

Title: **Solihull Permit Scheme Formal Consultation Report**
Project: Proposed Permit Scheme
Date: 29th January 2018
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Introduction

The formal consultation regarding the proposed Solihull Permit Scheme ('SPS') ran for a period of ten (10) weeks beginning on the 17th November 2017. The deadline for receipt of responses was no later than 5pm on 26th January 2018.

It was stated in the consultation covering letter that 'all responses received by the 26th January 2018 will be taken into consideration and, if Solihull Metropolitan Borough Council consider it to be appropriate, amendments will be made to the draft Permit Scheme.

The draft Scheme Document and accompanying covering letter was issued to 74 key stakeholder organisations, including local neighbouring Highway Authorities, Utilities, road user representative groups, current IT suppliers and non-government organisations. The list is provided within this document.

Some organisations had a number of consultees within them and if known those individuals were contacted directly. The total number of email addresses / individual contacts made was 82.

Any additional comments from EToN (IT system group) developers, consultants and legal representatives have been added to the comment list so there is transparency regarding all changes to the scheme document.

A list of comments received, and responses or amendments are provided in this document.

List of Consultees who responded by the deadline

- 1) Vodafone (V)
- 2) Seven Trent Water (STW)
- 3) Western Power Distribution (WPD)
- 4) Cadent (C)
- 5) WinTill (W)
- 6) Touchwood (T)

No Consultees responded after the deadline.

Consultees Category or Group
Bus Operators
Central Government
Emergency Services
IT and Systems Suppliers
Passenger Transport
Representative and Interest Groups
Surrounding Local Authorities
Utility Companies

Internal Contacts	
Head of Legal (Highways)	Strategic Environmental Contract
Head of Environmental Health	SMBC Street Lighting
Head of Planning (or equal individual)	SMBC Scheduled Maintenance
Strategic Highways Contract	

Bus Operators	
Johnsons Coach & Bus Travel	Social Travel
National Express	Stagecoach Warwickshire
WMSNT (Accessible Transport Services)	Sunny Travel
Diamond Buses	The Green Bus Company
Discount Travel	Banga Buses
Claribel's	Central Buses
Silverline	Travel West Midlands (Travel WM)

Central Government	
Department for Transport	Environment Agency
Highways Agency	

Emergency Services	
Fire and Rescue Service	Ambulance Service
Police	

IT and Systems Suppliers	
SMBC Internal	GeoPlace
Symology	

Passenger Transport

Network Rail	West Midlands Integrated Transport Authority
Passenger Focus	Travel for West Midlands
Chiltern Railways	

Representative and Interest Groups

Automobile Association	Solihull Chamber of Commerce
British Motorcyclists Federation (BMF)	Solihull Vulnerable Road User Group
British Cycling	Road Haulage Association
Approved Driving Instructors Association	Royal Automobile Club
Freight Transport Association	Solihull Taxi Branch
Guide Dogs Association for the Blind	West Midlands HAUC
Joint Authorities Group	National Joint Utilities Group
Local Road Safety Partnership	

Surrounding Local Authorities

Warwickshire County Council	Birmingham City Council
Coventry City Council	Worcestershire County Council

Utility Companies

Cadent Gas Ltd	Severn Trent Water Traffic Management
Vodafone/Energis Comms	British Waterways
Level (3)	BskyB Telecom Services
Colt	WPD
BskyB Telecomms	National Grid
Energetics	Ericsson
Affiniti	National Grid (GAS Distribution)
Vodafone (underground)	Verizon Business
BT Open Reach	Virgin Media

S50 Contacts

Note: The Section 50 applicants over the last 12 months.

Durotan Contracts Ltd	Solihull Community Housing
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Comments received from Consultees

Org	Document Section	Suggested amendment / clarification / comment / question	Response / reply / recommendation
General Comments			
WPD		<p>Solihull Metropolitan Borough Council is consulting to introduce a stand-alone Permit Scheme. We are concerned to note that the scheme will apply, with maximum fees, to all streets in Solihull and will not just be focussed on Strategically Significant streets. This will disproportionately increase resources and costs required to carry out our statutory and customer driven business, and introduce a level of uncertainty around costs and timeframes for customer funded works.</p> <p>We are pleased that Solihull MBC held a meeting to enable discussion with utilities during the consultation period.</p> <p>We have two key concerns with the proposed permit scheme;</p> <ol style="list-style-type: none"> 1, Inappropriate use of the term 'must' where a requirement is not stated in legislation, 2, No reference to the West Midlands Combined 	<p>A full assessment of the impact of the Permit Scheme was undertaken using a DfT approved methodology and applying Permits to all works on all roads delivers the greatest benefit to society.</p> <p>The wording in the scheme document is designed to provide an operational model best suited to Solihull using experience gained by industry colleagues</p>

		<p>Transport Authority, and the interface with the Metro Mayor's key route network.</p> <p>In addition, there are sections of the scheme that appear to be duplicating previous sections. This makes the document less clear, and adds unnecessary text to a lengthy document. There are some processes that are covered in other permit schemes, but not in this one. Where the scheme has not covered an element of permit administration WPD will work in accordance with the relevant Regulations and the HAUC England Guidance on the Operation of Permit Schemes issued in February 2017 and endorsed by the DfT.</p>	<p>across the industry. This is contained within other appropriate documents. The scheme document details how the scheme will operate.</p> <p>The core wording of the document has been consulted on and refined over a number of years and across the county by many Authorities and Utilities and is considered to be as clear and concise as possible.</p>
WPD	Cost Benefit Analysis	<p>We have reviewed the figures, and will be interested to see evidence as to the progress on the stated benefits within the reporting on the scheme, particularly at the end of year one.</p> <p>What is not clear is the current split between Statutory Undertaker noticed works and Solihull MBC's own noticed works. The revenue from utilities can only fund the incremental increase in workload from notices to permits, and cannot subsidise the permit operational for Solihull MBC's own works.</p>	<p>A yearly Evaluation will be published following each anniversary of the scheme.</p> <p>The Utility fee income will only be applied towards the cost of increased resources and appropriate overheads relating to Utility Permit applications.</p>
WPD	General	<p>Summary</p> <p>Western Power Distribution has concerns around the introduction of an all street permit scheme with fees for all streets, and we feel that the timescales for implementation have been accelerated.</p> <p>We would also like to make the following points in summary;</p>	<p>A standard process of evaluation the impact of a Permit Scheme has been followed. Additional time has been given to the consultation process as it ran over the holiday season.</p>

		<ul style="list-style-type: none"> • Ensure the scheme is as clear and straightforward as possible. • Ensure the EToN system will fully support the requirements of the scheme. • Take a sensible approach to the new powers given by the scheme, and take time to understand exactly what those powers actually are. Please note that not all Permit Authorities have done this. • Ensure that the traffic management approval process and timelines are reviewed to ensure that this process falls into the permit application and grant process, and is not separate. • Consider carefully the purpose and use of KPIs, make them meaningful and use them to track the progress of the objectives of the scheme. • Communicate openly and frequently with works promoters. • Apply the scheme with consideration of the consequences; safety; environmental; financial; disruption; sustainability; quality; for all stakeholders. • Take time to understand the utilities' current position and issues around delivering works; guaranteed standards or service; regulatory conditions and incentives; technical requirements; 	<p>This is the intention and the reason for using a best of breed scheme document as the basis for the Solihull Permit Scheme.</p> <p>An EToN Developer will be reviewing and approving the documentation before it is finalized.</p> <p>This is part of the Permit review and co-ordination process.</p> <p>A comprehensive evaluation process has been committed to as part of the scheme.</p> <p>This is the intention.</p> <p>This is the intention.</p> <p>This is the intention.</p>
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		<p>customer requirements; asset networks.</p> <p>Western Power Distribution has an excellent working relationship with Solihull Metropolitan Borough Council, and hope that this will continue into the future. We will be committed to working with you to provide the best service to the residents of Solihull.</p>	<p>Thank you.</p>
W	Cost Benefit Analysis	<p>Could you please provide details of where the figure of a 5% reduction in works has been derived in the cost benefit analysis for this project please. The whole basis for the justification of the scheme is based upon this figure for which I can find no justification or anecdotal evidence.</p>	<p>Within the DfTs' November 2010 document 'Traffic Management Act 2004 Permit Schemes Decision-making and development (2nd Edition)' Annex C states; "Until the results of evaluation schemes are known it is a standard assumption that permit schemes will reduce street works by 5%. A higher figure can be assumed if there are good evidence based reasons for doing so. Given the uncertainty behind these reductions any cost benefit analysis should have a sensitivity test which is "what is the level of reduction that would be needed to return a benefit to cost ratio of 2?"</p> <p>The Cost Benefit Analysis complies with these requirements.</p>
T	General	<p>Anything that can be done to improve the flow of traffic around the Borough is welcome in Touchwood's view and I look forward to the benefits being seen.</p>	<p>The 10,000 figure is an approximation of the total number of works notices received by the</p>

		<p>Just one point though, the CBA seems to be based on 4,058 Noticed works but the covering letter refers to 10,000 Noticed works so the CBA is vastly underestimating the total benefit which works against you. I would also hope that any fee structure is set up to cover costs and not to generate revenue for the council at the expense of the companies that have a requirement to carry out the works? If the amount of fees collected more than doubles as a result of the CBA being underestimated by a factor of 60% that may offer opportunity to reduce costs.</p>	<p>Authority. This figure includes works which are undertaken by Utilities and the Authority. Whilst we record our own works, to ensure consistency of application, they do not generate a Permit fee, as it would be an internal payment to ourselves. The CBA is based on the anticipated works that result in a fee, this being the 4,058 figure quoted.</p>
STW	General	<p>Solihull is serviced by STW solely for it's water supply. Our network is a mix of clean water and sewerage pipes and associated plant. Last year STW served 1642 notices to Solihull. Under the permit scheme this will cost STW upwards of £100k in permit fees each year as the scheme will apply maximum fees, to all streets and not just TS streets. As majority of STW works are in Cat 3&4 roads this will increase a need for resources and costs associated with carrying our works under our statutory obligations.</p> <p>Solihull Metropolitan Borough Council is consulting on a stand-alone Permit Scheme.</p> <p>We are pleased that Solihull are proposing a Single Scheme and that a Consultation meeting was held with an opportunity for some points of concern to be raised.</p> <ul style="list-style-type: none"> • No reference within the scheme of working to the National Permit Guidance document. STW will work to this guidance. • STW would have wanted some reference of how your 	<p>This proposed scheme was prepared before the HAUC Guidance was released.</p>

	<p>scheme will work with the West Midlands Combined Transport Authority and the key route network.</p> <ul style="list-style-type: none"> • The cost benefit analysis supplied shows benefits to Solihull, the costs associated with working within a Permit Scheme for STW fully outweigh these. Permit fees alone are going to cost £100k per annum without taking into account the added costs and resource associated with serving the permits, invoicing and modification requests. • In addition, there are sections of the scheme that appear to be duplicating previous sections. This makes the document ambiguous at times. The wording is also in cases incorrect. Wording within the document that could result in misunderstanding. For example, must ought to be replaced by should where a requirement is not stated in legislation Where this is the case STW will work in accordance with the relevant regulations and the HAUC England Guidance on the Operation of Permit Schemes issued in February 2017 endorsed by the DfT. <p>STW would like to say that we look forward to continuing working with Solihull in the cooperative way we have always done and look forward to our Q&A meeting before your Permit scheme goes live. STW appreciate the one month grace period for fines and S74 etc for the 1st month after commencement of the permit scheme. This gives a good opportunity for all utilities to get new processes embedded and teething problems ironed out.</p>	<p>Reference will be added. The working relationship is contained with other documents.</p> <p>The Cost Benefit Analysis identifies benefits to the people living and working in Solihull and included the fee cost to Utilities as is required.</p> <p>The scheme document has been consulted on by at least 7 other similar Authorities and is seen as a best of breed scheme. This is why Solihull decided to use it as the basis for its' scheme. However, due consideration will be given to all comments made by stakeholders and changes made is deemed necessary.</p>
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			Thank you.
			Nothed.
V	General	<p>I'm concerned the way the SMBC Permit Scheme Consultation was advertised to the Statutory Undertakers Community, as Custom and Practice has it that Consultations should go to all Undertaker Representatives and other Stakeholders directly and not through a third party or Group Chair, as in this case. It is disappointing that the Solihull's representative for WMHAUC, and indeed the Joint Chair of the Group, was unable to send the Consultation through to his constituent members and discuss at any meetings we naturally attend. This is seems unreasonable and counterproductive to a scheme that Council wants Undertakers to be part of (obviously legally) and can make it work more effectively for all parties.</p> <p>There is no reference to TfWM keyroute network and how that feeds and fits in to Solihull's Permit Scheme. Furthermore, information from TfWM is very spare so identifying which streets are the responsibility of either Authority is difficult understand.</p> <p>Once your Consultation ends we would be happy to be involved in further meetings to learn how you intend to operate the scheme, prior to its introduction and to give</p>	<p>The draft Scheme Document and accompanying covering letter was issued to 74 key stakeholder organisations, including local neighbouring Highway Authorities, Utilities, road user representative groups, current IT suppliers and non-government organisations. The list is provided within this document. Some organisations had a number of consultees within them and if known those individuals were contacted directly. The total number of email addresses / individual contacts made was 82. The Gazeetteer will be updated and maintained to a high standard so there is clarity as to who is responsible for which streets.</p> <p>Noted and thank you.</p>

		any advice gained over severally years of experience working with other Permit Schemes/Authority around the country.	
Section 1 & 2: Foreword and Introduction			
WPD	2.5.3	Typo – “Authoritie’s”	A change will be made
WPD	2.6.5	Regulation 8 refers to “streets” and not roads.	A change will be made
WPD	2.6.6	Regulation 8 refers to “streets” and not roads.	A change will be made
WPD	2.7.1	Reference to “Associated Street Data (ASD)” should be corrected to “Additional Street Data ASD”. Reference to “NRSWA Reinstatement Specification” also needs altering to the correct document title.	Associated is the correct term.
Section 3: Objectives of the Permit Scheme			
WPD	3.1.3	Typo – “	A change will be made
WPD	3.1	The objectives and benefits set out here will need to be reflected in the annual permit evaluation reports to demonstrate that the permit scheme has provided these benefits over and above the existing noticing regime. In the past year (2017) we have received 0 directions under the existing powers of sections 56, 56A or 66. Correct use of existing powers may have enabled Solihull MBC to fulfil their Network Management Duties without introducing a permit scheme that will add cost to the activities taking place in the highway.	This is the intention.
Section 4: Scope of the Permit Scheme (No comments received)			
Section 5: Activities Covered by the Scheme			
WPD	5.1.2	HAUC UK Advice Note 2017/03 explains that provision of temporary traffic control is not in itself a registerable activity, as it is not included in the 2007 Regulations (SI 1951). WPD would work to the guidance in this advice note, and the HAUC England Guidance on the Operation of Permit Schemes document.	Noted

WPD	5.3	WPD would like confirmation that no permit fee will be charged when we are undertaking street lighting connections that fall into the 'Works for Road Purposes' classification.	This is the case.
Section 6: Exempt Activities (No comments received)			
Section 7: Permits - General			
V	7.1.1	Must – some activities do not require a permit to start work – e.g. Immediate Works. Need to be sure your “Musts” and “Shoulds” do not conflict with Primary Legislation and Regulations.	Any Promoter of specified activities who wishes to carry out such an activity on a specified street must obtain a Permit from the Permit Authority. Given the nature of immediate activities, work may commence without a Permit.
WPD	7.3	Typo – “Serval”	A change will be made
C	7.3	Typing error in title Serval should read Several	A change will be made
V	7.3	Typo: Activities Covering Serval Streets – change to “Several”	A change will be made
WPD	7.6	WPD would hope that Solihull MBC will act reasonably and grant permit extensions and extend reasonable periods when awaiting third party action. Some damage to other apparatus (e.g. ducts) is difficult to avoid when it is preventing access to our apparatus, especially in fault situations where we must restore the electricity supply to our customers in the shortest time possible. We are not sure what “missing apparatus is ‘required’,” means, or why the word ‘required’ is in quotes or whether this is a typo.	This is the intention. A change will be made
WPD	7.7.2	This paragraph does not read particularly clearly and perhaps could be reworded. The use of must in the part of the sentence “and the Permit Application to the Permit Authority must identify the activity in the other Authority	The wording is correct. This is a requirement of the Solihull Permit Scheme.

		area so that the Permit Authority can liaise with them.” is not a legislative requirement, and the scheme document does not explain how in practice this can be provided via EToN.	Provided as text.
WPD	7.8	We welcome the focus on collaborative working, however we will hope that Solihull MBC will be mindful of the practical challenges around this type of activity, and work with all activity promoters to encourage collaboration. The co-ordination meetings are key to the success of this. Further sections add to the process for serving collaborative periods, it would be simpler to provide this detail in one section to avoid duplication or confusion.	Noted
STW	7.8	TW welcome collaborative working, this does create challenges for utilities especially of the practical challenges around this type of activity, and work with Solihull to accommodate. Solihull’s Coordination meetings as they are run currently are a key success and STW would not want processes added to complicate this.	Noted
WPD	7.10.2 & .3	We understand the validity rules for category 3 & 4 streets, however the administration of these (as covered in the ‘Statutory Guidance for Highway Authority Permit Schemes 3.12 and the withdrawn ‘Code of Practice for Permits’) is not straightforward. There may be some disconnect between EToN systems, the guidance and practical ways of working.	Noted
Section 8: Permits - Types (No comments received)			
Section 9: Permits - Classes			
WPD	9.5.2	Regarding the warning for immediate activity on designated streets, please can you provide further details as to the way this will be presented on the ASD, and how the contact should take place? We will endeavour to	The information will be provided on the Gazetteer.

		support this request, however please note that this is not enforceable through penalties.	
STW	9.5.2	Warning for immediate activity on designated streets, We understand that Solihull do not have any streets that require this notification, if this is the case can this not be omitted from the document or at least provide further details as to how this will be identified on the NSG and what the process will be. We will support this request, however please note that this is not enforceable through penalties.	The information will be provided on the Gazetteer.
WPD	9.5.5	Please provide further information to substantiate this section, including where in legislation it is a requirement that “the Promoter must demonstrate conclusively that it is”. There is a difference whether the works are emergency or urgent. We would generally use “Immediate Urgent” and the works description provides the justification for this works category and should be adequate, as it has been under noticing.	This is a requirement of the Solihull Permit Scheme.
Section 10: Permit Applications			
WPD	10.1.6	Needs rewording to be clearer.	The wording is correct.
WPD	10.3	Please expand this section to cover what will happen in the event of the Solihull MBC system failure.	The EToN systems are designed to batch together notifications which have failed to send due to either HA system failure or Promoter server failure and all resending is automatic.
STW	10.3	Can you please explain the process in the event of a Solihull MBC system failure.	The EToN systems are designed to batch together notifications which have failed to send due to either HA system failure or Promoter server failure and all

			resending is automatic.
STW	10.9	Solihull MBC should follow the Section 58 & 58A process and ensure that the required notifications are served to all promoters so that we are aware of the proposed restriction, when the restriction comes into force and when the restriction ends and the extent of the restriction. STW would not work on these carriageways unless necessary as we are aware of the investment made by Solihull and will work under existing legislation. It may be useful to note that there is no legal obligation carry out any additional reinstatement outside the area excavated and do not expect this requirement to be imposed.	Noted
WPD	10.9	In order to ensure this process works correctly, it will be important for Solihull MBC to follow the Section 58 & 58A process and ensure that the required notifications are served to all promoters so we are aware of the proposed restriction, when the restriction comes into force and when the restriction ends and the extent of the restriction (e.g. carriageway only). We are aware of the significant investment made all highway authorities and would not unnecessarily work on these streets unless there is no feasible or reasonable alternative. We would also like to remind Solihull MBC that under existing legislation there is no requirement to carry out any additional reinstatement outside the area excavated and do not expect this requirement to be imposed.	Noted
Section 11: Information Required in a Permit Application			
WPD	11	As per the 'Statutory Guidance for Highway Authority Permit Schemes' issued in October 2015 by the DfT the wording for information required in a permit is 'should' and not 'must'. Please also review the HAUC England	The wording is correct.

		Guidance on the Operation of Permit Schemes document. Below is the relevant section in the Statutory Guidance to cross reference against.	
WPD	11.2	Contact Person – see SG 3.36.	Noted
Section 12: USRN			
WPD	12.2	Description of Activity – see SG 3.28. Please be mindful of the 500 character limit. 12.6 Techniques to be used for Underground Activities – see SG 3.31	Noted
WPD	12.3	Location – see SG 3.28.	Noted
WPD	12.4	Timing and Duration – see SG 3.29.	Noted
C	12.4	We believe that the times of day should only be specified if the works fall outside of the hours referred to in the HAUC (England) Guidance, Operation of Permit Schemes document in Part II of the document under condition NCT02b it states “If no working hours have been added to the permit application then the agreed assumption is that works will take place within the window of 8am-6pm Monday to Friday and 8am-1pm Saturday. If works take place outside of these times the OOH tick box should be used and the hours of work should be made clear by use of this condition. The Works promoter should make reasonable endeavours to work within the agreed hours, if works take place unreasonably outside these hours without prior agreement the Permit Authority may take reasonable actions.	The wording is correct. This is a requirement of the Solihull Permit Scheme.
WPD	12.5	Illustration – see SG 3.30.	Noted
V	12.5	Would be happy to understand where illustrations will be required?	The wording is correct. This can be discussed further at meetings.
V	12.5	Evidence – what specifically will you require to satisfy	The wording is correct.

		this Condition?	This can be discussed further at meetings.
STW	12.5.1	PAA and Major Activity Permit applications on Traffic Sensitive Streets must be accompanied by an illustration(s) of the works and include details of the activity and the extent of Highway occupancy. The illustration will comprise plans, Sections, digital photographs and similar material as appropriate. STW will continue to send its gold standard sketch for major activities and feel asking for photo's is attaching an additional condition to the permit that is not included in the HAUC National guidelines.	The wording is correct. This can be discussed further at meetings.
WPD	12.7	Traffic Management and Traffic Regulation Orders – see SG 3.32. Please also note that for traffic management the granting of the permit includes giving of permission for placing of traffic management on the highway; therefore the permit application is used to facilitate this. Ensure that the traffic management approval process and timelines are reviewed to ensure that this process falls into the permit application and grant process, and is not separate.	Noted
STW	12.7	Can you please note within the document that the traffic management approval and granting of the permit are one, and the permit application is used to facilitate this. The TM approval timelines must be in line with the permit application and granting process.	Noted
STW	12.7.1	The Promoter must supply full details of their traffic management proposals including any requirement for action by the Highway Authority such as the need for Temporary Traffic Regulation Orders (TTROs) and approval for portable light signals. Evidence of application/agreement for a TTRO must be provided with	The wording is correct.

		the PAA/Permit application. As part of Solihull operating and charging for permit applications, the onus is on the HA to check that a TTRO has been applied for.	
WPD	12.8	Depth – see SG 3.33	Noted
STW	12.8.1	Promoters must provide their best estimate of the excavation depth of the activity. This may be expressed as a range where appropriate. This may not be known at application stage and is not required on application.	The wording is correct. This is a requirement of the Solihull Permit Scheme.
WPD	12.9	Reinstatement Type – see SG 3.34. We can only give details of where we are planning to carry out interim reinstatement. Should unforeseen circumstances arise, this may be subject to change. Please also note that there is not an EToN field for this information, therefore it would need to form part of the 500 character works description.	Noted
WPD	12.10	Inspection Units – see SG 3.35	Noted
Section 13: Permit Conditions			
WPD	13	If there are any specific conditions that will always be required for works on specific streets it would be helpful if an indication could be given on the ASD, or through other means to support our planners and technicians in being able to plan in these requirements. This would help in both planning the works from a duration and a cost perspective, which is important when quoting customers, and will also help achieve Solihull MBC's requirements without relying on Authority Imposed Variations and the additional administrative burden that creates.	The wording is correct.
WPD	13.1.4	Please note that whilst it may be helpful to have permit documentation on site, this is not an enforceable requirement and should not form part of an inspection.	The Promoter should endeavour to have a copy, either electronic or hard copy, of the current

		Compliance with the granted permit should be checked against the Permit Authority's own records.	Permit on site for inspection.
V	13.2	Reference to Conditions Applied to all Permits – Although you've confirm that all conditions would be as those identified by HAUC England, the actual document you are referencing to is the HAUC(England) Guidance Operation of Permit Schemes. Is SMBC to implement all Guidance as above and can you amend your scheme to reflect this?	The wording is correct. Any future changes to the conditions text ratified through HAUC (England) formal approval process will automatically be incorporated into this scheme.
V	13.3	Will a telephone number be lodged in the NSG for each street identified?	Yes
WPD	13.3.1	Regarding the warning for immediate activity on designated streets, please can you provide further details as to the way this will be presented on the ASD, and how the contact should take place? We will endeavour to support this request, however please note that this is not enforceable through penalties.	Promoters must contact the Permit Authority by telephone immediately, if identified in the NSG.
STW	13.3.1	Promoters of such activities must contact the Permit Authority by telephone immediately if identified in the NSG. This is not enforceable and notice is given via EToN	Promoters must contact the Permit Authority by telephone immediately, if identified in the NSG.
WPD	13.3.3	Please provide further information to substantiate this section, including where in legislation it is a requirement that "must justify why the activity has been categorised as immediate activities". There is a difference whether the works are emergency or urgent. We would generally use "Immediate Urgent" and the works description provides the justification for this works category and should be adequate, as it has been under noticing.	The wording is correct. This is a requirement of the Solihull Permit Scheme.
STW	13.3.3	Can you please provide clarification.	The wording is correct. This is a requirement of the

			Solihull Permit Scheme.
WPD	13.3.5	In this section there is reference to the permit reference number; "The Permit reference number must be prominently displayed on the site information board for each set of works." In our experience, different Permit Authorities expect differing levels of detail in the number. Our permit reference numbers can be as long as 25 characters, where the unique element is 7. Please can you confirm what you expect to see on the site information board?	The wording is correct. The <u>Permit reference number</u> must be prominently displayed on the site information board for each set of works.
WPD	13.4	We would hope that Solihull MBC will act reasonably when considering whether to revoke a permit. Our view is that this action should be reserved for significant issues only.	This is the intention.
WPD	13.5.2	We note that the scheme suggests that if we have safety concerns about conditions set by the Authority we should challenge these. Please can you provide assurances that these challenges will be considered and learnt from; conditions should not be unreasonably imposed and should be relevant and necessary for those specific works.	This is the intention.
Section 14: Granting of Permits			
STW	14.2.2	The Permit will specify in detail the activity it allows and its duration. The start and end dates will be in calendar days to prevent any ambiguity over the duration of the Permit. Duration in days (calendar/ working) is automated via EToN system	Noted
WPD	14.4.5	We will monitor the use of this reason for refusing permits, given that the existing power under 56A has been used once in three years.	Noted
Section 15: Review, Variation and Revocation of Permits and Permit Conditions			

WPD	15.2.2	Please clarify the offence referred to in this section.	Section 74 of the New Roads and Street Works Act 1991 gives the “Street Authority” (which in the case of maintained highways is the same as the Highway Authority), the power to issue fixed penalty notices for certain specified offences.
WPD	15.5	Permits encourage greater communication between Promoters and Authorities. Generally we would be expecting to phone into the permit team to discuss extensions, early starts, Section 58 agreements, variations, conditions and collaborative works before we issue permits on EToN. Please ensure that your permit team is sufficiently resourced in order to be able to answer these calls and deal with the requests. Our permit fees are paying for a service from Solihull MBC, and we will expect to be able to communicate with you in order to work successfully within the permit scheme.	This is the intention.
WPD	15.10	In our experience Permit Authorities have informally modified the application of this section.	Noted
WPD	15.11.1	This information will be provided only if needed, and only in the format allowed in EToN.	The wording is correct. “information as applicable”
WPD	15.13	We would hope that Solihull MBC will act reasonably when considering whether to revoke a permit. Our view is that this action should be reserved for significant issues only.	This is the intention.
Section 16: Cancellation of a Permit			
WPD	16.1	Needs rewording to be clearer.	The wording is correct.
STW	16.1	Can you please provide clarification.	The wording is correct and explains the requirement clearly.
Section 17: Fees			

WPD	17.1	Please note, as per Regulations, as PAA is chargeable when the Permit Application is made. Furthermore, the DfT 'Statutory Guidance for Highway Authority Permit' also states on page 29 adjacent to the fee structure for PAAs: "It is suggested this fee applies only where value has been added in processing the works". Therefore we would not expect to be charged for a PAA, only for the subsequent Permit Application to be rejected or require significant alterations – this includes any traffic management provision.	The wording is correct.
WPD	17.2.3	Please clarify what is meant by "but on a scale comparative to one street"? Please also confirm the arrangements for collaborative works. This section reads that a discount will only be given if all permits (including those issued by Solihull MBC) are submitted on the same day. In practice this is not always possible, and if this is the only approach to get a discount for collaboration it will be counterproductive. Please consider other scenarios such as SU1 carrying out long term major works, and SU2 needs to collaborate to carry out minor works in the same work space. Please also elaborate on the discount for economic benefit, to cover what types of activities this would actually cover and how this would be administered.	<p>The wording is correct.</p> <p>This can be discussed further at meetings.</p> <p>This wording has been agreed before by numerous Authorities and Utilities. However, any special circumstances or unique arrangements can be discussed and agreed at the time.</p> <p>This can be discussed further at meetings.</p>
STW	17.2.3	Please can you clarify discount rates and where applicable. STW need specific guide.	This can be discussed further at meetings.
WPD	17.3	The Traffic Management Permit Scheme (England) Regulations 2015 (amended from 2007) includes Regulation 30(3A) so there should be a discount for Category 0, 1 or 2 streets when working wholly outside traffic-sensitive times. If the traffic-sensitive designation on all Category 0, 1 or 2 streets is completely covering	Noted

		24 hours a day, 365 days a year then the designations will need to be reviewed.	
STW	17.3	The Traffic Management Permit Scheme (England) Regulations 2015 (amended from 2007) includes Regulation 30(3A) and STW believe there should be a discount for Category 0, 1 or 2 streets when working wholly outside traffic-sensitive times. If the traffic-sensitive designation on all Category 0, 1 or 2 streets is completely covering 24 hours a day, 365 days a year then the designations need to be changed	Noted
Section 18: Sanctions (No comments received)			
Section 19: Dispute Resolution			
WPD	19.1.2	Typo – “WMHAUC of HAUC (UK)”.	A change will be made
Section 20: Registers			
WPD	20.1.2	Please provide further details as to how the register will be made available electronically to Promoters?	This can be discussed further at meetings.
Section 21: Transitional Arrangements			
WPD	21.1.7	We welcome the suspension of Fixed Penalty Notices for the first month of the scheme operations. In our experience all parties need time to settle in to the new way of working.	Noted
WPD	21.1.8	Please provide details of the “extensive testing of systems” that has happened, or is planned to happen in advance of the scheme commencement.	This is regarding run up to the implementation of the scheme and can be discussed further at meetings.
Section 22: Permit Scheme Monitoring			
C	22.4.1	Concerns regarding presentation of KPI’s at co-ordination meetings is that planning staff who attend co-ordination meetings may not be the correct audience for KPI presentations.	We are happy to discuss any further presentation of KPIs and the other appropriate audiences. The document details the

			minimum required by Guidance.
Section 23: APPENDIX A: Definition of terms used in the Permit Scheme			
WPD	23 Appendix A	Reference to the 'Code of Practice for Permits' needs altering. This document has been withdrawn by the Department for Transport, and has been partially replaced by both Statutory Guidance and the HAUC England Guidance on the Operation of a Permit Scheme. The 'Code of Practice for Permits' should not be referred to within this document as it is no longer available.	Reference removed.
Section 24: APPENDIX B - Permit Fees Table			
WPD	24 Appendix B	WPD note that the permit fees are set at the maximum allowable level, with a small discount for working wholly outside traffic sensitive times and/or locations on Category 3 & 4 streets. The discount for working on a Category 0, 1 or 2 street wholly outside traffic sensitive times (as required under Regulation 30(3A) of the Traffic Management Permit Scheme Regulations (2015)) is not shown in the fee matrix table.	A discount will be applied where works are undertaken wholly outside of traffic sensitive times on Traffic Sensitive Streets. See Section 17.3.
WPD	24.2.5	The permit fees are already set at the maximum allowable rate; therefore "inflationary rates" seems unnecessary.	The wording is correct. Fees may go down and then up again.
STW	24 Appendix B	The permit fees are set at the maximum allowable level, with a small discount for working wholly outside traffic sensitive times and/or locations on Category 3 & 4 streets. The discount for working on a Category 0, 1 or 2 street wholly outside traffic sensitive times is a requirement under Regulation 30(3A) of the Traffic Management Permit Scheme Regulations (2015) and is not shown in the fee matrix table.	A discount will be applied where works are undertaken wholly outside of traffic sensitive times on Traffic Sensitive Streets. See Section 17.3.
V	Appendix B	Appendix B – Is this a cut and paste from another	A discount will be applied where

		<p>scheme document prior the HAUC Guidance was published? Can you Review your Permit Fees Matrix particular column with regards to TSS times and locations? Regulations state that a scheme must provide for a discount for works on traffic sensitive streets undertaken wholly outside of traffic-sensitive times on all streets, not just on Type 3 & 4 categories as your Matrix implies.</p>	<p>works are undertaken wholly outside of traffic sensitive times on Traffic Sensitive Streets. See Section 17.3.</p>
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