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## NORTHAMPTONSHIRE PERMIT SCHEME FOR ROAD WORKS AND STREET WORKS CONSULTATION QUESTIONNAIRE: RESPONSE FROM THE NATIONAL JOINT UTILITIES GROUP

### PART 1 – INFORMATION ABOUT YOU

Name **NJUG**  
Address **111, Buckingham Palace Road, London**  
Postcode **SW1W 0SR**  
email **[info@njug.org.uk](mailto:info@njug.org.uk)**  
Company Name or Organisation (if applicable) **NJUG ( National Joint Utilities Group Ltd)**

Please tick one box from the list below that best describes you /your company or organisation.

Utility

Small to Medium Enterprise (up to 50 employees)

Large Company

**Representative organisation (e.g. disability charity)**

Trade Union

Interest group

Local Government

Central Government

Emergency Services

Member of the public

Other (please describe):

If you are responding on behalf of an organisation or interest group how many members do you have and how did you obtain the views of your members:

**[Through consultation with our members, comprising 37 utility companies and 12 associate members](#)**

If you would like your response or personal details to be treated **confidentially** please explain why:

N/A

December 2009



**PART 2 – YOUR COMMENTS** (If you are completing a paper copy of this questionnaire please continue on to a separate sheet of paper if there is insufficient room for your response).

**Q1:** Do you consider that the Northamptonshire Permit Scheme is suited to the needs of Northamptonshire? If not, please explain why not.  Yes  No

Please explain your reasons or add any additional comments you wish to make:

By applying the scheme to trunk and strategic roads only, the concept of a “permit” has some benefit in managing and coordinating works which affect just the most seriously congested routes. The inclusion of works from all promoters, including the authority’s own resources also ensures that the scheme is fair and equitable across the region, providing a basis for overall performance measurement.

However, the question must be asked whether the scheme is really necessary at this stage in the embedment of NRSWA and the Traffic Management Act. The Cost Benefit Analysis scope document does not show factual evidence whether such a scheme is needed, but merely states that the scheme will be monitored once in place. We would suggest that Northamptonshire should ideally maintain a “noticing” regime for all roads and allow works promoter performance and coordination to be measured accurately.

**Q2:** Do you think the Northamptonshire Permit Scheme reflects the requirements of the draft Statutory Guidance for Permits as found at: <http://www.dft.gov.uk/pgr/roads/tpm/tmaportal/tmafeatures/tmapart3/>  Yes  No

Please explain your reasons or add any additional comments you wish to make:

**Q3:** Do you think the Northamptonshire Permit Scheme reflects the requirements of the draft Code of Practice for Permits as found at: <http://www.dft.gov.uk/pgr/roads/tpm/tmaportal/tmafeatures/tmapart3/>? If you have answered “No” please explain in what areas the Northamptonshire Permit Scheme does not reflect the requirements of draft Code of Practice for Permits?  Yes  No

Please explain your reasons or add any additional comments you wish to make:

**Q4:** Do you think the Northamptonshire Permit Scheme accurately reflects the requirements of The Traffic Management Permit Scheme (England) Regulations 2007? Yes  No

Please explain your reasons or add any additional comments you wish to make:

The Permit Regulations require financial justification for a scheme to be implemented whereas the Northamptonshire scheme is only based on theoretical justification.

**Q5:** Do you agree that is helpful to have an “optional” permit, as detailed in section 5.3, which can be used if a works promoter wishes to book road space? Yes  No

Please explain your reasons or add any additional comments you wish to make:

This function cannot be mandatory and is not suited to all works such as customer connections. The question should be asked “What is the value? And will this place an unnecessary



administration burden on both works promoter and highway authority?"

**Q6:** Do you understand what conditions may be applied in granting a permit. Yes  No

Please explain your reasons or add any additional comments you wish to make:

We have concerns over some of the conditions listed and require further details. Eg:  
9.4 (ii) Road space – the details regarding width/length of road space will only be determined once the site is set up and occupied and equally applies to road space left available.  
9.4 (iv) – and 9.7 - What constitutes a “local condition”, and “manner of the works”, in terms of these definitions?

**Q7:** Are the penalties for not correctly applying for a permit clearly identified? Yes  No

Please explain your reasons or add any additional comments you wish to make:

**Q8:** Are the penalties for not abiding by permit conditions clearly identified. Yes  No

Please explain your reasons or add any additional comments you wish to make:

**Q9:** Do you think that the monitoring proposed for the scheme is adequate? Yes  No

Please explain your reasons or add any additional comments you wish to make:

The scheme does not show any monitoring proposals so we cannot comment on whether they are applicable. However, we note that the accompanying letter lists various KPI's which should presumably be in the body of the scheme, some of which we agree with, some we do not. We would therefore suggest forming a working group to consider the ideal performance measurement criteria for the scheme.

**Q10:** Are there any aspects of the Northamptonshire Permit Scheme which require further clarification? Yes  No

Please explain your reasons or add any additional comments you wish to make:

As above, the function “Optional Permit” needs further consideration and a full explanation of how this might be effective. Also see Q12. Yes  No

**Q11:** Do you have any suggestions for improving the Northamptonshire Permit Scheme?

Please explain your reasons or add any additional comments you wish to make:

Inclusion of a “refund” policy and process for situations where works are cancelled or varied by the HA. At present it appears that the works promoter will have to pay for the application, and if cancelled or unduly postponed by the HA, will not receive anything back....this cannot be correct!



**Q12:** Do you have any other comments on the Northamptonshire Permit Scheme?

Yes	No
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Please explain your reasons or add any additional comments you wish to make:

The following points are raised by reference in the document;

- **6.2 PAA** Why does the granting of a PAA not prevent the authority from refusing a subsequent permit? It seems illogical to refuse a permit in later discussions after agreeing it in principal up-front. Any PAA should be scrutinised at the time of application to ensure that it is acceptable and that only variations should be allowable subsequently.
- **8.5 Location** NGRs are now NOT mandatory for notices under the Coordination Code of Practice. Permit Schemes should ideally also reflect the national standard for notices and make these optional, but to ask for them on a best endeavours basis. The requirement for dimensions of the space taken up by the activity is unnecessary as the coordinates given as above will define the start and end, or middle, of the works site. Full dimensions could not be provided as circumstances change due to the physical nature of the site conditions encountered.
- **8.7 Illustration** The requirement for the use of the Disruption Effect Score should not be incumbent on the works promoter but on the coordinating authority, and the requirement for “illustrations” should not be mandatory as per the Code of Practice.
- **8.9 Traffic Management & Traffic Regulation Orders** All works are subject to the Safety code of practice which is the default traffic management proposal for all works. Portable light signals approval MUST form part of the permit conditions when an application is made and therefore the normal timescales for a permit application should apply and include these options. TTRO/T/Lights approvals should not be a separate process outside of the permit application.
- **9.4 Specific Conditions:**
  - (v) **Consultation** - Surely this is only practical for Major Works....utilities cannot and will not have resources for “carding” all activities, and to how big an audience would the carding for say a Minor Works be needed?
  - (vi) - **Environmental Issues** – Consultation with arboriculturalists should again only be where relevant...?
- **11.8 Right of Appeal** It may not be physically possible to stop Immediate Works for both safety and legal reasons where a loss of supply or service is apparent. Utilities are bound under statute to carry our certain activities within SLA's and as such could not be forced to wait whilst a Permit's terms are “negotiated”.
- **14 Fees** We can find no detail in this section on how permit fees will be invoiced and processed. It is critical that the rules for payment are understood by stakeholders at the document consultation stage.
- **17 Monitoring** The scheme document does not detail what the KPIs will be, although the accompanying letter includes Appendix 2 “Key Performance Indicators” which we suggest should be detailed in the document. However, within that Appendix we do not see how KPI 4 can be a true measure of compliance with the scheme as it merely measures how vigilant the HA has been in its network management duty. We would suggest removing or changing this KPI so that the scheme is measured to determine whether or not there is any change in measured levels of congestion.