Nottingham City Council Permit Scheme

For

Road Works and Street Works

Consultation Document
11th April to 11th June 2014

Supplementary Scheme Information

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1. Introduction

Part 3 of the Traffic Management Act 2004 (TMA) introduced permit schemes as a new way in which activities in the public highway could be managed to improve authorities' abilities to minimise disruption from street and road works.

Permit schemes provide an alternative to the 'notification system' of the New Roads and Street Works Act 1991 (NRSWA). Instead of informing a street authority about its intention to carry out works in the area, a utility company would need to book time on the highway through a permit as would a highway authority for its own works.

2. Background

Nottingham City Council is responsible for approximately 943 kilometres of road. The City of Nottingham covers an area of approximately 75sq kilometres, with a population of approximately 305,700 and counting.

The growth in development and travel demand is predicted to result in a significant increase in traffic in coming years. The existing road network within the city of Nottingham already experiences severe, predictable peak time congestion on all major routes into the city centre. Development on the perimeter of the city is likely to increase the demand for travel on the major road network.

The authority has taken the decision to introduce a permit scheme and has given extensive consideration to the development of a scheme suitable to the local conditions in Nottingham. The permit scheme is to be known as 'The Nottingham City Council Permit Scheme for Road Works and Street Works', and hereinafter is referred to as ***The Permit Scheme***.

The Permit Scheme is aimed at managing the local road network to make the best use of the available road capacity for the benefit of all road users and to support the local economy by improving the planning and execution of works and minimize disruption to the free flow of traffic. The Permit Scheme will provide a clear strategic framework for the planning of works on the local road network.

The Permit Scheme will improve coordination as all work promoters will be required to supply better information and there will be incentives for all promoters to work together to optimise the use of road space for planned activities. The Permit Scheme includes measures to promote joint working.

3. The Permit Authority

The Permit Scheme is operated by Nottingham City Council as the highway authority for the city of Nottingham, and is hereinafter referred to as the ***Permit Authority*****.**

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4. The Objectives of the Permit Scheme

The strategic objective of the Permit scheme is to provide a capability to manage and maintain the local highway network for the safe and efficient use of road space, whilst allowing Promoters access to maintain their services and assets.

The Permit Scheme has been developed to reflect the strategic transport aims for Nottingham, as set out within the Permit Scheme document.

The main objective of the Permit Scheme is to minimise delays to road users, by improving the planning, coordination, management and execution of street works, road works and events.

The key objectives are:

- To reduce the adverse impact of works on local residents, local businesses, bus passengers and the visually and mobility impaired and other road users;
- To better inform road users about works in the highway;
- To achieve greater road user satisfaction with the management of works.
- To ensure parity between promoters of street works and those undertaking the Highway authority's own works for road purposes.
- To ensure greater compliance with highways legislation by works promoters;
- To ensure greater cooperation between different works promoters;
- To protect the structure of the street and apparatus within it, in a way that helps manage long-term maintenance costs;

5. Benefits of the Permit Scheme

The benefits to be derived from the operation of the Permit Scheme have been identified as:

- Improvements to overall network management.
- Reduced congestion on the road network.
- Improved journey time reliability.
- A reduction in delays to the travelling public.
- A reduction in costs to businesses caused by delays.
- Promotion of sustainable communities and businesses.
- Promotion of a safer environment.
- Reduced carbon emissions.
- Minimising other impacts on the community and the environment.

The "other impacts" in the final benefit include more general quality of life factors related to the effect that activities have on the lives of local people. Work will always need to be carried out by the highway authority and other activity promoters but people will be more understanding if they perceive that the activities are being managed by Nottingham City Council as Permit Authority, and by activity promoters in ways that minimise the impacts.

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6. The Design of the Permit Scheme

The Permit Scheme is based on Part 3 of the TMA and the Traffic Management Permit Schemes (England) Regulations 2007, hereinafter referred to as ***The Regulations***.

Nottingham City Council, as Permit Authority has decided that the most appropriate scheme for Nottingham is one that will operate on 100% of the network for which Nottingham City Council is the highway authority. It is considered that this would best meet the Council's objectives in support of its network management duty.

This principle is supported in the additional guidance issued in January 2013 by the Department for Transport.

The Permit Scheme shall not apply to:

- roads managed, maintained and operated by the Highways Agency;
- roads managed, maintained and operated by Nottinghamshire County Council;
- streets not adopted by and not expected to become adopted by Nottingham City Council as maintainable by the local Highway Authority.

Any street not adopted by Nottingham City Council as maintainable by the local Highway Authority but is prospectively maintainable will be included within the Permit Scheme.

Works undertaken under NRSWA s50 will be processed as 'optional permits'.

The Permit Scheme uses similar concepts to the NRSWA notice system in a number of key areas. This is to ensure consistency and facilitate better co-ordination of activities. Examples of these areas are:

- Registerable activities/works.
- Categories of activities/works, (major, standard, minor and immediate activities/works).
- Street gazetteers, including street referencing by means of a Unique Street Reference Number (USRN) and Associated Street Data (ASD).
- Street reinstatement categories as defined in the NRSWA Reinstatement Specification.
- The distinction between main roads and minor roads where such distinctions are relevant.
- Streets designated as Protected Streets, streets having Special Engineering Difficulties, (SED), or Traffic Sensitive Street.
- The Electronic Transfer of Notices (EToN) system.

It is a legislative requirement that the permit scheme must apply equally to all Activity Promoters. As such, the permit scheme will apply to both statutory undertakers and highway authority works. Highway authority works includes works undertaken by itself, its agents or contractors. Nottingham City Council's Permit Scheme for Road Works and Street Works will ensure that this requirement is fully met.

The requirement to obtain a Permit and the process for obtaining a Permit will be the same for all Activity Promoters in the interest of parity.

In accordance with The Traffic Management Permit Scheme (England) Regulations 2007 section 31, Highway authorities shall not be liable to pay fees under a permit scheme.

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The Permit Scheme will ensure parity in the consideration of all works activities and events. The responsibilities of the Traffic Manager have been separated from the highway maintenance operations. The Permit Scheme will add further definition and transparency to how Nottingham City Council manages the local road network.

Although road works undertaken by or on behalf of the highway authority will not involve financial exchanges, as this would merely involve money being passed around the authority, all other aspects of the scheme will apply. Any charges that would have been made in respect of permit fees for road works will however be recorded and taken into account when carrying out an annual review of fees and income.

7. Fees

Regulation 30 gives the Permit Authority the power to charge a fee in respect of the following:

- The application for a PAA in respect of Major activities;
- The issue of a permit;
- Each occasion where there is a variation of a permit or the conditions attached.
- Where a permit variation would move an activity into a higher category, the promoter will be required to pay the difference between the permit fee for the two categories as well as the permit variation fee.

The fee levels proposed by the authority are given in the following table.

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Permit Type	Road Category 0, 1 & 2 and Traffic-sensitive Streets	Non Traffic Sensitive Road Category 3-4 Streets
Provisional Advance Authorisation	£103	£0
Major Permit Application - over 10 days and all major works requiring a traffic regulation order.	£232	£0
Major works – 4 to 10 days	£128	£0
Major works – up to 3 days	£64	£0
Standard Permit Application	£128	£0
Minor Permit Application	£64	£0
Immediate Permit Application	£58	£0
Optional Permit	£0	£0
Permit Variation Fee - major and standard activities	£45	£0
Permit Variation Fee - minor and immediate activities	£45	£0

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Fees will not be payable in the following circumstances:

- By the highway authority in respect of its own works for road purposes, but records of all permits issued and the fees that could have been charged will be kept in order to assist in the review of fees;
- Where a permit is deemed to be granted because the Permit Authority failed to respond to an application within the time set down in Appendix G of the Permit Scheme document;
- If a permit variation is initiated by the Permit Authority or the Authority has to revoke a permit through no fault of the promoter;
- Where the promoter has applied for an optional permit.

Fees will be waived and/or discounted as required by the Regulations. The Permit Authority will retain the option to waive or reduce fees at its discretion in other circumstances.

The Permit Authority will review its scale of fees annually to ensure that the overall fee income does not exceed the allowable costs. The outcome of the annual fee reviews will be published and open to public scrutiny and made available at the local HAUC co-ordination meeting.

8. Evaluation of the Permit Scheme

In accordance with the 2007 Regulations, the Permit Authority will monitor and evaluate the Permit Scheme to ensure parity of treatment for all activity promoters and that the scheme meets its objectives.

Parity and performance will be measured using a set of Key Performance Indicators (KPI's). The results of the KPIs will be published annually.

The KPIs will be discussed at the regular activity promoter meetings as appropriate. In addition, the KPIs will be made available to any other person or body on request or the authority may choose to publish them on their website.

The Permit Authority will also establish an internal monitoring group, which includes the Traffic Manager to monitor and evaluate the Permit Scheme to ensure that it demonstrates parity of treatment for all activity promoters, particularly between statutory undertakers and the highway authority's own activity promoters.

The KPIs selected to measure the performance of The Permit Scheme are:

KPI1 – The number of permit and permit variation applications received, the number granted and the number refused.

KPI2 – The number of conditions applied by condition type.

KPI3 – The number of approved extensions.

KPI7 – Number of inspections carried out to monitor conditions.

The Permit Authority intends to work with Activity Promoters to develop additional indicators. To do this the Permit Authority will need to retain the flexibility to develop further KPIs as experience of operating the scheme is acquired. For this reason, only the mandatory KPIs are included within the body of the Permit Scheme document. To include other KPIs would prevent amendments once the Statutory Instrument had been made other than by making an application to the Secretary of State for a scheme variation or revocation.

The scheme will be monitored using the KPIs set out in Appendix 10 but it is intended that additional measures will be developed in agreement with work promoters to monitor specific aspects of works performance and the operation of the scheme. Meetings prior to the consultation process demonstrated that the utilities and other work promoters are willing to join a group (or groups) along with the permit authority to develop detailed monitoring process and to evaluate the operation of the permit scheme and the performance of work promoters.

9. Proposed Implementation Date

It is proposed to implement the Permit Scheme on 31st March 2015.

A minimum of four week's notice will be given to promoters of street works and works for road purposes of the implementation of the scheme.

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10. Transitional Arrangements

The authority will liaise closely with all promoters before and during the transition period.

The Authority will advise all statutory undertakers and other works promoters; and all of the consultees as and when a formal decision has been made and provide the nominated start date (no less than 10 working weeks from the date of the response). Further notification, following the Statutory Instrument giving effect to the Permit Scheme, will confirm the start of the minimum four week period and will confirm the start date of the Permit Scheme.

Any specified activity that is planned to start after the commencement date stated in the Statutory Instrument will be required to comply with the appropriate administrative processes defined in the Permit Scheme.

Activities under sections 54 & 55 of the New Roads and Street Works Act for Major works, where the notice has been served before the commencement date; and where the planned start date is more than three months after the scheme commencement date; will need the statutory undertaker or promoter to re-submit the activities under the Permit Scheme provisions.

Activities under sections 54, 55 or 57 of the New Roads and Street Works Act for Standard, Minor or Immediate works, where the notice has been served before the commencement date; and where the planned start date is more than one month after the scheme commencement date; will need the statutory undertaker or promoter to re-submit the activities under the Permit Scheme provisions.

Other activities that are in-progress and that have started under a notice will continue under a notice.

Where on-going major schemes that will occupy various streets are in progress, the Authority will work closely with the statutory undertaker or other work promoter to apply the Permit Scheme Transitional Arrangements, as described above, to ensure continuity and progress of the whole scheme whilst changing over to the Permit administrative process.

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11. Compliance with EToN

The Permit Scheme is fully compliant with the Technical Specification for the Electronic Transfer of Notices, (EToN), and is set up to receive applications, issue PAAs and permits. The system will be subject to testing between the Permit Authority and the Activity Promoters so as to ensure that when the Permit Scheme is implemented, systems will function correctly. Many of the communication systems are similar to the current system set up for noticing. The Permit Authority understands that in the past, some undertakers have experienced issues with other Permit Authorities in submitting some supplementary data via EToN, for example, plans and photographs. This should have been resolved by the implementation of EToN 6. However, we will be making supplementary arrangements to use email to support the flow of information. We will agree and resolve issues locally with undertakers in the pre-implementation period.

12. Summary

The Nottingham City Council Permit Scheme for Road Works and Street Works has been designed to assist the Council to manage the existing road network for the benefit of all road users. The permit scheme will support existing activities and priorities of the Council, and will provide a positive benefit. The scheme will also encourage the promoters, including those working for and on behalf of the highway authority to work in collaboration and to a common standard. The improvements in the planning processes will benefit the operational management of the road network and promoters needing to carry out works.

APPENDICES

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Appendix A – Glossary

This section has been included for information only. Reference should be made to the relevant legislation and Codes of Practice for full and up-to-date details.

Term	Explanation
Above Ground	Any works which do not involve the breaking up or opening of the street or tunnelling or boring under it.
Activity	Means street works (except for works under licence such as Section 50 NRSWA) and works for road purposes as defined as Registerable Activities in Chapter 9 of The Code of Practice for Permits
Activity Promoter	A person or organisation responsible for commissioning an activity or activities [works] in streets covered by the Permit Scheme.
Apparatus	Has the same meaning as in Section 105 NRSWA ("apparatus includes any structure for the lodging therein of apparatus or for the gaining access to apparatus").
Appeals	Where disagreement remains unresolved between the Promoter and the Permit Authority about a Permit Authority's decision or actions, the Promoter may appeal using the procedure in Section 19 of this document.
Arbitration	Has the same meaning as in Section 99 of NRSWA, ("any matter which under this Part is to be settled by arbitration shall be referred to a single arbitrator appointed by agreement between the parties concerned or, in default of agreement, by the President of the Institution of Civil Engineers").
ASD	Additional Street Data (ASD) means other information held on the National Street Gazetteer Custodians website alongside the NSG adjudication.
Bank holiday	Has the same meaning as in Section 98 (3) of NRSWA, ("a day which is a bank holiday under the Banking and Financial Dealings Act 1971 in the locality in which the street in question is situated").
Bar hole	A bar hole is used to detect and monitor gas leaks.
Breaking up (the street)	Any disturbance to the surface of the street (other than opening the street).
Bridge	Includes the entire meaning specified in Section 88(1)(a) of NRSWA, ("references to a bridge include so much of any street as gives access to the bridge and any embankment, retaining wall or other work or substance supporting or protecting that part of the street").

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Bridge authority	Has the same meaning as in Section 88(1)(b) NRSWA, ("the authority, body or person in whom a Permit Scheme bridge is vested".
Bridleway	Has the same meaning as in Section 329 Highways Act 1980, "(a highway over which the public have the following, but no other, rights of way, that is to say, a right of way on foot and a right of way on horseback or leading a horse, with or without a right to drive animals of any description along the highway").
Carriageway	Has the same meaning as in Section 329 of Highways Act 1980, ("a way constituting or comprised in a highway, being a way (other than a cycle track) over which the public have a right of way for the passage of vehicles".
Central Register	A central register is a register covering two or more street authority areas that is maintained by one single authority, the 'register authority'. For example, a central register could include all authorities in a metropolitan or county area.
Code of Practice (for Permits)	The means the Traffic Management Act 2004 Code of Practice for Permits (March 2008), as published by the Department for Transport. Referred to as the "Code of Practice "within the Permit Scheme.
Co-ordination Meetings	Quarterly meetings to co-ordinate work within the highway authority's geographical area and neighbouring authorities roads.
Critical gyratory or roundabout system	A gyratory or roundabout system where, in the absence of street works or works for road purposes, no less than 5 per cent of peak hour vehicles on average are delayed by more than 20 seconds.
Critical signalised junction	A traffic signal junction at which, in the absence of street works or works for road purposes and at times when the exit is not blocked, no less than 5 per cent of peak hour vehicles on average fail to clear the junction on the first green signal.
Culvert	A structure in the form of a large pipe or pipes, box or enclosed channel generally used for conveying water under a road.
Cycle track	Has the same meaning as in Section 329 of the Highways Act 1980,("a way constituting or comprised in a highway, being a way over which the public have the following, but not other, rights of way, that is to say, a right of way on pedal cycles with or without a right of way on foot").
Day	Unless explicitly stated otherwise the reference to day means a working day.
DfT	Department for Transport.
Disability	Has the same meaning as defined in Section 105(5) NRSWA, "Section 28 of the Chronically Sick and Disabled Persons Act 1970 ("the 1970 Act") (power to define "disability" and other expressions applies in relation to the provisions of this Part as to the provisions of the 1970 Act").

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Disability Equality Duty	Has the same meaning as in Section 49A of the Disability Discrimination Act 1995, inserted by the Disability Discrimination Act 2005 which requires that "(1) Every public authority shall in carrying out its functions have due regard to— (a) the need to eliminate discrimination that is unlawful under this Act; (b) the need to eliminate harassment of disabled persons that is related to their disabilities; (c) the need to promote equality of opportunity between disabled persons and other persons; (d) the need to take steps to take account of disabled persons' disabilities, even where that involves treating disabled persons more favourably than other persons; (e) the need to promote positive attitudes towards disabled persons; and (f) the need to encourage participation by disabled persons in public life. (2) Subsection (1) is without prejudice to any obligation of a public authority to comply with any other provision of this Act.
Distribution Network Operator (DNO)	Operator of an electricity distribution network.
e-government	The Government objective to deliver efficiency savings while improving the delivery of public services by joining up electronic government services around the needs of customers.
Emergency works	Has the same meaning as in Section 52 NRSWA, ("works whose execution at the time when they are executed is required in order to put an end to, or to prevent the occurrence of, circumstances then existing or imminent (or which the person responsible for the works believes on reasonable grounds to be existing or imminent) which are likely to cause danger to persons or property").
EToN	Electronic Transfer of Notifications
Excavation	Has the same meaning as in "Breaking up" (the street)".
Extensible Markup Language (XML)	A self-describing data format providing (amongst other things) a method of transferring data between systems. Note that the UK Government eGIF standard mandates XML for this purpose.
File transfer protocol (FTP)	A method of transferring data between computers defined by RFC959 (RFCs - Request for Comments) are the standard documents that define the operation of the internet).
Fixed Penalty Notice	Has the same meaning as in schedule 4B NRSWA, ("a notice offering a person the opportunity of discharging any liability to conviction for a fixed penalty offence by payment of a penalty").
Footpath	Has the same meaning as in Section 329 Highways Act 1980, ("a highway over which the public have a right of way on foot only, not being a footway").
Footway	Has the same meaning as in Section 329 Highways Act 1980, ("a way comprised in a highway which also comprises a carriageway, being a way over which the public have a right of way on foot only").
Frontager	A person or body occupying premises abutting the street.

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Geographical information system (GIS)	A computer system for capturing, storing, checking, integrating, manipulating, analysing and displaying data related to positions on the Earth's surface.
HAUC(UK)	The Highway Authorities and Utilities Committee for the UK.
Heavy commercial vehicle	Has the same meaning as in Section 138 Road Traffic Regulation Act 1984, ("any goods vehicle which has an operating weight exceeding 7.5 tonnes").
Highway	Has the same meaning as in Section 328 Highways Act 1980, ("the whole or part of a highway other than a ferry or waterway").
Highway authority	Has the same meaning as in Sections 1 and 329 Highways Act 1980.
Highway works	Means "works for road purposes" or "major highway works".
Highways Act 1980	Means the Highways Act 1980
Immediate activities	Means emergency works as defined in Section 52 NRSWA or urgent activities or works as defined in The Street Works (Registers, Notices, Directions and Designations) (England) Regulations 2007.
In	Has the same meaning as in Section 105(1) NRSWA, "in a context referring to works or activities, apparatus or other property in a street or other place includes a reference to works or activities, apparatus or other property under, over, along or upon it".
Land	Has the same meaning as in Section 329 of Highways Act 1980, ("land includes land covered by water and any interest or right in, over or under land").
Level 1 (or 2, or 3) Gazetteer	As defined in the British Standard BS7666.
Local authority	Has the same meaning as in Section 270(1) Local Government Act 1972(a).
Local highway authority	Has the same meaning as in Section 329 Highways Act 1980,("a highway authority other than the Minister").
Local planning authority	Has the same meaning as in the Town and Country Planning Act 1990.

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Local register	Means a register that is maintained by a single street authority for its own geographic area and will include information on all streets other than those streets that are the responsibility of another street authority.
Local street gazetteer	A subset of the NSG containing details of all streets in a local highway authority area, being a self-contained entity created and maintained by the local highway authority covering all streets in their geographic area regardless of maintenance responsibility.
Main roads	Category 0, 1 and 2 streets and category 3 and 4 streets which are traffic-sensitive for all or part of the time.
Maintainable highway	Has the same meaning as “Highway maintainable at public expense” in S329 Highways Act 1980,and includes highway by virtue of Section 36 Highways Act 1980, and any other enactment (whether contained in the Highways Act 1980 or not ".
Maintenance	Has the same meaning as in Section 329 Highways Act 1980,("maintenance includes repair, and "maintain" and "maintainable" are to be construed accordingly").
Major activities	Activities which have been identified in an Promoter’s annual operating programme, or if not identified in that programme, are normally planned or known about at least six months in advance of the date proposed for the works; or street works, other than immediate works, where (i) the street authority has indicated to the undertaker; or (ii) the undertaker considers, that an order under Section 14 of the Road Traffic Regulation Act 1984 (temporary prohibition or restriction on roads) is required; or street works, other than immediate street works, which have a planned duration of 11 days or more”.
Major bridge works	Has the same meaning as in Section 88 (2) NRSWA, (“works for the replacement, reconstruction or substantial alteration of a bridge”).
Major highway works	Has the same meaning as in Section 86 (3) NRSWA, (“ works of any of the following descriptions executed by the highway authority in relation to a highway which consists of or includes a carriageway (a) reconstruction or widening of the highway; (b) works carried out in exercise of the powers conferred by Section 64 Highways Act 1980 (dual carriageways and roundabouts); (c) substantial alteration of the level of the highway; (d) provision, alteration of the position or width, or substantial alteration in the level of a carriageway, footway or cycle track in the highway; (e) the construction or removal of a road hump within the meaning of Section 90F Highways Act 1980; (f) works carried out in exercise of the powers conferred by Section 184 Highways Act 1980 (vehicle crossings over footways and verges); (g) provision of a cattle-grid in the highway or works ancillary thereto; or (h) tunnelling or boring under the highway”.
Major transport works	Has the same meaning as in Section 91(2) NRSWA, (“substantial works required for the purposes of a transport undertaking and executed in property held or used for the purposes of the undertaking”).
Material consideration	A consideration which relates to the carrying out of registerable activities and the impact of those activities. The weight to be accorded to any material consideration will depend upon the circumstances of the case.
Minor roads	Streets in reinstatement categories 3 and 4 which are not traffic sensitive at any time.

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Minor works	Means those street works other than immediate works or major works where the planned duration is three days or less.
National Grid Reference (NGR)	Location reference using nationally defined eastings and northings.
National Land and Property Gazetteer (NLPG)	Gazetteer providing a national reference of land and property related Data Nationally consistent street gazetteer (NSG), a database defined as “an index of streets and their geographical locations created and maintained by the local highway authorities” based on the BS7666 standard.
Nationally Consistent Street Gazetteer (NSG)	Means a database defined as “an index of streets and their geographical locations created and maintained by the local highway authorities” based on the BS7666 standard.
Network management duty	Means the duty imposed upon the local traffic authority under Section 16 TMA to manage their road network. The duty must be undertaken with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following overriding objectives: (a) securing the expeditious movement of traffic on the authority’s road network; and (b) facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.
Notice management system	Notice management systems receive electronic street works notices and are used by street authorities to manage them together with other relevant information.
NRSWA	New Roads and Street Works Act 1991.
NSG	National Street Gazetteer.
NSG Custodian	The body appointed to manage the NSG on behalf of the local highway authorities.
ODD	Operational District Data.
Opening (the street)	Removing a lid or cover to a manhole, inspection chamber, meter box or other structure embedded in the street without any “breaking up” of the street.
Ordnance Survey Grid	A spatial location based on the geospatially referenced national grid owned by the Ordnance Survey.
OSGR	Ordnance Survey Grid Reference.

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PAA	Provisional Advanced Authorisation. An indication of the likely future issue by the Permit Authority of a permit for certain proposed works.
Passenger Transport Authority	One of seven authorities (Greater Manchester, Merseyside, South Yorkshire, Strathclyde, Tyne & Wear, West Midlands and West Yorkshire) made up of representatives from local authorities in the area, responsible for public transport in their area.
Passenger Transport Executive	The executive arm of a Passenger Transport Authority.
Pedestrian Planning Order	Means an order made under Section 249(2) or (2A) Town and Country Planning Act 1990.
Permit Authority	The relevant local highway authority or authorities authorised by a Statutory instrument to operate a Permit Scheme.
Portable Traffic Signals	Portable signals used to control traffic at road junctions (multiway) or to control traffic along a road (two-way), which are defined within the Traffic Signs Regulations and General Directions (2002).
Prescribed	Has the same meaning as in Section 104 NRSWA, "prescription by the Secretary of State by Regulations, which may (unless the context otherwise requires) make different provision for different cases".
Promoter	A person or organisation responsible for commissioning an activity or activities [works] in streets covered by the Permit Scheme.
Protected street	Has the same meaning as in Section 61 NRSWA and includes any street that serves a specific strategic traffic need and therefore needs to be protected from unnecessary excavation and works and providing there is a reasonable alternative route in which undertakers can place the equipment that would otherwise lawfully have been placed in the protected street.
Provisional street	A street that does not yet have an entry in the NSG. Typically these will be newly created and/or private streets.
Public sewer	Has the same meaning as in the Water Industry Act 1991.
Railway	Has the same meaning as in Section 105(1) NRSWA and includes a light railway other than one in the nature of a tramway.
Reasonable period	Has the same meaning as in Regulation 37(4) of the 2007 Regulations and Section 74(2A) NRSWA as inserted by Section 256 Transport Act 2000.

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Reasonable times	Means normal office hours (08:00 to 16:30, Monday to Friday except Bank Holidays).
Registerable activities	As set out in Section 6.1, the permit scheme applies to all registerable activities as defines in Section 9.1.1 of the Code of Practice. As set out in Section 6.2 registerable activities correspond to what are “specified works” in the Traffic Management Permit Schemes (England) Regulations 2007.
The 2007 Regulations	The Traffic Management Permit Scheme (England) Regulations 2007.
Reinstatement	Has the same meaning as in Section 105(1) NRSWA, “and includes making good”.
Reinstatement Category	The reinstatement category of a street in the Permit Scheme is the same as the reinstatement category under NRSWA, as defined in the Specification for the Reinstatement of Openings in Highways.
Relevant authority	Has the same meaning as in Section 49 (6) of NRSWA, ("references in this Part to the relevant authorities in relation to any works in a street are to the street authority and also (a) where the works include the breaking up or opening of a public sewer in the street, the sewer authority; (b) where the street is carried or crossed by a bridge vested in a transport authority, or crosses or is crossed by any other property held or used for the purposes of a transport authority, that authority; and (c) where in any other case the street is carried or crossed by a bridge, the bridge authority").
Remedial works	Means those works required to rectify defects identified in accordance with the provisions of the Code of Practice for Inspections and Regulations.
Road	Means "Highway".
Road category	Means one of the road categories specified in paragraph 1.3.1 Chapter S.1 of the Code of Practice entitled “Specification for the Reinstatement of Openings in Highways” dated April 2010, or where revised or reissued from time to time.
Road works	Works for road purposes.
Schema (XML)	Schemas express shared vocabularies allow machines to carry out rules made by people. They provide means for defining the structure, content and semantics of XML documents.
Sewer	Has the same meaning as in the Water Industry Act 1991.
Small Openings and Small Excavations	All openings with a surface area of two square metres or less.

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Special Engineering Difficulties (SED)	Has the same meaning as in Section 63 NRSWA, and refers to streets or parts of streets associated with structures, or streets of extraordinary construction where street works must be carefully planned and executed in order to avoid damage to, or failure of, the street itself or the associated structure with attendant danger to person or property.
Specified works	Means registerable activities and comprises both street works and works for road purposes as described in the Permit Scheme.
Standard works	Standard works are those street works, other than immediate works or major works, which have a planned duration of between four and ten days inclusive.
Statutory Guidance	Means the Traffic Management Act 2004 Statutory Guidance for Permits (March 2008).
Statutory right	Has the same meaning as in Section 105 (1) NRSWA, ("a right (whether expressed as a right, a power or otherwise) conferred by an enactment (whenever passed or made), other than a right exercisable by virtue of a street works licence").
Statutory Undertaker	Has the same meaning as in Section 48 (4) NRSWA, and in relation to street works means the person by whom the relevant statutory right is exercisable (in the capacity in which it is exercisable by him) or the licensee under the relevant street works licence".
Street	Has the same meaning as in Section 48 (1) NRSWA, and includes the whole or any part of any of the following, irrespective of whether it is a thoroughfare;(a) any highway, road, lane, footway, alley or passage; (b) any square or court; (c) any land laid out as a way whether it is for the time being formed as a way or not".
Street authority	Has the same meaning as in Section 49 (1) NRSWA.
Street managers	Has the same meaning as in Section 49 (4) NRSWA, and where used in relation to a street which is not a maintainable highway, means the authority, body or person liable to the public to maintain or repair the street or, if there is none, any authority, body or person having the management or control of the street.
Street works	Has the same meaning as in Section 48 (3) NRSWA, "street works means works of any of the following kinds (other than works for road purposes) executed in a street in pursuance of a statutory right or a street works licence: (a) placing apparatus; or (b) inspecting, maintaining, adjusting, repairing, altering or renewing apparatus, changing the position of apparatus or removing it, or works required for or incidental to any such works (including, in particular, breaking up or opening the street, or any sewer, drain or tunnel under it, or tunnelling or boring under the street".
Street works licence	Has the same meaning as in Section 50 (1) NRSWA, "the street authority may grant a licence (a "street works licence") permitting a person (a) to place, or to retain, apparatus in the street, and (b) thereafter to inspect, maintain, adjust, repair, alter or renew the apparatus, change its position or remove it, and to execute for those purposes any works required for or incidental to such works (including, in particular, breaking up or opening the street, or any sewer, drain or tunnel under it, or tunnelling or boring under the street).
Technical Specification for EToN	Means the NRSWA (1991) Technical Specification for the Electronic Transfer of Notifications (EToN).

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Traffic Regulation Order	Means an Order made under Section 1,6,9 or 14 of the Road Traffic Regulation Act 1984.
The "Regulations" or "Regs"	Means the Traffic Management Permit Schemes (England) Regulations 2007 SI 2007 No. 3372.
TMA	The Traffic Management Act 2004.
Traffic	As described in Section 105 (1) of NRSWA, includes pedestrians and animals and shall also include cyclists and other vulnerable road users.
Traffic authority	Has the same meaning as in Section 121A of the Road Traffic Regulation Act 1984.
Traffic control	Any of the five methods of controlling traffic detailed in the Code of Practice "Safety at Street Works and Road Works".
Traffic Order	Means an Order made under the Road Traffic Regulation Act 1984.
Traffic sensitive street	Means a street designated by a street authority as traffic-sensitive pursuant to Section 64 NRSWA and in a case where a limited designation is made pursuant to Section 64(3). Any reference to works in a traffic-sensitive street shall be construed as a reference to works to be executed at the times and dates specified in such designation.
Tramway	Has the same meaning as in Section 105 (1) NRSWA, ("a system, mainly or exclusively for the carriage of passengers, using vehicles guided, or powered by energy transmitted, by rails or other fixed apparatus installed exclusively or mainly in a street").
Transport authority	Has the same meaning as in Section 91(1)(a) NRSWA, "the authority, body or person having the control or management of a transport undertaking".
Transport undertaking	As defined in Section 91(1)(b) of NRSWA, "transport undertaking means a railway, tramway, dock, harbour, pier, canal or inland navigation undertaking of which the activities, or some of the activities, are carried on under statutory authority".
Trunk road	Has the same meaning as in Section 329 Highways Act 1980, "a highway, or a proposed highway, which is a trunk road by virtue of Section 10(1) or Section 19 Highways Act 1980 or by virtue of an order or direction under Section 10 Highways Act 1980 or under any other enactment".
Unique Street Reference Number (USRN)	As defined in the British Standard BS7666.

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Urgent activities or works	Means immediate activities which are a) activities (not being emergency works) whose execution at the time they are executed is required (or which the person responsible for the activity believes on reasonable grounds to be required) i) to prevent or put an end to an unplanned interruption of any supply or service provided by the undertaker; ii) to avoid substantial loss to the undertaker in relation to an existing service; or iii) to reconnect supplies or services where the undertaker would be under a civil or criminal liability if the reconnection is delayed until after the expiration of the appropriate notice period; and (b) Includes activity that cannot reasonably be severed from such activities.
Working day	A working day means a day other than a Saturday, Sunday, Christmas Day, Good Friday or a bank holiday; and for the purposes of the Permit Scheme the commencement of a working day will be treated as being 08:00 and its end as 16:30.
Working Space	Has the same meaning as specified on page 5 of the current "Safety at Street Works and Road Works, Code of Practice.
Works	Street works or works for road purposes.
Works clear	A works clear notice is used following interim reinstatement.
Works closed	A works closed notice is used following permanent reinstatement.
Works comment	Means an electronic communication using EToN.
Works for road purposes	Has the same meaning as in Section 86(2) NRSWA, ("works for road purposes means works of any of the following descriptions executed in relation to a highway: (a) works for the maintenance of the highway; (b) any works under powers conferred by Part V of the Highways Act 1980 (improvement); (c) the erection, maintenance, alteration or removal of traffic signs on or near the highway; or (d) the construction of a crossing for vehicles across a footway or grass verge or the strengthening or adaptation of a footway for use as a crossing for vehicles").
Works Reference	Within the Technical Specification for EToN a works reference is detailed as “allocated by the promoter and includes Prefix and District. The works reference must be unique to an individual works”.
XML	Extensible Markup Language

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Appendix B – Dis-applied Sections from the NRSWA(1991)

Where The Permit Scheme applies, the duties of activity promoters and street authorities under the following sections of NRSWA are replaced by equivalent duties imposed under Part 3 of the TMA and the regulations:

Promoters' duties - disapplied sections of NRSWA			
NRSWA Section		**Change**	**Permit Regulations – Revised Arrangements**
S 53	The street works register	Disapplied	Permit regulations prescribe similar provisions for permit registers.
S 54	Advance notice of certain works	Disapplied	Replaced by applications for provisional advance authorisation.
S 55	Notice of starting date	Disapplied	Replaced by applications for permits.
S 56	Power to direct timing of street works	Disapplied	Replaced by permit conditions and variations, including those initiated by the permit authority.
S 57	Notice of emergency works	Disapplied	Replaced by applications for immediate activities.
S 66	Avoidance of unnecessary delay or obstruction	Disapplied	Replaced by equivalent provisions for permit authorities to require promoters in breach of the permit requirements to take remedial action and failing that for the authority to act. 24-hour compliance period to be replaced with a requirement for promoters to comply within a reasonable specified period determined by the circumstances.

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Appendix C – Modifications to NRSWA (1991)

Where The Permit Scheme applies, Permit Regulations modify the following sections of NRSWA to accommodate the issuing of permits rather than the exchange of notices:

Promoters' duties – modifications to NRSWA			
NRSWA Section		**Change**	**Permit Regulations - Revised Arrangements**
S 58	Restriction on works following substantial road works	Modified	The authority's ability to issue permits with start and end dates replaces directions to start work covered in S 58 (5) to (78). The regulations provide the equivalent of S 58A powers by allowing authorities to take into account whether promoters responded to the S 58 notice by submitting an application for their planned activities.
S 58A	Restriction on works following substantial street works	Modified	Schedule 3A is modified to work in conjunction with permits.
S 64	Traffic-sensitive streets	Modified	Permit regulations provide that permit applicant are notified of proposals to designate streets as traffic-sensitive streets.
S 69	Works likely to affect other apparatus in the street	Effectively extended	Permit regulations create an equivalent requirement on highway authority promoters.
S 74	Charge for occupation of the highway where works are unreasonably prolonged	Modified	Permit regulations make provision to operate in parallel with permits.
S 88	Bridge, bridge authorities and related matters	Modified	Modified to work in conjunction with permits.
S 89	Public sewers, sewer authorities and related matters	Modified	Modified to work in conjunction with permits.
S 90	Provisions as to reinstatement of sewers, drains or tunnels	Modified	Modified to work in conjunction with permits.
S 93	Works affecting level crossings or tramways	Modified	Modified to work in conjunction with permits.

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Appendix D – Permit Conditions

Standard Conditions

ETON Reference: Consultation and Publicity	
NMC1	**Model Condition Text** It is a condition of this permit that the activities hereby permitted shall not be carried out unless a site information board(s) is displayed on the site at all times for the duration of the works. This must be displayed in a prominent place at all times so that it may be read easily by the public, clearly displaying the correct Permit/Linked permit/remedial permit* reference number. For Immediate Works the display of the correct Permit reference number is required by 10.00am on the next working day after the works have started on site. * delete as appropriate
Guidance for use of model condition Standard condition that applies to all permits.	
ETon Ref: Date Constraints	
NMC2	**Model Condition Text** The activities hereby permitted shall not commence before the Proposed Start Date or in the case of Immediate Works the Actual Start Date contained in the application for immediate works and must end by the Estimated End Date provided on this permit. The Proposed Start Date, Actual Start Date and Estimated End Date are as defined in the current EToN specification.
Guidance for use of model condition This condition should be added as a standard condition on all permits for category 0, 1, 2 and traffic sensitive roads	
NMC3	**Model Condition Text** The activities hereby permitted shall not commence before the Proposed Start Date and must commence within the valid starting window period or in the case of Immediate Works by the Actual Start Date contained in the application for immediate works and once the activities have commenced the activities must take no more than [x number of] days in total to be completed. The Proposed Start Date, Actual Start Date and Estimated End Date are as defined in the current EToN specification
Guidance for use of model condition This condition should be added as a standard condition on all permits for category 3 and 4 non traffic sensitive roads.	
EToN ref: Time Constraints	
NMC4	**Model Condition Text** The activities hereby permitted shall only take place between [start time] and [end time] on weekdays and [start time] and [end time] on Saturdays and [start time] and [end time] on Sundays or Bank Holidays. .
Guidance for use of model condition This condition should only be attached to permits where it is necessary to limit the times of day that works are undertaken because the highway needs to be clear outside of these times. For instance the permit may be valid for 3 days but the site can only be occupied between the hours specified on the days specified. Environmental concerns must be taken in consideration when using this condition It should be noted that it may be possible to have more than 1 start and stop time i.e. if you are only permitted to work outside T/S times, in which case the text can be suitably amended	
Suggested shorthand text NMC4 – activities to take place 08.00-17.00 weekdays, 09.00-12.00 Sat	

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ETon Ref: Material and Plant Storage	
NMC5	**Model Condition Text** It is a condition of this Permit that surplus material excavated as a consequence of the activities must be removed from the public highway within [x hours] (e.g. 24) of being excavated.
Guidance for use of model condition This condition should be attached to permits where it is necessary to limit the area taken up by unused plant/materials. The condition should only be used where the storage of the materials and/or plant may cause problems on site such as congestion. Authorities must ensure that timeframes are reasonable to ensure that this condition can be met - where x = 1 this may be deemed as unreasonable and impractical	
Suggested shorthand text NMC5 – surplus material to be removed by 18.00 each day	
NMC6	**Model Condition Text** For the activities hereby permitted all material and plant not required for [insert period] shall not be stored on site from (insert date) and until (insert date)
Guidance for use of model condition This condition should be attached to permits where it is necessary to limit the length of time materials or plant can be stored on site before they are actually required. The condition should only be used where the storage of plant and/or materials may cause problems such as congestion	
Suggested shorthand text NMC6 Material will only be stored on site Xhrs prior to use	
ETon Ref: Material and Plant Storage	
NMC7	**Model Condition Text** It is a condition of this permit that advance agreement is given by the Permit Authority for the Works Promoter to place or store materials, plant and/or equipment outside of the defined working space.
Guidance for use of model condition This condition should be attached to permits where it is necessary to limit the defined area that materials or plant can be stored on site before they are actually required. The condition should only be used where the storage of plant and/or materials may cause problems such as congestion	
Suggested shorthand text NMC7 Material will only be stored on site within [defined working space]	
ETon ref: Road Occupation Dimensions	
NMC8	**Model Condition Text** The activities hereby permitted shall occur only within the area [insert description of area or provide traffic management plan reference] including the relevant and required signing, lighting and guarding". .
Guidance for use of model condition This condition should be attached to permits where works are restricted to an agreed area as described in the brackets or specified in the Traffic Management Plan, this may also be used where the work and traffic management is restricted to the footway only. The Traffic Management Plan reference should be included for clarity	
Suggested shorthand text NMC8 Works restricted to area agreed in TM plan 12345	

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ETON ref: Traffic Space Dimensions	
NMC9	**Model Condition Text** For the activities hereby permitted [X]m must be maintained for pedestrians and/or [Y]m must be maintained for vehicles..
Guidance for use of model condition This condition should be attached to permits where the works area decreases the road space normally available to pedestrian and/or vehicular traffic during specified times	
Suggested shorthand text NMC9 - 1.2m maintained for peds & 3.5m maintained for vehicles 09:30-15:00, other times site must be clear'	
NMC10	**Model Condition Text** It is a condition of this permit that the activities hereby permitted may only occur when a minimum road space of x metres is available to all pedestrian traffic at all times.
Guidance for use of model condition This condition should be attached to permits where works areas leave less than xm footway for pedestrians. The minimum xm safe road space can be obtained by placing a safe temporary walkway in the carriageway	
Suggested shorthand text NMC10 – x.x m available for peds at all times	
ETON ref: Road Closure	
NMC11	**Model Condition Text** The activities hereby permitted shall only take place when [insert road name] or [insert description of the relevant section of the road] is closed to traffic
Guidance for use of model condition If a road is closed in its entirety the text could read 'full closure'. If the road is only part closed the text could read 'closure from (point a) to (point b)'. If residential or commercial access is being maintained the text should read 'access maintained'	
Suggested shorthand text: NMC11 – road closed from jct High Road to o/s 291, access maintained	
ETON Ref: Light Signals and Shuttle Working	
NMC12	**Model Condition Text** The activities hereby permitted shall only take place when temporary traffic control is deployed by use of x (where x determines type of control Portable Signals, Stop Go etc)
Guidance for use of model condition If to be manually controlled at any point, these times should be noted in text that reads 'manual control from xx:xx – yy:yy'	
Suggested shorthand text: NMC12 - 2-way PLS in place, manual control 07:00 – 10:00	
ETON ref: Traffic Management Changes	
NMC13	**Model Condition Text** The activities hereby permitted shall not commence until approval for [temporary traffic restrictions] has been given for the duration of the works.
Guidance for use of model condition Works cannot commence until the Permit Authority has issued any appropriate TTRO	
Suggested shorthand text: NMC13 – TTRO 12345 approved	
NMC14	**Model Condition Text** The works comprised in [specified part B] of the activities hereby permitted shall not be commenced before the works comprised in [specified part A] are completed.
Suggested shorthand text: NMC14 part 2 of these works cannot start until part 1 is completed	
NMC15	**Model Condition Text** The works comprised in [specified part A/B] of the activities hereby permitted shall be subject to and shall occur only when the following traffic management measures are in place [or as attached in schedule..]
Suggested shorthand text:: NMC15- part 2 of these works cannot start until the Eastbound Lane is open to traffic, as agreed in TM plan 12345.	

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EToN ref: Work Methodology	
NMC16	**Model Condition Text** For the activities hereby permitted on this site, as agreed, the works methodology employed will be [Hand Dig/Directional Drilling/Moling**/Other** Delete as Appropriate)] throughout the duration of the works activity.
Guidance for use of model condition The methodology to be used should be agreed in advance with the works promoter as this may not be suitable for the works that need to be undertaken. It should be noted that the works methodology list given above is not a definitive list and where other methodology is agreed this can be provided within the condition. It should also be noted that more than one methodology may be listed	
Suggested shorthand text NMC16 – works methodology will be hand dig	
EToN ref: Consultation and Publicity	
NMC17	**Model Condition Text** The activities hereby permitted shall not commence unless the Promoter has: a) provided written notice to all individual properties and businesses [on X roads] setting out where the works will take place; the nature of the works; the duration of the works; [etc] and contact details of a representative of the promoter ; and b) provided written notice to all individual properties and businesses [on X roads]containing a copy of the Permit or setting out the means by which a copy of the Permit may be obtained electronically.
Suggested shorthand text: NMC17 – written notice has been provided on High Rd	
EToN ref: Environmental	
NMC18	**Model Condition Text** For the activities hereby permitted, the following working methodology [insert methodology] shall only take place between [start time] and [end time] on weekdays and/or [start time] and [end time] on Saturdays and/or [start time] and [end time] on Sundays or Bank Holidays and must not continue beyond these times. .
Guidance for use of model condition This condition should only be attached to permits where it is necessary to limit the time of day during which certain activities can take place. As an example, the works may be permitted to take place until 10pm however the element that involves slot cutting can only take place before 6pm	
Suggested shorthand text MC18 [breaking out] 19.00-23.00 weekdays, 09.00-12.00 Sat	

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Local Conditions

EToN ref: Consultation and Publicity	
NCiC1	**Local Condition Text** Whilst the activities hereby permitted are being carried out a copy of the issued Permit, including all the conditions attached must be available at the site for inspection either electronically or in hard copy form.
Guidance for use of local condition Standard condition that applies to all permits.	
Suggested shorthand text: NCiC1 – Copy of Permit Application available on site	
NCiC2	**Local Condition Text** The activities hereby permitted shall not commence unless the Promoter has consulted with public transport operators and emergency services affected by the works
Suggested shorthand text: NCiC2 – public transport / emergency services consulted	
EToN ref: Consultation and Publicity	
NCiC3	**Local Condition Text** The activities hereby permitted shall not commence unless the Promoter has arranged for Nottingham City Councils Traffic Control Centre to switch off or make changes to the operation of nearby permanent traffic signal equipment affected by the works.
Guidance for use of local condition This condition should only be attached to permits where it is necessary to switch off or make changes to the operation of nearby permanent traffic signal equipment affected by the works. For example, where temporary traffic signals will conflict with a nearby signalised pedestrian crossing or where one leg of a signalised junction is to be closed to traffic, that leg can be "written out" of the signal staging.	
Suggested shorthand text: NCiC3 – NCiC TCC engaged	

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Appendix E – Conditions Upon Immediate Activities

ETON Reference: Consultation and Publicity	
NCiCIA1	**Immediate Condition Text** It is a condition of this permit that the activity promoter shall apply for a permit within 2 hours of commencing on site.
Guidance for use of immediate condition Standard condition that applies to all immediate activity permits.	
Suggested shorthand text NCiCIA1 – Permit application submitted within 2 hours	
ETON Reference: Consultation and Publicity	
NCiCIA2	**Immediate Condition Text** It is a condition of this permit that for Immediate activities on streets designated in the National Street Gazetteer as requiring early notification, the activity promoter shall telephone the number specified on the Permit Authority's website immediately the activity has been identified. The call will be logged and a unique reference number provided to the applicant, and this number should be included in the subsequent permit application.
Guidance for use of immediate condition Standard condition that applies to all permits.	
Suggested shorthand text NCiCIA2 – Permit Authority notified by telephone	
NCiCIA3	**Immediate Condition Text** It is a condition of this permit that portable traffic signals will be controlled manually during traffic sensitive hours as stated on the local street gazetteer.
Guidance for use of immediate condition This condition should be added as a standard condition on all permits for category 0, 1, 2 and traffic sensitive roads	
Suggested shorthand text NCiCIA3 – 2-way PLS in place, manual control 07:00 – 10:00	

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Appendix F – Streets Subject to Special Controls

This section has been included for information only. Reference should be made to the relevant legislation and Codes of Practice for full and up-to-date details.

The Permit Authority balances the need to reduce the bureaucracy involved in managing activities in the highway with the importance of minimising delay and inconvenience to road users, whilst protecting the integrity of the street and any apparatus in it.

Certain streets are designated as being subject to special controls. The four categories of street subject to special controls are:

- Protected streets.
- Streets with special engineering difficulties.
- Traffic sensitive streets.
- Streets subject to early notification of immediate activities.

The first three of these categories are carried across for each street from the designations within NRSWA. The fourth is specific to The Permit Scheme.

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Protected Streets

By virtue of Section 61 of NRSWA, all "special roads" as defined in the Highways Act 1980 are protected streets.

Streets are designated as protected only if they serve, or will serve, a specific strategic major traffic need with high and constant traffic flows. There will also be a reasonable alternative route in which undertakers can place the equipment, which would otherwise lawfully have been placed in the protected street. This includes services to existing or proposed properties in the street, or trunk supply routes passing through the street.

Once a street has been designated as protected, the activities of all Promoters will be severely restricted. No activities may be carried out in the street, except by way of renewal, without the Permit Authority's express consent, although lateral crossings will normally be allowed. However, should a Permit for such activities be issued with stringent conditions attached, the Permit Authority may consider a contribution to the Promoter's expenses in complying with those conditions. Any disputes that arise over designation of a protected street will be settled by arbitration.

Activities by Promoters in verges and central reservations, which do not impinge on the carriageway, will usually be acceptable. Road maintenance or repairs will in general be carried out at night, weekends, or other times with less impact upon traffic. However, working at night may cause conflict with Environmental Health Legislation and must be discussed with Nottingham City Councils Environmental Health Authority as well as The Permit Authority.

Activity Promoters must apply for a Permit for any registerable activities in a protected street covered by The Permit Scheme; the giving of a Permit has superseded the notice provisions of NRSWA. However, The Permit Authority will highlight the protected street rules in approving and issuing Permits, and in general it is unlikely that Permits will be given for new activities. Promoters should therefore discuss their proposals for activities in a protected street with the Permit Authority before making an application.

Given the possible financial implications for activity Promoters, designation will be contemplated only when essential.

The decision will be taken only after consultation and after other means of reducing delay and inconvenience have been explored.

The Highway Authority will fully justify the need for designation and:

- Take account of the needs of Utilities to supply and maintain services to frontagers and to use such streets for existing trunk supplies; and

- Reimburse reasonable expenses incurred by the undertaker if removal or alteration of apparatus in the street is required (subject to appropriate allowances for betterment, deferment of renewal and value of recovered apparatus). The cost-sharing arrangements for diversionary works under NRSWA do not apply.

Where a planned new street is being considered for designation, the Highway Authority will consult all potential activity Promoters and others, such as transport, bridge and sewer authorities as well as adjacent landowners and frontagers, who might have an interest. Where requested and reasonably practicable, the Highway Authority will make provision, at the Promoter's expense, for necessary areas or strips for carrying services alongside carriageways, and for duct or service crossings.

Streets with Special Engineering Difficulties

Under Section 63 of NRSWA, the term 'Special Engineering Difficulties (SED) relates to streets or parts of streets associated with structures, or streets of extraordinary construction where activities must be carefully planned and executed in order to avoid damage to, or failure of, the street itself or the associated structure, with attendant danger to persons or property.

Under Schedule 4 of NRSWA, plans and Sections of proposed activities must be approved by each Authority with an interest in the structure concerned, i.e. the Street Authority, and/or the sewer, Transport or Bridge Authority. This remains the case where streets are subject to a Permit scheme.

The designation of streets with SED will be used only where strictly necessary. Circumstances where designation may be appropriate include:

<u>Bridges</u>

A street may be designated as SED if the relevant Bridge Authority is concerned about the impact of activities in the street on the strength, stability and waterproofing of the bridge, or access for maintaining it, or for any other purpose. In general, the designation would relate to the whole of the bridge structure, but it will only be necessary to designate the area adjacent to the bridge and not the whole length of the street.

<u>Retaining walls</u>

Retaining walls may be designated where they give support to the highway and bridge abutments, and where the foundations are sufficiently shallow for excavation to affect the integrity of the structure. Where foundations are piled, designation is likely to be necessary only if excavation could alter the degree of support given to the piles by the soil.

In many cases, it will be necessary to designate only the adjacent area and not the whole width of the street. A distinction will be made, where possible, between areas appropriate for excavations no deeper than 1.2 metres, and areas where further restrictions are needed if an excavation is deeper.

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Cuttings and embankments

Areas adjacent to cuttings and embankments will be designated if excavation could lead to slides or slips of the soil, or could affect special construction features such as earth reinforcement systems or lightweight fills. The whole width of street, or specific areas similar to those for retaining walls, may be designated.

Isolated structures

Examples of isolated structures include high-mast lighting columns and large sign gantry supports. Where excavation could affect stability, areas immediately around the supports will be designated, again distinguishing between excavations up to 1.2 metres deep and those that are deeper.

Subways and tunnels

Subways and tunnels at shallow depth and areas immediately above the structure and adjacent areas may be designated.

Tramway tracks in the street

Areas occupied by the tracks and immediately adjacent areas may be designated. Additional protection to the appropriate Authority is also given in Section 93 of NRSWA.

Culverts

The area of the street immediately above a culvert will be designated where the structural integrity of the pipe or channel could be adversely affected by activities.

Undertaker's apparatus

Undertaker's apparatus designation may be required only in exceptional circumstances, such as electricity pylons adjacent to the carriageway, or the presence of critical operational apparatus.

Pipelines

Some types of government and private sector oil or gas pipelines, and similar structures which cross or traverse the street, may justify designation.

Engineering problems

Streets may be designated if they pose extraordinary engineering problems in the event of excavation, for example, a weak road, which may have been constructed using a continuously reinforced concrete slab or geo-textiles and is founded on unsound ground, such as where chalk mines had existed with the potential problems created by holes.

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Designation of Street as Having Special Engineering Difficulty - on request

The Highway Authority may be asked to designate a street as having special engineering difficulties by:

- A Transport Authority on the grounds of proximity to the street of one of its structures; or
- An undertaker having apparatus in the street.

The Highway Authority will consider any request carefully. It may then make the designation, with or without modifications, or decide not to do so. The Highway Authority will carefully consider the arguments for and against the proposed designation and shall always act reasonably in coming to its decision.

If the Highway Authority declines to make the designation requested, the Transport Authority or undertaker may appeal to the Secretary of State.

Cellars

Owners of cellars must notify the Highway Authority if they wish to carry out works. The Highway Authority will in turn notify interested Promoters before any activity begins.

Promoters wishing to carry out work in areas where they know, or might reasonably be expected to know, of the existence of cellars should notify the cellar owners or frontages when they intend to carry out:

- Excavations close to cellars; or
- Extensive excavations which will impinge upon cellars.

Traffic-Sensitive Streets

Under Section 64 of NRSWA the Highway Authority may designate certain streets (or parts of streets) as "traffic-sensitive" if they meet specific criteria, or by agreement with the majority of undertakers known to have apparatus in the street concerned.

Designation highlights that activities proposed in these situations are likely to be particularly disruptive to other road users. They do not necessarily prevent occupation during traffic-sensitive times but additional requirements will be imposed on Promoters.

Designation may apply to the carriageway only, to a footway or pedestrian area only, to part of a length of street, and to certain times of day, days of the week, or days of the year, depending on circumstances.

Once a designation is made it applies to all activities taking place in the street. All activity Promoters should avoid carrying out activities in the carriageway of traffic-sensitive streets at sensitive times unless there is no alternative.

The Criteria for Designation as Traffic Sensitive

To encourage activities outside the traffic-sensitive period, the Highway Authority will not make a designation for any period longer than is strictly necessary.

One or more of the following criteria will apply before the Highway Authority will designate a street as traffic-sensitive:

- The street is one on which at any time the Street Authority estimate traffic flow to be greater than 500 vehicles per hour per lane of carriageway, excluding bus or cycle lanes;
- The street is a single carriageway two-way road, the carriageway of which is less than 6.5 metres wide, having a total traffic flow of not less than 600 vehicles per hour;
- Traffic flow in both directions contains more than 25% heavy commercial vehicles;
- The street carries in both directions more than eight buses per hour;

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- The street is designated for pre-salting by the Street Authority as part of its programme of winter maintenance;
- The street is within 100 metres of a critical signalised junction, gyratory or roundabout system;
- The street, or that part of a street, that has a pedestrian flow rate at any time of at least 1300 persons per hour per metre width of footway;
- The street is on a tourist route or within an area where international, national, or significant major local events take place.

Procedure for Making Designations

Before making any designation, the Highway Authority shall give a notice which:

- specifies a period of not less than one month, when objections may be made; and,
- for designations of streets as traffic-sensitive, identifies the criteria that is met, to:
    - every activity promoter known to the Authority to be working in its area or who has given the Authority notice of its intention to commence working in its area;
    - every other local Authority for the street to which the proposed designation relates;
    - the Chief Officer of Police, Chief Executive of Fire and Rescue Authority, the Chief Executive of the National Health Service Ambulance Trust and other emergency services Passenger Transport Executives (or their successor bodies) and other transport Authorities, for instance, light rail operators;
    - any other person who has submitted a written request to be given notice of a proposed designation. This may include other street authorities such as the Highways Agency or Network Rail;
    - for the designation of streets as protected, the occupiers of properties fronting the street concerned.

The occupiers of any property that fronts a street which is proposed to be designated as protected should also be given a copy.

If the Authority does not receive any objections within the specified period, or if all objections have been withdrawn, the Highway Authority may make the designation. If there are outstanding objections at the end of the consultation period, the Highway Authority will give them careful consideration. In the case of a proposed designation of a street as protected, a local inquiry should be held and its report considered alongside the objections. The Authority may then make the designation, with or without modifications, or decide not to do so. It will carefully consider the arguments for and against the proposed designation and should act reasonably in coming to its decision.

When a designation is made, the authority will submit the relevant ASD to the NSG Concessionaire straight away.

Procedure for Withdrawing Designations

Any person entitled to a notice under the designation procedure or anybody else the Highway Authority considers to have sufficient interest, may apply to that Authority to withdraw the designation. The Authority will carefully consider the arguments for and against the proposed withdrawal of designation and will always act reasonably in coming to its decision.

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An Authority can withdraw a designation at any time, subject to the following provisions:

- if the original designation was made at the request of a Transport Authority or undertaker, no withdrawal shall take place without prior consultation with them;

- if the original designation was made following a direction by the Secretary of State, no withdrawal shall take place without his consent.

Where a withdrawal is made, the Highway Authority will submit the relevant ASD to the NSG Concessionaire straight away.

Other Features of the Street

Many features of a street can affect the planning and coordination of activities. These may be subject to restrictions imposed by legislation other than NRSWA or TMA. Various structures in the highway may warrant extra care, even if the structures are not designated as SED. Information about such features are held as Additional Street Data in the NSG.

Environmentally Sensitive Areas

These include such areas as Sites of Special Scientific Interest and Ancient Monuments. The special designation description indicates the type of sensitive area.

Licensed Areas

These include areas of the highway where licenses have been granted for the placing temporary street furniture or goods in the highway.

Special surfaces

These include, but are not restricted to, such surfaces as porous asphalt, tactile, and coloured surfaces and areas of high quality paving.

Pipelines

Government and private sector oil or gas pipelines.

Priority lanes

Including cycle routes and bus lanes.

Level Crossing Precautionary Areas

When activities are proposed within the Precautionary Area, extra safety measures required by the rail operator must be applied.

Special Construction Needs.

This description indicates the extent and type of special construction.

Parking Bays and Restrictions

This Special Designation Description indicates streets with parking meters and residents' parking bays, parking restrictions such as red routes and other permanent parking restrictions. This assists in alerting

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Activity Promoters to plan any necessary action such as applying to the Highway Authority to have parking suspended.

Pedestrian Crossings and Traffic Signals

This Special Designation Description indicates where streets have signalled controlled pedestrian crossings and permanent traffic signals.

Speed Limits

This Special Designation Description indicates the speed limit appropriate to the street.

Transport Authority Critical Apparatus

This is apparatus used or owned by a Transport Authority that is critical to its operations and if damaged or interrupted could disrupt or temporarily stop services.

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Appendix G – Application & Responses Times

This section has been included for information only. Reference should be made to the relevant legislation and Codes of Practice for full and up-to-date details.

The Permit Scheme application and response times for dealing with Provisional Advance Authorisation Permit applications and variation applications are set out in the table below.

The times in the table below are measured from the time that the application is received by the Permit Authority.

A 'response' is a decision to grant or refuse a Permit. Where there are reasons for not granting a Permit on the terms applied for, then the response to the applicant will explain the reason why the Permit will not be granted on those terms.

'Days' refer to working days as defined in the regulations.

Activity Type	**Minimum application periods ahead of start date**		**Minimum period before Permit expires for application for variation (including extensions)**	**Response times for issuing a Permit or seeking further information or discussion**		**Response times for responding to applications for Permit variations**
	Provisional Advance Authorisation	**Application**		**Provisional Advance Authorisation**	**Application**	
Major	3 Months	10 days	2 days or 20% of the original duration whichever is the longer	1 Calendar month	5 days	2 days
Standard	N/A	10 days		N/A	5 days	
Minor	N/A	3 days		N/A	2 days	
Immediate	N/A	2 hours after		N/A	2 days	

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Appendix H – Disruption Effect Score

This section has been included for information only. Reference should be made to the relevant legislation and Codes of Practice for full and up-to-date details.

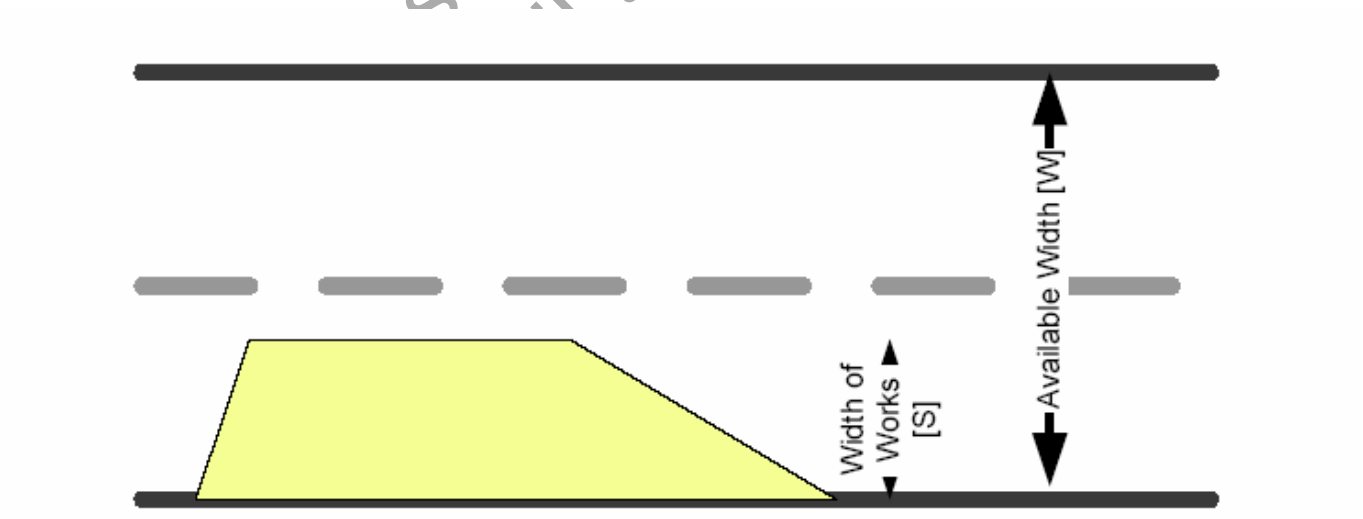
Derivation of Disruption Effect Score

The disruption effect score is based on the reduction in capacity resulting from an activity on the highway. The reduction in capacity may be calculated using an algorithm that requires the entry of a number of simple factors. These factors are as follows:

Factor	Description
[P]	The daily traffic flow, measured as an average am/pm peak hour flow in PCUs per hour, so that it takes account of HGV percentages. (Source: Highway Authority)
[W]	The total width in metres of the carriageway (or the width of both carriageways for a dual carriageway road) (Source: Ordnance Survey mapping using GIS tools)
[S]	The width in metres of the activity occupying the carriageway, or in the case of activities on the footway, this would be the width in metres of the carriageway occupied by attendant vehicles and associated traffic management, as well as the width needed for any incursion of pedestrians, cyclists and horse riders into the carriageway. (Source: Established as part of the works planning process)

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Disruption Effect Score – Calculation Illustration



Calculation of Disruption Effect Score

The following algorithm is used to calculate the Disruption Effect Score:

Disruption Effect Score = [(Px100)/(1600x(W-S)/3.65)]

Use of Disruption Effect Score

The disruption effect score has a number of specific uses including:

- Derivation of the Traffic Impact Assessment,
- Objective based prioritisation of activities for co-ordination, and
- Performance indicators

Impact Assessment

The impact assessment is a broad indicator of the potential disruption that could arise from an activity on the highway;

Impact on General Traffic

Disruption Effect Score	**Impact**
Greater than or equal to 75	Severe
Greater than or equal to 50 and less than 75	Moderate
Greater than or equal to 25 and less than 50	Slight
Less than 25	None

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Impact on Buses

The impact assessment for bus traffic is assessed for defined bus routes only and is derived as follows:

Disruption Effect Score / Factor	**Impact**
Greater than or equal to 75	Severe
Dedicated bus lane closed	Severe
Greater than or equal to 50 and less than 75	Moderate
Dedicated bus lane diverted	Moderate
Greater than or equal to 25 and less than 50	Slight
Less than 25	None

Impact on Pedestrians

The impact assessment for pedestrian traffic is derived as follows:

Factor	**Impact**				
	Footway Hierarchy Category				
	1a	**1**	**2**	**3**	**4**
Closure	Severe	Severe	Severe	Severe	Moderate
Complete Diversion	Severe	Severe	Severe	Moderate	Slight
Partial Diversion	Severe	Severe	Moderate	Moderate	Slight
Narrowing >50%	Severe	Severe	Slight	Slight	None
Narrowing <50%	Severe	Moderate	Slight	None	None

A ‘complete diversion’ of a footway is where a new route for pedestrians has been established, for example where there is a requirement to cross the road to use the opposite footway.

A ‘partial diversion’ of a footway is where the route for pedestrians is diverted around the activity’s site but remains on the same side of the road.

In addition, the impact of any activities on footways associated with urban transport facilities will be considered as ‘severe’. For the purposes of this section these are any activities on footways that are within 100 metres of an entrance to a bus, railway or tram station.

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Impact on Cyclists

The impact assessment for cycle traffic is assessed for defined cycle route only and is derived as follows:

Factor	Impact			
	Dedicated provision on road or shared use			
	National Route (with a 1 or 2 digit number)	Regional Route (or other National Route)	Other >= 2.0m width	Other routes
Closure	Severe	Severe	Severe	Severe
Complete Diversion	Severe	Severe	Severe	Moderate
Partial Diversion	Severe	Severe	Moderate	Moderate
Narrowing >50%	Severe	Severe	Slight	Slight
Narrowing <50%	Severe	Moderate	Slight	None

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Appendix I – Permit Fees

Permit Type	Road Category 0, 1 & 2 and Traffic-sensitive Streets	Non Traffic Sensitive Road Category 3-4 Streets
Provisional Advance Authorisation	£103	£0
Major Permit Application - over 10 days and all major works requiring a traffic regulation order.	£232	£0
Major works – 4 to 10 days	£128	£0
Major works – up to 3 days	£64	£0
Standard Permit Application	£128	£0
Minor Permit Application	£64	£0
Immediate Permit Application	£58	£0
Optional Permit	£0	£0
Permit Variation Fee - major and standard activities	£45	£0
Permit Variation Fee - minor and immediate activities	£45	£0

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Appendix J – Key Performance Indicators (KPI's)

Mandatory KPIs for The Nottingham Permit Scheme for Road Works and Street Works
1. The number of permit and permit variation applications received, the number granted and the number refused
This will be measured and shown as: • the total number of permit and permit variation applications received, excluding any applications that are subsequently withdrawn. • the number granted as a percentage of the total applications made. • the number refused as a percentage of the total applications made.
2. The number of conditions applied by condition type
This will be measured and shown as: • the number of permits issued. • the number of conditions applied, broken down into condition types. The number of each type being shown as a percentage of the total permits issued. This KPI is dependent upon the use of standard conditions. Local or specific conditions will be grouped into a single category that may be analysed more fully if required. The number and types of condition applied are likely to be determined by the specific location, scale and category of the works. There will be a need to separate the data to get down to reasonably equivalent situations. For example, if for minor works on category 2 streets, one promoter had an average of four conditions and another had an average of seven conditions then that would suggest an imbalance. Similarly, if one promoter had conditions for restricted hours of working on traffic-sensitive streets in 90% of cases and another had such conditions in only 60% of cases, then that would raise a question.
Optional KPIs for The Nottingham Permit Scheme for Road Works and Street Works
3. The number of approved extensions
This will be measured and shown as: • the total number of permits issued. • the number of requests for extensions shown as a percentage of permits issued. • the number of agreed extensions as a percentage of extensions applied for.

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4.	**Number of inspections carried out to monitor conditions**
This will be broken down and shown as: • the number of sample permit condition checks carried out as a percentage of the number of permits issued. • the percentage of sample inspections by promoter should also be shown.	
5.	**The number of agreements to work in section 58 and section 58A restrictions**
This will be measured by promoter and shown as: • the number of applications made to carry out works where a section 58 or 58A restriction is in place, other than the allowed exceptions. • the number of agreements given for these works to take place as a percentage of the total number of requests. NB: This KPI is not supported by EToN	
6.	**The proportion of times that a permit authority intervenes on applications that would normally be expected to be deemed**
This should be broken down by promoter and indicated as the number of interventions made as a percentage of the number of 'deemed applications' processed, including 'deemed planned applications' made. This KPI would be limited to schemes that do not require a proactive check of every permit application received. Any variation in the dates requested in the initial 'deemed application' and those granted in the permit will indicate where an intervention had taken place. Intervention may not always be made in respect of timing, although it is most likely to be: this KPI will act as a first order measure. It will indicate where active intervention has taken place and not where scrutiny has occurred without any active intervention.	
7.	**Number of inspections carried out to monitor conditions**
This will be broken down by promoter and shown as: • the number of sample permit condition checks carried out as a percentage of the number of permits issued. • the percentage of sample inspections by promoter should also be shown.	

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Appendix K – Traffic Regulation Orders

Legislation

Provisions governing temporary road closures and traffic restrictions for works or other activities in the street are found in Sections 14–16 of the Road Traffic Regulation Act 1984, ("RTRA 1984"), as amended by the Road Traffic (Temporary Restrictions) Act 1991 and Regulations made under RTRA 1984.

Requirement for an Order or Notice

Whenever works or other activity on the highway:

- will prevent any traffic from travelling in any direction which is usually permitted; or
- will prevent any traffic from using a special facility; or
- general waiting or loading / unloading is to be prohibited; or
- where or the use of specific parking arrangements is to be denied, in whole or part; or
- some other restriction is to be placed on traffic using the highway; or
- require the suspension of any existing prohibition/restriction and/or provision

then a Temporary Traffic Regulation Order (TTRO) will be required.

Typically, the circumstances requiring a TTRO include but are not limited to:

- Closing a road to traffic in one or more direction;
- Closing a footpath to Pedestrians/Cyclists and or Horses;
- Preventing traffic from making a turning movement;
- Closing a bus lane or cycle track;
- Requiring general traffic to travel in a bus lane or contrary to some other prohibition;
- Occupying an area within a pay and display or residents parking bay;
- Occupying a designated bus stop, taxi rank, loading bay or disabled bay;
- Preventing traffic from waiting in non-designated areas to create a works area or to enable displaced traffic to travel past the works on the same or other roads;
- Reducing the speed limit in the vicinity of works for safety purposes.

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Types of Orders and Notices

There are three types of TTRO which may be used depending upon the nature and duration of the activity. These are indicated in the table below together with details of the circumstances in which each may be used, their duration and associated minimum application period.

Different periods apply to the permitted use of each type and to the associated advance planning and preparation to reflect the significance of the activity and impact on the highway. The application periods include for advertising in local newspapers (where required), on-street publicity and liaison with key road user groups.

Applicants must be aware that due to coordination of works, the preferred dates cannot be guaranteed and that longer than standard application periods should be used whenever possible.

Where public transport routes will require diversion or suspension of services a minimum application period of 10 weeks is required.

TTRO Type	Reason	Form of Application	Application Period	
			Public Transport Affected	
			Yes	No
TTRO (or "Order") (RTRA 1984 S15(1)	Planned activity of more than 5 days duration. The maximum duration is normally 18 months although this may be extended under certain circumstances.	In writing	10 weeks	6 weeks
5 Day Notice (RTRA 1984 S15(7)(a)	Planned activity of not more than 5 days.	In Writing	10 weeks	3 weeks
21 Day Notice (RTRA 1984 S15(7)(b)	Circumstances requiring the immediate implementation of a TTRO. The notice is valid for 21 days but may be extended where justified.	Application by telephone, confirmed in writing	-	-

Note: A 21 day notice will only be granted if there is a likelihood of danger to the public, or of serious damage to the road, which is not attributable to works that are being or are proposed to be executed on or near the road.

A temporary notice and a temporary order may provide that restrictions have effect only when traffic signs are lawfully in place. This will help limit traffic disruption where activities progress along a length of road.

Temporary Traffic Restriction Notice Procedure

This procedure will normally only apply to immediate activities.

The Promoter will inform the Traffic Authority as soon as practicable if a closure or traffic restriction is needed. The Traffic Authority will consult with the police and all relevant parties, and confirm, as soon as possible, whether or not a notice will be made.

The Traffic Authority must state in the notice:

- The reason for issue;
- Its effect;
- Alternative routes (where applicable); and
- The date and duration of the notice.

The Traffic Authority must also notify the emergency services and any other Traffic Authority with roads that may be affected. This should be done on, or before, the day the notice is issued.

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Temporary Traffic Restriction Orders Procedure:

The Traffic Authority must publish notice of intention to make a temporary order at least seven days in advance.

If the order is expected to last for more than 18 months because activities are to be executed on or near the road, it is advisable to make application for a Section 15(2) RTRA 'Works Order'. Any such Orders will be revoked as soon as the activity is completed.

The Traffic Authority must also notify the emergency services and any other Traffic Authority with roads that may be affected.

This should be done on, or before, the day the order is issued. These bodies should be consulted, as well as notified, if the closures are expected to last for more than 18 months.

A temporary traffic order is generally needed for planned activities in the street.

If a Temporary Traffic Regulation Order ('TTRO') is needed, the Promoter should notify the Traffic Authority at least three (3) months in advance. This will allow the Traffic Authority time to consult, and to obtain approvals and advertise the order.

Activities that required a temporary traffic order are automatically classed as major and require at least three months notice for applying for a PAA.

The Promoter must submit to the Traffic Authority, all the information needed to justify a road closure with the application for an order.

It will be a condition of a Permit where a temporary traffic order is required that the order will be in place before the activity, or the relevant part of the activity, starts on site.

Continuation of Temporary Traffic closures and restrictions

A five-day notice cannot be extended by further notice.

A 21-day temporary notice can be extended by one further notice giving up to 21 days more.

If the original estimate of the duration of the activity changes, a request for a Permit variation will be necessary.

There will be cases where works will unavoidably overrun the temporary notice period. Where this is apparent from the beginning, Promoters must inform the Traffic Authority. The Traffic Authority will take the necessary follow-up action, without delay, to enable the activity to continue uninterrupted.

If the overrun becomes apparent only after the activity has started, the Promoter should immediately inform the Traffic Authority that either a further notice or an order will be required. This may be needed before the request for a Permit variation is made.

It might not be possible to make a follow-up order before a five-day notice expires.

The activity may have to be suspended, and the site temporarily restored to traffic until the correct procedures have been followed. The Traffic Authority will try to minimise both the number of cases where this happens and, where it is unavoidable, the period of suspension involved. This problem is unlikely to arise in the case of a 21-day temporary notice.

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Subject to the time limit for temporary orders (see above), a closure or restriction imposed by a temporary order may be continued by a further order. If this is required, the Promoter should notify the Traffic Authority immediately, giving, wherever possible, at least one month's notice.

Temporary Traffic Restrictions - Policy guidance

When a notice or order has been made, the Promoter must comply with the requirements of the Traffic Authority and the police for the closure of the road.

Temporary Traffic Restrictions - Charges

Section 76 of NRSWA allows for Traffic Authorities to recover the costs of issuing temporary notices or making TTROs.

There may also be charges made for erecting and maintaining the on-site notices that are required.

A list of up-to-date TTRO fees can be obtained from the Traffic Authority / Permit Authority (see Appendix Q for contact details).

Parking Restrictions

A permanent Traffic Regulation Order imposing waiting restrictions such as yellow lines on a particular street will normally include an exemption for Statutory Undertakers. However parking bays (of all types) do not include such provision and as such promoters should check whether any further dispensation is required when they make their permit application

It will be a standard condition of a permit that where parking restrictions or suspension of a Traffic Order are required the necessary Temporary Traffic order or approval permitting a vehicle to park will be in place before the activity, or relevant part of the activity, starts on site.

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Appendix L – Policy Statement: Permit Authority Review, Variation and Revocation of Permits

The Permit Authority may take the initiative to review, revoke and vary Permits; however the promoter should have a reasonable expectation that the road space will be available for the activity to be executed. It is also desirable for road users and public transport operators to have reliable information and to have an expectation that work will be executed as and when planned.

It is reasonable to expect that situations will occur, outside of the control of the Permit Authority, which may cause the Permit Authority to review the Permit and, or the conditions attached to a Permit. It is possible in some circumstances that the Permit Authority may need to change or revoke the Permit or the conditions.

It is the intended policy that the Permit Authority will avoid making such changes other than in exceptional circumstances and such changes will be based on an assessment of impact on road users. It is envisaged that in circumstances where unpredictable events occur, which result in the loss of capacity on the road network or where strategic diversion routes are required to be activated then planned activities may need to be revised, changed, postponed or cancelled.

If circumstances determine that such action is required then the Permit Authority will contact the activity promoter(s) as soon as possible to alert them to the situation and discuss the possible course of action.

If possible and practicable the Permit Authority will seek to agree changes with the activity promoter. The Permit Authority will then issue a revised Permit or the activity promoter may apply for a revised Permit.

It is anticipated that in most cases agreement will be reached, however if agreement cannot be reached and the Permit Authority issues a new Permit, the activity promoter will have the option of using the dispute resolution procedure.

The fee for revoking and varying Permits will not be charged when the Permit Authority initiates the action described above, unless the activity promoter applies for a variation which is not directly linked to the cause of the Permit Authorities initiating action.

The policy only applies to unforeseen circumstances and the actions that are reasonably necessary. It does not prevent the Permit Authority from reviewing, varying and revoking a Permit where the Permit Authority considers that an activity promoter is acting unreasonably and causing unnecessary or avoidable disruption.

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Appendix M – Policy Statement: Sanctions

It is a criminal offence to fail to obtain a Permit for specified activities, where a Permit is required, or to fail to comply with Permit conditions.

The Permit Authority will seek to resolve problems quickly and effectively by giving direction of what is required to achieve compliance to the relevant activity promoter.

If possible situations will be informally resolved. If a quick and informal resolution is not possible then the Permit Authority will serve notice on the activity promoter giving a clear description of the non-compliance and direction as to the required remedial action to be taken by the activity promoter, with timescale for the action.

If the activity promoter does not respond by taking the required action, within the required timescale, then the Permit Authority may carry out the required action and recover all costs reasonably incurred from the activity promoter.

If non-compliance is serious or persistent then the Permit Authority may issue a Fixed Penalty Notice or initiate legal proceedings against the activity promoter.

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Appendix N – Fixed Penalty Notice

Fixed Penalty Notice - Part A

NOTTINGHAM CITY COUNCIL	FIXED PENALTY NOTICE The NOTTINGHAM PERMIT SCHEME for ROAD WORKS and STREET WORKS THE TRAFFIC MANAGEMENT PERMIT SCHEME (ENGLAND) REGULATIONS 2007	FIXED PENALTY NOTICE NO.
PART A		
Contact Tel. No.	Permit Reference No.	
TO:	**DATE OF THIS NOTICE:**	
ADDRESS:		
OFFENCE CODE *(See PART B) (NB: Only one offence code per fixed penalty notice):*		
LOCATION:		
DATE OF OFFENCE:		
DETAILS OF OFFENCE:		

1. I am giving you this notice, in accordance with Part 5 of the Traffic Management Permit Scheme (England) Regulations2007, to offer you the opportunity of discharging any liability to conviction for this fixed penalty offence by payment of a penalty.

2. This means that no legal proceedings will be commenced for the offence if, subject to paragraph 3, the penalty of **[£xxx]** is paid. (*See Part B for instructions on methods of payment*) within the period of **36** days beginning with the day on which this notice was given. (***NB:*** *The Permit Authority may extend this period in any particular case if they consider it appropriate to do so. (See regulation 24(3)).*).

3. Instead of paying the amount referred to in paragraph 2, liability to conviction for the offence may also be discharged if the discounted amount of **[£xxx]** is paid within the period of **29** days beginning with the day on which this notice was given. **(*NB:*** *If the last day of this period does not fall on a working day, the period for payment of the discounted amount is extended until the end of the next working day* (*See regulation 25(3).*).

4. If the discounted amount is not paid within the period set out in paragraph 3, as extended where relevant, liability to conviction for the offence may only be discharged thereafter by payment of the penalty of **[£xxx]** within the period set out in paragraph 2, as extended where considered appropriate. If you then fail to pay the penalty within that period, legal proceedings for the offence may be commenced against you.

5. Any representations that you wish to make in relation to this notice may be addressed to [ ] at [ ] identifying the fixed penalty notice number stated above.

NAME OF AUTHORISED OFFICER (*in block capitals*)

DATE

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Fixed Penalty Notice - Part B

PART B		
NOTTINGHAM CITY COUNCIL	**INSTRUCTIONS ON METHODS OF PAYMENT**	**FIXED PENALTY NOTICE No.**
ELECTRONICALLY: by the Bankers Automated Clearing Services (BACS). Payment should be made to [ ], Sort Code [ ], Account Number [ ]. Payment must be supported by the timely submission of a list of the fixed penalty notice numbers covered by the payment and the amount being paid in relation to each number.		
ON LINE: please visit our web site at www.nottinghamcity.gov.uk		
BY POST: by making your cheque payable to "Northamptonshire County Council" and sending it to [ ]. Payment must be accompanied by a list of the fixed penalty notice numbers covered by the payment and the amount being paid in relation to each number. A receipt will be sent on request.		
IN PERSON: to [ ] at [ ] between 9:00am and 4:00pm on any day on which the office is open for business. Any cheque should be made payable to "Nottingham City Council". Payment may be made by using a debit or credit if the card is one that is accepted by the Permit Authority in accordance with its standard procedures. Payment must be accompanied by a list of the fixed penalty notice numbers covered by the payment and the amount being paid in relation to each number. A receipt will be provided on request.		
BY TELEPHONE: by contacting [ ] at [ ] on [ ] between 9:00am and 4:00pm on any day on which the office is open for business. Payment may only be made by using a debit or credit card that is accepted by the Permit Authority in accordance with its standard procedures. You must state the fixed penalty notice number of each notice in respect of which payment is being made and the amount being paid in relation to each number. A receipt will be sent on request.		

Fixed Penalty Notice – Offence Codes and Description

OFFENCE CODES AND DESCRIPTION (By reference to the Traffic Management Permit Scheme (England) Regulations 2007)		
CODE	**OFFENCE**	**BRIEF DESCRIPTION**
PS01	An offence under Regulation 19(1)	Undertaking specified works on a specified street without a permit where an applicable Permit Scheme requires one.
PS02	An offence under Regulation 20(1)	Breaching a permit condition

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Appendix O – Form of Notice Withdrawing a Fixed Penalty Notice

Form of Notice Withdrawing a Fixed Penalty Notice

NOTTINGHAM CITY COUNCIL	NOTICE WITHDRAWING FIXED PENALTY NOTICE The NOTTINGHAM PERMIT SCHEME for ROAD WORKS and STREET WORKS THE TRAFFIC MANAGEMENT PERMIT SCHEME (ENGLAND) REGULATIONS 2007	FIXED PENALTY NOTICE No.
TAKE NOTICE that the fixed penalty notice numbered as above is hereby **WITHDRAWN.**		
NAME OF AUTHORISED OFFICER (*in block capitals*) **:**		
DATE:		

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Appendix P – Paper Applications

This section should be read in conjunction with section 10 of the Permits Code of Practice.

Notifications may be given via EToN or in paper form. The term "paper" is used to mean any non-EToN method including delivery by post or in person, or other electronic methods such as fax or e-mail. All works notifications given in paper form should comply with the requirements set out in the Technical Specification for the Electronic Transfer of Notices, (EToN).

Requirements for paper notifications apply in two different situations:

1. EToN users in the event of temporary unavailability of the sender's notice management system.

2. Non-EToN users such as s50 street works licensees.

Paper Applications for Non-EToN Users

In view of the relatively small numbers of such users and paper notifications, and the requirement to eventually move to electronic systems (e.g. EToN website), the layout and appearance of standard paper notification forms has not been prescribed.

Paper notifications need only contain the minimum level of information required for statutory noticing purposes, and should be supplemented with separate communications via telephone, post and e-mail etc. as necessary. There will also be greater reliance on free-text comments within the notifications.

A Permit Application form, for use in conjunction with The Permit Scheme is shown on the following page. This is intended as a common format for all works-related transactions, including Section 50 licences. Additional sheets should be used as necessary for recording site details and providing sketches of reinstatements etc.

For details on where and who to send paper applications to, refer to Appendix Q

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Traffic Management Act 2004

Permit Application Including Responses

Nottingham City Council

To:
From:

Reference

Works Reference:

Application Sequence: Response Sequence:

Purpose

New Activity | Activity Conf | SA Response | Cancellation

Activity Start | Activity Stop | Revised Duration | Other

Timing

Date of Issue
Expected Start Date
Actual Start Date
Actual Stop Date

Time of Issue (Immediate Only)
Expected Completion Date
Revised Completion Date

Works Category

Emergency (2hrs after) | Urgent (2hrs after) | Minor (3 days) | Standard (10 days) | Major (10 days)

Remedial Reinstatement

Dangerous (2hrs after) | Other (3 days)

Special Engineering Difficulty

Is SED involved? (Y/N)

If YES, has the relevant authority approved the works? (Y/N)

Location Details

Description or house name or number

Street Name

Locality, town county

USRN
Postcode
NGR -

Description of Works and Authority Comments

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Appendix Q – Contact Details

For up-to-date and full lists of contact information go to www.nottinghamcity.gov.uk

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