

Prosperous Overview and Scrutiny Committee – Thursday 9th November 2023

Annual Street Works Permit Scheme Reports and Draft Traffic and Network Management Plan

Recommendations

I recommend that the Committee:

- a. Review the Year 1 and 2 Annual Street Works Permit Scheme Report.
- b. Comment on the draft format and approach taken with the proposed Traffic and Network Management Plan (TANMP)

Local Member Interest:

N/A

Report of Cabinet Member for Highways and Transport

Summary

What is the Overview and Scrutiny Committee being asked to do and why?

1. Confirm the Year 1&2 and Year 3 Annual Street Works Permit Scheme Reports reflect delivery of the objectives set by cabinet when approving a move to a Street works Permit Scheme from noticing.
2. Confirm whether the committee wish to review these statutory reports every 3 years before publication going forward.
3. Scrutinise and comment on the draft format and approach taken with the proposed Traffic and Network Management Plan (TANMP) so that work on this can continue.

Report

Background

4. The proposal of introducing a Street Works Permit Scheme was first raised at Cabinet on Wednesday 16th October 2013. And it was decided that the County Council proceeds towards the introduction of a permit scheme for street works, that the final decision to proceed with the scheme be delegated to the Cabinet Member for Economy and Infrastructure.
5. In 2019 the Department for Transport wrote to all remaining highway authorities operating under Noticing to advise that they would be required to adopt a Street Works permit scheme to ensure they were working in line with the compulsory Street Manager system they were developing to support permit activity across England.
6. Staffordshire County Council, in August 2019, received cabinet approval, in exercise of its powers conferred by section 33A (2) of the Traffic Management Act 2004 and all other enabling powers will commence operating a permit scheme on all publicly maintained roads within its authority boundary, as set out in the Schedule to the Order in terms commonly known as the "West and Shires Permit Scheme". The objectives set out by Helen Fisher, Cabinet Member for Highways and Transport are:
 - a. Value for money
 - b. Greater control over works
 - c. Promotion of better working practices
 - d. Improved coordination and quality of works
 - e. Better informed residents and highway users
 - f. Reduced impact whilst essential works to the highway or utility apparatus is taking place
7. On Wednesday 18th March 2020 Cabinet made the decision to agree that the County Council becomes a permit authority for road and street works under the Traffic Management Act 2004 (TMA) from 1st April 2020.
8. Part 3 of the Traffic Management Act 2004 allowed the introduction of a Permit Scheme to enable the better management of work activities on the highway. In particular, it aimed to improve the ability of local authorities to control and coordinate utility company's street works and its own highway works in order to minimise disruption and congestion.
9. The New Roads and Street Works Act 1991 (NRSWA) and the Traffic Management Act 2004 (TMA), supported by relevant regulations and

codes of practice, provide a legislative framework for street works by undertakers (including utility companies) and the road works carried out by highway authorities – to the extent that these must be co-ordinated by street authorities. Highway authorities are the street authorities for the public road network. The aim of this code of practice is to balance the statutory rights of highway authorities and undertakers to carry out works with the right of road users to expect the minimum disruption from works.

10. NRSWA sets out the objectives of the co-ordination function:
 - a. to ensure safety
 - b. to minimise inconvenience to people using a street, having regard, in particular, to the needs of people with a disability
 - c. to protect the structure of the street and the apparatus in it
11. The County Council elected to join the already established “West and Shires Permit Scheme” which our neighbouring highway authorities were already part of including Shropshire, Telford & Wrekin, Cheshire East, Warwickshire, Coventry and Worcestershire. The benefits to this were to join an already established scheme and gain access to the expertise and knowledge of the highway authorities operating under this framework.
12. Since April 2020 the Highway Authority has been a Street Works Permit Authority. Prior to April 2020, the Authority was notified of proposed works in the Highway was via Street Works Notices.
13. This means that instead of informing the council (as the Highway Authority) about its intention to carry out works in the area, a Statutory Promoter (including utility companies) would need to book time on the highway through a permit. The same requirement applies to the council (as the Highway Authority) for its own roadworks. The council can either grant a permit, with conditions attached, or refuse the permit application.
14. In Spring 2022 there was a restructure that brought the Network Management Unit, the TMA Assurance team (Parking enforcement and regulation) and the Network Inspections team together, to create one holistic team, which is the current Traffic & Network Management team.
15. The Traffic & Network Management team are responsible for assessing all Street Works permit applications, both from third-parties and the Highway Authority, licence applications, such as skips, scaffolding and Vehicle Access Crossings (VACs), Section 50 applications, these are applications to install third-party apparatus in the highway, Civil Parking Enforcement, Traffic Regulation (both permanent and temporary), on-street Permit Parking Schemes and Pay & Display schemes, Network

Inspections, typically of ongoing utility works, reinstatements of utility works and Section 81s (which are defective utility apparatus in the highway) and Staff Parking.

16. In 2019/20, the final year of a Notice regime being in place, approximately 18,000 notices were received.
17. Since the Permit Scheme went live in April 2020, the number of permit applications and variations have significantly increased, with figures for 2022/23 being 4,766 PAAs, 36,393 permit applications and 22,074 permit variations, each of which requires a positive action to be taken by the highway authority within set timescales in order to charge a fee for assessment.
18. It is a requirement of The Traffic Management Permit Scheme (England) Regulations 2007 as amended in 2015, Regulation 40 that an Annual Report be produced for each of the first three years that the scheme is in operation and then each third year thereafter, and that permit schemes operate on a 'cost neutral' basis with all funds generated being used for the operation of the permit scheme exclusively. The format for these reports is provided by HAUC England via an Advice Notes published in January 2016.
19. The Annual Permit Scheme Report outlines the permit volumes, varying transactions, penalties & fines and the highway authority's assessment of this data along with identifying key improvement/focus areas for future years whilst ensuring the statutory duties outlined in the New Roads and Street Works Act (NRSWA) 1991 and the Traffic Management Act (TMA) 2004 are observed.
20. The Traffic and Network Management Plan is intended to formalise this at a higher level and identify points of intersection with other policies such as the Highway Infrastructure Asset Management Plan (HIAMP) and the Bus Service improvement Plan (BSIP) and how the approach of the Traffic & Network Management Team feeds into the Local Transport Plan (LTP) which is currently under review.

Link to Strategic Plan

21. The Strategy primarily relates to the 'Fix more roads, and improve transport and digital connections'. Strategic Plan priority and all the associated priorities. My managing the activities taking place on the network more effectively and with a clear direction and focus, the aim is to minimise disruption and ensure residents and businesses have access to all relevant utilities including superfast broadband. There are cross-cutting elements to a lesser degree into 'Support Staffordshire's economy

to grow, generating more and better-paid jobs' and 'Tackle climate change, enhance our environment, and make Staffordshire more sustainable'.

Link to Other Overview and Scrutiny Activity

22. Please click this [link](#) for further detail on the consultation, this [link](#) for the outcome of the consultation. Please click this [link](#) to take you to the Cabinet meeting outcome from March 2020, this [link](#) also takes you to the original instance this was raised at Cabinet in 2013 (item 36)

Community Impact

23. It is a key aim that disruption to all road users is minimised wherever possible and that communities and businesses that could be affected by Street Works or Road Works or other activities on the highway network are kept informed and engaged where appropriate and that people with disabilities are being considered and catered for by works promoters. This links into the 'Fix more roads, and improve transport and digital connections' priority.

List of Background Documents/Appendices:

Appendix 1 – West and Shires Permit Scheme Performance & Evaluation Report, Years 1 & 2 Draft

Appendix 2 - West and Shires Permit Scheme Performance & Evaluation Report, Year 3 Draft

Appendix 3 – Traffic and Network Management Plan Draft

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