

**Open Report on behalf of Richard Wills,
Executive Director for Environment and Economy**

Report to:	Highways and Transport Scrutiny Committee
Date:	11 July 2016
Subject:	Permit Scheme Update

Summary:

In March 2016 a consultation process was undertaken with the general public, businesses and utility companies regarding the adoption of a Permitting Scheme in Lincolnshire. Consultation for the Lincolnshire County Council Permitting Scheme is now complete and various suggestions have been built into the Permit Scheme documentation. Committee requested an update on the outcome of the consultation with recommendations as to the adoption of the Scheme.

Actions Required:

Members of the Highways and Transport Scrutiny Committee are invited to:

- 1) Consider the outcome of the Permit Scheme consultation.
- 2) Consider and comment on the recommendation to adopt the Lincolnshire County Council Permit Scheme.
- 3) Support that the Executive approves a decision to adopt the Lincolnshire Permit Scheme.

1. Background

The Authority is considering the introduction of a Permit Scheme under Part 3 of the Traffic Management Act 2004, replacing the current Noticing Scheme, to enable control of third party activities on the highway. In February 2016 Executive delegated the authority to carry out consultation and prepare a draft scheme to the Executive Director for Environment and Economy, in consultation with the Executive Councillor for Highways, Transport and IT.

Since March 2016 a consultation exercise and a trial of the Permit Scheme have been ongoing.

The trial utilised current LCC Street works personnel and Kier to mimic the requirements and conditions that a Permit Scheme would impose. All ETON (Electronic Transfer of Notifications) Street Works Notices received for our own Major and Standard works have been included in this trial.

Street Works staff have been placing 'Conditions' on these Notices to direct Traffic Management methods to be used and length of time for the works. Site inspections have been carried out on the majority of these works to ensure that Conditions are met on site and correct time periods and information for the public are adhered to.

Until the new IT Permit Module is installed on Confirm, Street Works staff will still use the current New Roads and Street Works Act Noticing system to continue with the trial.

To date approximately 80 jobs have been inspected and the trial has been beneficial for all parties involved in terms of understanding 'Conditions' under Permitting and how working more collaboratively with our Alliance Partners will benefit us in the future. It has also highlighted issues about how we forward plan our own works ordering processes, requiring our staff to become more involved with the longer term impact of both LCC and Utility works in the future.

The trial has progressed satisfactorily and helped to highlight potential operational issues at an early stage, allowing solutions to be proactively identified and incorporated by the briefing and training of Street Works and Highways Officers, especially regarding new legislation.

The consultation exercise consisted of publication of the draft scheme document and other relevant information on the Lincolnshire County Council website. A meeting with utility companies and contractors who work on the highway was held in March 2016. Parish and District Councils and neighbouring Local Authorities were also included in the list of consultees and a link to the draft permit scheme documentation was sent out by email.

The feedback obtained helped to shape the permit scheme document further, resulting in the final version. Consultation was carried out in a collaborative manner to ensure that all parties could contribute fully. It was most helpful that during the consultation the utility companies shared their wide knowledge of permit scheme procedures with Lincolnshire County Council. The outcome of the queries raised during the consultation is available, including the final draft of the Permit Scheme document, at Appendix 1.

An Equality Impact Assessment has been carried out to ensure that the Permit Scheme is aligned to the Councils policies. The EIA is attached at Appendix 2.

2. Conclusion

Under a Permit Scheme the required forward planning and co-ordination of road works by works promoters should have a beneficial effect for users of the highway network. The control of road space bookings by Lincolnshire County Council will aid the ability to monitor potential work sites, especially on traffic sensitive routes and allow for conditions to be applied to permit applications. The application of these conditions should contribute to a reduction of traffic disruption and help minimise inconvenience to road users.

Rutland County Council has expressed an interest in joining the Lincolnshire Permit Scheme, albeit at a date later than the proposed introduction date of the 5th October 2016. Therefore to facilitate Rutland County Council's possible membership it would be prudent to invoke the scheme as a Joint Scheme. This would also allow other Councils to join the Scheme in the future.

In light of the positive return on consultation and the benefits that would accrue for the highway network in Lincolnshire, it is proposed that the Lincolnshire County Council Permitting Scheme be recommended for adoption with an intended implementation of the 5 October 2016.

3. Consultation

a) Policy Proofing Actions Required

n/a

4. Appendices

These are listed below and attached at the back of the report	
Appendix 1	List of Consultees and Responses
Appendix 2	Equality Impact Assessment
Appendix 3	Lincolnshire Permit Scheme

5. Background Papers

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Document title	Where the document can be viewed
Traffic Management Act 2004 - Part 3	Legal Services
Traffic Management Permit Scheme (England) Regulations 2007 (as amended 2015)	Legal Services
Statutory Guidance for Highway Authority Permit Schemes (October 2015)	Highways
Statutory Guidance for Highway Authority Permit Schemes - Permit Scheme Conditions (March 2015)	Highways

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