEJUG SSEN	13.5.7	this should not happen unless agreed with the undertaker and only in exceptional circumstances.	Noted.
SEJUG SSEN	14.2	with a revoked permit there is no charge. Unsure about references to a refund? We will not pay a permit fee should the permit have been revoked. Please consider rephrasing.	Noted.

SEJUG SSEN	14.4 (a)	this should only happen in exception circumstances and should not be used in place of a refusal where works can be reactivated.	Noted.
Southern Water	15.6.1	“Any Fire and Rescue Service testing on a fire hydrant. (<i>Works on the repair and maintenance of the hydrant, mains supply, and or cover and frame would be subject to a fee</i>);” . Southern Water does not agree with this statement, and would like to see this in line with all other Permit Schemes in SW's Area of Operation where works on Fire Hydrants are exempt from Permit Fees.	<p>Works carried out on behalf of the Fire and Rescue Service will be treated in the same way as works by the Highway Authority or contractor working on their behalf so will not be charged a fee.</p> <p>However, if Southern Water are working for their own purposes at their own costs, such as repairing a leak they are responsible for, then a fee will be charged.</p>
SEJUG SSEN	15.6.1	<p>(d) this should be an AIV;</p> <p>(i) please clarify the circumstances around this statement as we would always try to do 1st time reinstatement;</p> <p>(j) works on fire hydrants should not be subject to a permit fee under any circumstances.</p>	<p>(d) This is when a PMR and an AIV are actioned at the same time;</p> <p>(i) When the Permit Authority requests temporary reinstatements;</p> <p>(j) Works carried out on behalf of the Fire and Rescue Service will be treated in the same way as works by the Highway Authority or contractor working on their behalf so will not be charged a fee.</p> <p>However, if Southern Water are working for their own purposes at their own costs, such as repairing a leak they are responsible for, then a fee will be charged.</p>
SEJUG SSEN	15.6.2	surely a discount should be identified by the permit authority on application.	The Permit Authority will identify discounts, this is for the Promoter to include comments to identify where they would expect an application to be free of fee.

SEJUG SSEN	15.7.1	Such Permit Applications (and Provisional Advanced Authorisations) may be required to contain specific time related conditions. Please can you clarify this request ?	Permit application to state days / times of proposed working which would then qualify for a discount.
SEJUG SSEN	16	Strongly suggest removal of this lengthy chapter and refer back to the HAUC (England) National Guidance on conditions.	This section is in addition to the HAUC (England) Guidance 2017, to add clarity
DfT	16.2.1 16.2.2	The conditions the Council can apply to permits will be as set out in the standard condition text as described in the HAUC (England) Guidance /The Council will adopt solely the Nationally agreed conditions text developed and approved by HAUC (England) as our standard conditions. <u>This is not correct.</u> The national conditions are set out in the March 2015 statutory guidance under regulations. Any changes made to the conditions will be made following regulation change and will need to be applied from the date of the revised statutory guidance as set out in said revised regulations.	16.2.1 refers to the Statutory Guidance for Highway Authority Permit Schemes.
Southern Water	16.4.3	When will Island Roads be publishing the specified strategic list in the ASD? Will it also be possible to have a list of these Streets?	These are our Traffic Sensitive streets
SEJUG SSEN	16.4.4	please confirm which legislation this 4hr timescale refers to?	Promoters are required to submit a permit within two hours of the works commencing. Four hours is to give time to submit an application retrospectively for TTRO / TTRN. This is what is being required by the Isle of Wight County Permit Scheme.
Openreach	16.4.4	Openreach request clarification on what the process would be for works outside of the normal day.	16.4.4 refers to 'within 4 working hours'.
SEJUG SSEN	16.5.1	this practice is not in legislation and is not practical as no means of storage is available	Such information should be available in the gang's job pack.
SEJUG SSEN	17.2	Section 74 inspection – please clarify which legislation does the inspection refer to?	This would be a Category B , a third party , or an investigatory inspection.
SEJUG SSEN	18.4	please clarify and give examples of exactly when this will apply?	When working outside of the scope of the permit issued.

Southern Water	18.4	further clarification required as to exactly what falls under the definition of 'not working within the content of an issued permit'. In many cases it would be seen as working in breach of Permit conditions. Examples required when you would not be working within the content of an issued Permit.	When working outside of the scope of the permit issued.
Openreach	18.6.2	Please revise this sentence, it does not make sense.	'Electronic means' has been described in Appendix D.
SEJUG SSEN	18.7.4	if the FPN is paid this discharges our liability. The recent review of chapter 11 of the co-ordination COP refers to this.	Noted. If the FPN has not been paid, then it may be withdrawn, and prosecution follow.
SEJUG SSEN	18.10.1	any revocation of the permit should only be done in exceptional circumstances and the works promoter should be contacted in advance of this action.	Noted
SEJUG SSEN	20.3.1	Overrun charging scheme – please clarify as we do not believe S74 to be a scheme as such.	20.3 explains how S.74 overrun charging will be operated.
SEJUG SSEN	20.3.4	SEJUG does not agree this should be applicable if an extension is granted and valid as this is just revenue raising. Where a valid timely extension (i.e. > 48hrs or 20%) is made an application should be considered without penalty.	This section states S74 durations may be challenged after a variation, and not will be challenged.
Southern Water	20.3.4	Southern Water sees the granting of a variation but not the extension of the reasonable period as revenue raising. Why would the reasonable period not be extended in line with the variation extension?	S 20.3.4 says the reasonable period will be revised.
SEJUG SSEN	20.3.5	Working days are also applicable	Noted
SEJUG SSEN	22.4	Suggest removal as irrelevant to the scheme	Clarity as to the operation of the scheme relative to S58 / 58A of NRSWA.
Southern Water	24.5.5	Southern Water cannot comply with a 28 day payment, as SW Finance standard turnaround times are at least 45 days.	Permit fee reconciliation and payment is as per HAUC (England) Guidance 2017.
SEJUG SSEN	22.6	Suggest removal as irrelevant to the scheme	This clarifies process.
SEJUG SSEN	24.1	Where the Promoter does not comply with the terms of the permit, a penalty may be applied using a Fixed Penalty Notice – this has no relevance to the section on fees, therefore SEJUG suggests removal.	Too clarify that Permit fees and FPN penalties will be dealt with separately.

Network Rail	24.1	Network Rail request proof of the legality of your statement “Where the Promoter does not comply with the terms of the permit, a penalty may be applied using a Fixed Penalty Notice”	Standard FPN condition breach (Reg 20).
SEJUG SSEN	24.5.5	SEJUG suggests fees are sent monthly in arrears so we can check before an invoice is submitted.	Permit fee reconciliation and payment is as per HAUC (England) Guidance 2017/
Openreach	24.5.5	Openreach request that Authorities present Permit draft charges on a monthly basis and in Excel spreadsheet format, as the charges need to be uploaded to our system as a .csv file. Openreach are not able to convert PDF format into Excel spreadsheet or .csv format. Production of charges in Excel format will enable us to process these charges in a timely manner.	Permit fee reconciliation and payment is as per HAUC (England) Guidance 2017/
Conclusion			
SEJUG		SEJUG suggests that the Scheme document be effectively reduced in size, by reference to the HAUC England guidance, and relevant sections as stated above. SEJUG is disappointed by Isle of Wight Council's decision to charge on minor roads, and strongly feel these permit costs are not justified. The CBA does not show the costs against works and the 50p element need to be removed.	<p>Due to the number of works undertaken on the Island, the permit fees have had to be set at maximum across all categories to allow the costs of running the scheme to be covered.</p> <p>Cat 3 & 4 roads are critical on our network due to these being the strategic links between the cat 1 & 2 roads.</p> <p>50p is only on fees which are the calculated 30% reduction of the cat 3 & 4 traffic sensitive streets fee. West Sussex have the same fee structure.</p>

END OF DOCUMENT

