



National Joint Utilities Group Ltd
111 Buckingham Palace Road
London
SW1W 0SR
info@njug.org.uk
020 7340 8737

16th December 2011

**National Joint Utilities Group (NJUG) re-Consultation Response to:
2nd Consultation on the Proposal to Operate a Common Permit Scheme in Parts of the
Yorkshire Region**

NJUG welcomes the opportunity to respond to the re-consultation to operate a common permit scheme in the Yorkshire Region, and hope that the below comments provide constructive feedback on the content of the scheme.

The comments below relate to the references (in red) made in the consultation document for the common scheme:

Section 6.2 – ‘Approved permits’ – are these permits deemed and or granted? – Need consistency in terms used throughout the document

Section 6.8.1 – The form in Appendix J is suitable for some additional information – minor changes should still be utilised through the comment process as this will reduce the amount of administration required.

Section 6.8.5 – Application Period – The Permit Authorities contact number should be clearly discernable from all others on the website

Section 6.10 – should not the word ‘require’ be changed for the word ‘impose’

Sections 6.10.3 – Polygons are not readily available in all promoters systems or Eton. The stipulation within the legislation stipulates start and end co-ordinates should be given

Section 6.10.5 – Illustrations may be provided by reference to a web server address

Section 6.10.6 – as per 6.8.1 above

Section 6.10.8 - as per 6.8.1 above

Section 6.10.9 – as per 6.8.1 above

Section 7.4.6 – If environmental conditions are imposed by the local authority these should be deemed as Permit Imposed Variations.

Section 8.2.2 - NJUG does not believe that Section 74 charges can justifiably apply where an extension has been granted and a valid permit is in force. When an authority agrees to a Variation Permit, by default they agree that:

(i) The co-ordination requirements of the site allow working to continue with no detriment to other works promoters.

(ii) A duration extension is valid as a requirement to complete works to the necessary quality and safety standards demanded by the utility and NRSWA.

If the site is not available then a variation permit will not be granted. The process for agreeing a permit variation mirrors the process for granting a revised duration estimate, which has to be reasonably given. The network management and coordination considerations are exactly the same, to separate the two processes makes absolutely no sense at all. The authority will be profiteering by agreeing to a permit variation and then charging the utility daily for working perfectly legally as agreed by the authority. This type of behavior could also encourage utilities to risk working without a valid permit when site circumstances increase the works duration rather than encouraging them to discuss their works with the authority in the true spirit of cooperation. Yorkshire and certainly NJUG can only condemn such actions. Simply to grant one without automatically granting the other is not ethical.

It is disappointing to see that Permit Authorities are proposing to operate two different controls to permits and that they are not prepared to co-ordinate the Permit end and Prescribed end dates. If a permit is extended it should be taken that there is sufficient reason for the works to continue and that the revised duration under the noticing process should also be considered and operated in parallel. The Eton systems do not readily differentiate between Permit and Noticing End dates.

Section 8.2.4 – Consideration needs to be given to Minor Works of 3 days duration or less as these parameters within this paragraph would not apply

Section 8.2.4 – Suggested re-word ‘activity will deviate from the terms and conditions of the original permit’

Section 8.4.1 – Discussion needs to be considered prior to Permit Authority imposing a change of dates as customer commitments, charters and compensation may be applicable.

NJUG hopes that the comments above assist the Yorkshire Region in finalising its common permit scheme and is more than happy to assist in any further development of the scheme.

Yours sincerely



Les S Guest
Chief Executive, NJUG