

HAMPSHIRE COUNTY COUNCIL

HAMPSHIRE COUNTY PERMIT SCHEME 2021 / 2022. YEAR 3 REPORT

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1. Executive Summary

On 1 April 2019 the Hampshire County Permit Scheme (HCPS) commenced. The scheme had been developed over the preceding 18 months using national guidance, legislation and adopting good practice from other existing permit schemes in the region, notably the Kent and West Sussex schemes. Authority to commence the HCPS was given at the Executive Member for Environment and Transport Decision Day on 29 September 2018, and the legal order to commence the scheme was enacted on 31 January 2019.

After three years of operation, data analysis shows that the HCPS continues to be successful in meeting its objectives, has improved the management of all works and has reduced the impact of works on the flow of traffic around Hampshire.

Assessment of the financial aspects of the scheme confirms that the actual income for the 2021 to 2022 year is slightly under the costs of actually running the scheme. However, as last year, there are no plans to increase the permit charge rate at the current time.

In the first three years of operation, national processes and guidance regarding permit schemes has changed and, in addition, a new national IT system has been implemented. The second and third years of the scheme have been overshadowed by the Covid-19 pandemic which has influenced working procedures and introduced challenges for resources, processing permits and analysing data. Like many other organisations, the County's permit coordinators have worked almost entirely from home since March 2020. However, as the restrictions have been relaxed most of the permit team are now hybrid working.

2. Introduction

The Traffic Management Act 2004 (TMA), Part 3 Sections 32 to 39, and the Traffic Management Permit Scheme (England) Regulations 2007 make provision for Permit Schemes to be introduced in England. The legal Order for the Hampshire County Permit Scheme (HCPS) came into force on the 31st January 2019. The scheme commenced on the 1st April 2019.

This report sets out an overview of the HCPS operational performance in its third year. The report provides detailed scrutiny of the available data in relation to street works and highway works in Hampshire.

3. Objectives of the Hampshire County Permit Scheme

Permit schemes must have stated objectives that revolve around the Traffic Authority's legal duty to facilitate the free flow of traffic on their network and the networks of neighbouring Authorities. The specific Objectives for the HCPS are as follows;

- to proactively manage the local highway network;
- to maximise the efficient use of road space
- to minimise traffic disruption arising from activities on key routes
- to minimise disruption to residents arising from significant schemes in residential areas;
- to improve the compliance with relevant specifications and Codes of Practice;
- to improve the quality, reliability and accuracy of works information to the public;
- to improve stakeholder engagement for significant works schemes; and
- to ensure parity of treatment for all promoters. (This is a requirement of all permit schemes)

4. Finance

Legislation allows Authorities to charge for works permits. The charges can only cover the costs of additional resources needed to review the permits and cannot recover costs for additional inspections, or for activities not directly related to administering the scheme. Costs for operating the HCPS for County Council works cannot be included in the charges for utility company works and any additional funds recovered must be returned to the utility companies in following years via reduced permit charges. If a scheme fails to cover its costs, then permit fees may be increased up to the maximum levels set by legislation.

Permit schemes have to offer discounted permits where works are carried out in such a manner as to minimise traffic disruption or where the scheme is of strategic importance. In the HCPS a 30% permit discount is offered where works are timed to avoid peak times or for schemes of national importance, and a 50% reduction is offered where works promoters share workspace. The HCPS also does not charge for permits on minor or immediate works on non-traffic sensitive category 3 and 4 roads, i.e. works that are anticipated to have minimal traffic impact on low traffic roads.

During scheme development, studies were undertaken to model the costs of the scheme which would drive the cost of the permits. The anticipated costs for running the scheme for utility works were determined to be approximately £990,000 per annum generated by utility permits.

The cost of running the Permit Scheme for utility works is based on the percentage of staff time spent managing the utility company permits uplifted to include management costs, IT systems costs and all associated overheads. In its third year of operation (2021-22) Hampshire County Permit Scheme (HCPS) costs totalled £1,014,000, a 7.1% rise from the previous year. This reflects additional staff time spent on permit activity as vacant posts were recruited to, while salary costs increased following a 1.75% pay award.

HCPS income from utility company permits totalled £988,000 in 2021-22, a 16.5% increase from the previous year. The increase in Permit Scheme income was partly due to the team working to address the invoicing backlog caused by staff vacancies in the previous year. 2020-21 income had also been adversely affected by the pandemic when during the first lockdown highways work was restricted to essential safety works only.

Overall, the HCPS made a loss of £26,000 in 2021-22. Although permit income recovered well in general, a query from a utility company about the pricing of permit variations led to a temporary cessation of invoicing from July 2021 until a consultation process was completed to agree the pricing structure. Now this is in place we expect income to recover in 2022-23 and so there are no plans to increase permit charges at the current time.

5. Costs and Benefits

The Traffic Management Permit Scheme (England) (Amendment) Regulations 2015 require that the permit authority shall consider whether the permit scheme is meeting key performance indicators where these are set out in the Guidance. These performance indicators and measures are described in Section 6.

6. Performance indicators

6.1 PI1 The number of permit and permit variation applications

The data presented below shows a breakdown of permit applications received, granted and refused in Hampshire as determined by running reports in the DfT's Street Manager permitting software. Note that each application (permit and variation) has a response period. Accordingly, responses are not instantaneous, and this could mean that permits / variations are sent in one period and granted in another.

Table 1 Permits

Permit Numbers						
	Granted	Refused	Deemed	Permit Mod	Total for 21/22	Total for 20/21
HCC Works	17487	1605 (8%)	15	2151	21258	35676
Utility Works	36054	2288 (5%)	17	4395	42754	42608

Table 2 Variations

Permit Variations							
	Granted	Refused	Deemed	Promoter Applied	Cancelled	Total for 21/22	Total for 20/21
HCC Works	2686	269 (8%)	3	321	21	3300	3914
Utility Works	8425	677 (7%)	70	822	39	10033	8813

The following considerations must be noted in relation to this data;

In table 2 variations relate to all changes, including extensions, initiated by the works promoter.

Each application (Permit or variation) has an appropriate response period which means that the number of applications received in any one period does not correspond to the permits granted and refused within that same period.

Analysis of Permits Granted and Refused

From the percentages of granted and refused permits and variations data it can be determined that the County Council treats utility and internal applications in the same manner (similar refusal percentages), thereby demonstrating parity.

The number of County Council permits and variations has reduced from the 21/22 year. Likely as a result in the way works are ordered and permits are generated. Previously it has been noticed that the County Council has been applying for permits for works that did need to be registered.

The number of utility permits has slightly increased from the 21/22 year and the number of permit variations has significantly increased.

6.2 PI2 The number of conditions applied by condition type.

The data below describes the numbers of conditions applied to permits, broken down into conditions type and as a percentage of total permits granted for both internal works promoters and utility companies.

Table 3 Condition Application

National Condition Text (NCT) Category	HCC Works		Utility Works	
	No.	%age	No.	%age
NCT01 Dates & Validity Window (mandatory for all permits)	17487	100%	36054	100%
NCT02a Time Constraints	11028	63%	7441	21%
NCT02b Extended Hours	3967	23%	3133	9%
NCT03 Not Applicable	45	0.3%	0	0%
NCT04 Material Storage	108	1%	2119	6%
NCT05 Road Occupation Dimensions	169	1%	4087	11%
NCT06 Traffic Space Dimensions	1041	6%	6515	18%
NCT07 Road Closures	2131	12%	2178	6%
NCT08 Light Signals and Shuttle Working	5054	29%	4435	12%
NCT09 Traffic Management Changes	8248	47%	4667	13%
NCT10 Work Methodology	63	0.3%	1902	5%
NCT11a Permit Board (mandatory for all permits)	17487	100%	36054	100%
NCT11b Consultation and Publicity	4806	28%	4701	13%
NCT12 Environmental	98	1%	181	1%
NCT13 Exceptional Circumstances	5	0.02%	0	0%

The following considerations must be noted in relation to this data;
 Conditions can be applied to a permit or variation by both the works promoter and the permitting / coordination officer.
 The percentage is based on the number of permits granted.

Analysis of the application of conditions

Comparing the percentages of NCT's applied to HCC works and utility works is difficult as the nature of the works is different between the two types of organisation. Pre-existing procedures also mean that County Council works promoters are more likely to assign NCT's themselves based on local knowledge and previous experience. This would be especially true for NCT11(b) as the County Council usually sends letter drops to all residents affected by a closure, resurfacing or surface dressing works.

The NCT's applied most often to both HCC works and utility works relate to time constraints, traffic lights, traffic management and works publicity. This shows that regulation of works aligns with the scheme objections, particularly as regards works publicity which is the focus of a specific Authority Measure described below.

NCT03 should not be used at all. However, some HCC works promoters are still applying them to permits. NCT13 should only be used in exceptional circumstances.

6.3 The number of approved revised durations

Also known as “duration extensions”. The table below shows the number of revised durations requested and approved for both internal and utility works promoters.

Table 4 Extension Requests

	Requested	Granted	% Granted 21/22	% Granted 20/21
HCC Works	393	365	93%	88%
Utility Works	3779	3606	95%	86%

Analysis of the duration extensions

Utility companies request significantly more extensions than works for the County Council. It is good to note that almost all extension requests were accommodated and that there is parity between the percentages of granted utility and HCC works.

6.4 The number of occurrences of reducing the application period

Also known as “early starts”. The table below shows the number of early starts requested and approved for both internal and utility works.

Table 5 Early Start Requests

	Requested	Granted	% Granted 21/22	% Granted 20/21
HCC Works	9421	7938	84%	92%
Utility Works	4490	3469	77%	87%

Analysis of the early start requests

Most early starts are accommodated and the percentages of granted early starts is broadly comparable between HCC works and utility works, again proving parity in dealing with all works promoters. HCC submits a higher volume of early start requests compared to utility works despite submitting significantly less permits. This is likely as a result of workforce management within the County Council in order to deal with minor works, such as pothole repairs in a timely fashion using available resources.

The percentage of granted early starts had decreased in the 21/22 year. This is likely as a result of greater challenges for roadspace and coordinators ‘pushing back’ to protect lead-in times before works start.

7. TPI Measures

This section outlines the Permit Indicators (TPI) contained as Annex A within the Statutory Guidance for Highway Authority Permit Schemes.

These indicators for permit schemes are additional to the general TMA Performance Indicators (TPI's) which are already being produced.

7.1 TPI 1 Works Phases Started (number of actual starts when the start date is in the report year).

Utility Works = 30476

HCC Works = 9077

7.2 TPI2 Works Phases Completed

Utility Works = 30423

HCC Works = 8822

7.3 TPI3 Days of Occupancy Phases Completed (Days within the period where works were active)

Utility Works = 118802 Calendar Days, 92574 Working Days

HCC Works = 29929 Calendar Days, 24021 Working Days

7.4 TPI4 Average Duration of Works (working days) (Working days compared to number of completed works in the report year)

Utility Works = 3.04

HCC Works = 2.7

7.5 TPI5 Phases Completed on Time

Utility Works = 29590 (99%)

HCC Works = 8632 (99%)

7.6 TPI6 Number of Deemed Permit Applications

Utility Works = 87

HCC Works = 18

7.7 TPI7 Number of Phase One Permanent Registrations (Registered works within the period)

Utility Works = 24814 (92%) (Registered reinstatements = 26994, Interim reinstatements = 100)

HCC Works = N/A

8. Authority Measures

To assist in determining the effectiveness of achieving the objectives of the HCPS a number of scheme specific measures have been adopted as follows;

KPI 1 Number of activities completed in one phase.

Some works promoters utilise a temporary reinstatement, then return later to replace it with a permanent reinstatement. Sometimes this is out of necessity, to quickly reopen a road, or to source specialist materials. Other times it is because of the works processes or contractor's choice. Undertaking the works in one phase is always preferred and reduces the disruption.

It is not possible to accurately measure the similar data for County Council works because of the differing nature of the works, the process being used to register County Council works and the fact that County Council works rarely make use of a temporary reinstatement. Therefore, this data only applies to utility works.

In 2018/2019 (pre-HCPS) 83% of utility works were fully registered after phase one.
In 2019/2020 92% of utility works were fully registered after phase one.
In 2020/2021 92% of utility works were fully registered after phase one.
In 2021/2022 92% of utility works were fully registered after phase one.

The number of single-phase reinstatements has increased since the start of the permit scheme and remained stable during the three years of operation. The initial Cost Benefit Analysis (CBA) for the HCPS suggested that the number of works completed in a single phase may increase as a result of better planning.

KPI 2 Number of activities with collaborative working.

Planning works to share road space reduces the number of times a road is closed or subjected to additional works thereby reducing traffic disruption.

Measurement of collaborative works prior to the HCPS was a manual process. Under the HCPS it is an automated process. The data is reliant on works promoters confirming that they worked collaboratively.

- In 2018/2019 there were 142 cases of collaborative working.
- In 2019/2020 there were 228 cases of collaborative working.
- In 2020/2021 there were 214 cases of collaborative working. (August 2020 to March 2021)
- In 2021/2022 there were 517 cases of collaborative working.

The number of instances of collaborative working has steadily increased in each year of the HCPS. This confirms that the HCPS has had a positive effect on reducing disruption, increased proactive planning and an effective use of road space. It should also be noted that not all collaboration is noted on the permits. Accordingly, the number of actual cases of collaborative working is likely to be much higher than noted here. The initial Cost Benefit Analysis (CBA) for the HCPS suggested that the number of works where collaboration occurs may increase as a result of better planning.

KPI 3 Number of activities where conditions relating to advance publicity were applied by either the works promoter or the County Council.

One of the conditions that can be applied to a permit is the requirement for advanced publicity of the works to alert motorists and residents to upcoming works (NCT11b). This gives the public time to plan journeys and minimise disruption to day-to-day activities.

Use of this condition is generally only effective on (granted) major works (works that will last a long time or that will require a road closure) i.e., the most disruptive kind of works. Prior to the HCPS there was no method of recording or measuring the amount of publicity for works so the data only covers works since the start of the HCPS.

Table 6 Early Additional Publicity for Major Works

	Major Works 21/22	Major Works with NCT11b 21/22	% 21/22	% 20/21	% 19/20
HCC Works	9421	7938	94%	92%	61%
Utility Works	4490	3469	85%	87%	66%

This volume of publicity conditions applied to major works has increased once again in the third year of the HCPS confirming that additional engagement and information is being made available to the public and stakeholders. It also indicates a high level of planning and management of the more highly disruptive schemes.

KPI 4 Number of Fixed Penalty Notices (FPN's) served.

When a works promoter fails to submit permits on time, fails to comply with permit conditions or works without a permit it reduces the chance for the County Council to coordinate effectively and could result in unplanned disruption. The County Council can serve a 'Fixed Penalty Notice' for each offence. Each FPN results in a charge of between £80-£500 to the works promoter. Charge levels are set by legislation.

The data is taken from management reports on data within the Street Manager system. This software does not include a facility to accurately measure the FPNs that would apply to County Council works. Accordingly, the data relates only to utility works.

FPNs come in two forms - ones that measure permit accuracy and ones that measure failing to comply with permit conditions. Prior to the HCPS coming into only force notice accuracy could be measured. Under the HCPS there are additional ways for a works promoter to fall foul of an FPN, such as complying with conditions of a permit. Data is based on works that have completed within the measured period.

Table 7 Fixed Penalty Notices for Utility Works

	21/22	20/21 (Aug 20 to March 21 Only)	19/20	18/19 (Pre-HCPS)
Completed Works	30423	21752	30375	34658
Permit Accuracy	N/A	177 (99.2%)	322 (99.0%)	408 (98.8%)
Compliant with Conditions	N/A	40 (99.8%)	143 (99.5%)	N/A
Overall Compliance	949 (97.0%)	217 (99.0%)	465 (98.5%)	408 (98.5%)

- Permit accuracy covers FPN's for incorrect permits or where utility co's are found working without a permit.
- Permit condition compliance figures purely relate to permits where conditions have not been complied with.

This data confirms that the compliance with conditions and quality / accuracy of permit information continues to be extremely high. The slight drop of in compliance in the 2021/2022 year is likely a result of County Council inspectors being trained to spot permit non-compliances when undertaking site visits.

Other Data Measured – Number of Works.

Data for both utility works and County Council works has been analysed. The initial Cost Benefit Analysis (CBA) for the HCPS suggested that the number of works may drop because of better planning, and more single-phase works.

Utility Works

In 2018/2019 34,658 Utility works were completed on the County Councils network
 In 2019/2020 30,375 Utility works were completed on the County Councils network
 In 2020/2021 (August 2020 to March 2021) 19962 utility works were completed on the County Councils network (29943 pro-rata for the whole year)
 In 2021/2022 30423 utility works were completed on the County Councils network

The number of works completed dropped during the pandemic but is now rising as restrictions have been lifted and the rollout of new services increases.

HCC Works

In 2018/2019 15,484 County Council works were completed on the County Council's network.
 In 2019/2020 26,938 County Council works were completed on the County Council's network.
 In 2020/2021 (August 2020 to March 2021) 13246 County Council works were completed on the County Councils network. (19869 pro-rata for the whole year)
 In 2021/2022 8822 Highways works were undertaken on the County Councils network.

The data for County Councils work confirms that the number of works has dramatically dropped off. This will be a result of efficiencies in programming and planning works and no longer applying for permits for work that do not require registering.

9. Discussion and Conclusions

Discussion

Since July 2020 England has been using the DfT's Street Manager (SM) database to manage permit and notices for works. This product continually evolves as new functionality is added, but this does mean that getting data for reports can sometime be challenging. Wherever possible we have cross referenced output from SM with our existing Confirm Streetworks module that runs alongside SM. The Confirm Streetworks module no longer operates as the daily coordination tool, and is primarily now used to corroborate data processed through SM.

In the first two years of the scheme's operation several text inconsistencies had been noticed in the scheme documents, these were mostly minor in nature and related to changes in technology and working practices. There was also a need to update the charging regime in the scheme documents to match the output of the cost modelling. Accordingly, a consultation on the changes required was undertaken in Summer 2021. As there were no objections to the proposals the scheme document was amended, and the new wording came into force in April 2022.

Conclusions

From the discussions and data analysis the following conclusions can be drawn;

- The HCPS continues to meet all its objectives in effectively managing the network, minimising traffic disruption and enhancing information to the public
- Parity between coordinating County Council and utility works can be demonstrated.
- The HCPS is being effective in helping the County Council executing its network management duty.
- There is a small cost to the County Council in operating the HCPS. However, no amendments to the permit charge rate are proposed at this time.