



Bracknell Forest Council Street Works Permit Scheme

Street Works Permit Scheme Evaluation Report 2015/16

Second Year of Scheme

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1 EXECUTIVE SUMMARY



1.1 The second year of the Bracknell Forest Permit Scheme is once again considered a success from an operational perspective. The financial current viability of the scheme, however, is not sustainable and a need to change the charging regime is necessary during 2017 to ensure it becomes cost neutral.

1.2 The report demonstrates that all permits were processed within the statutory response times despite an increase in permit applications. There is also data and analysis to validate evidence that the authority is applying parity of treatment to all work promoters and in turn fulfilling its Network Management Duty.

1.3 Key successes include;

- All Permits processed within statutory timeframe.
- 934 Inspections of works in progress completed.
-
- 5426 Reinstatement inspections completed.
- An increase to 607 days saved (+640%) through collaboration or direction of the Permit Authority;

	Year 1	Year 2
Duration Challenges	27	66  +144%
Days saved (Duration Challenges)	70	218  +211%
Permits with Collaborative Working (EToN6)	2	16  +700%
Days Saved (Collaborative works)	8	389  +4762%
Total Working Days Saved	82	607  +640%

- The average duration of works reduced with the exception of minor works which is already restricted to 3 days maximum.
- 38% of works were completed with a first time permanent reinstatement (increased from 26% in year 1).
- 32% reduction in the number of Fixed Penalty Notices issued implying increased compliance.
- All permits visible on <http://roadworks.org> as well as <http://www.bracknell-forest.gov.uk/>
- Disruptive works and incidents communicated via  twitter @bracknelltravel and BFC's  Facebook page.

2 INTRODUCTION

- 2.1 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 South East Permit Scheme (SEPS) was adopted by Bracknell Forest Council on 5 November 2014 and has been amended to reflect the requirements introduced by the Deregulation Act 2015 as required.
- 2.2 Following a revision to the 2007 regulations the notion of a common permit scheme was removed, however, for the benefit of consistency the 6 current SEPS authorities have committed to continue to work on a common scheme platform.
- 2.3 This report sets out an overview of Bracknell Forest Councils (BFC) operational performance in its second year. The report provides detailed scrutiny of the available data in relation to street works and activities in Bracknell Forest.

3 OBJECTIVES OF THE BFC PERMIT SCHEME (SEPS)

- 3.1 BFC has a duty under Section 59 of New Roads & Street Works Act 1991 (NRSWA) to co-ordinate works of all kinds. In addition, Section 16 of the Traffic Management Act 2004 (TMA), requires BFC to manage the road network, with a view to achieving, so far as may be reasonably practicable having regard to its 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.
- 3.2 Effective co-ordination and management by the Permit Authority is therefore essential to minimise traffic disruption whilst allowing activity promoters the necessary time and space to complete their activities. BFC is committed to reducing congestion and managing the network more efficiently to secure the expeditious movement of traffic. We recognise that the long-term solution lies in using the network more efficiently.
- 3.3 The strategic objectives for the Permit Scheme are taken from the Council's Local Transport Plan, namely;
- Reduce delays associated with traffic congestion and improve reliability of journey times.
 - Maintain and improve, where feasible, the local transport network.
 - Reduce greenhouse gas emissions from transport.
 - Reduce casualties and improve safety on the local transport network.

The aim of the Permit Scheme is to improve the management of the road network through the better planning, scheduling and management of activities so as not to cause avoidable traffic disruption to any road user.

3.4 Co-ordination of activities through the Permit Scheme will enable differences between those competing for space or time in the street, including traffic, to be resolved in a positive and constructive way.

The operational objectives for the Permit Scheme are to;

- Reduce occupation of the highway to benefit all highway users
- Improve safety of all highway users at road and street activities
- Enhance the reliability of journey times
- Enhance the journey experience
- Gain greater control of all activities on the public highway
- Minimise, avoid or manage delays to all highway users
- Improve public perception of managing highway activities
- Reinforce co-ordination of all activities on the highway
- Reduce long term damage to the highway asset
- Encourage collaborative working between all activity promoters
- Achieve an improvement in air quality
- Demonstrate parity for all activity promoters
- Strengthen cross-boundary co-operation

4 FEE STRUCTURE

4.1 The Traffic Management Permit Scheme (England) (Amendment) Regulations 2015 require that the permit authority shall give consideration to whether the fee structure needs to be changed in light of any surplus or deficit;

BFC undertook a full Cost Benefit Analysis (CBA) as part of its Permit Scheme application to the Department for Transport (DfT) in 2014. The CBA included lengthy calculations based on officer time and the anticipated cost required to process Permits, this then generated the fee structure shown below.

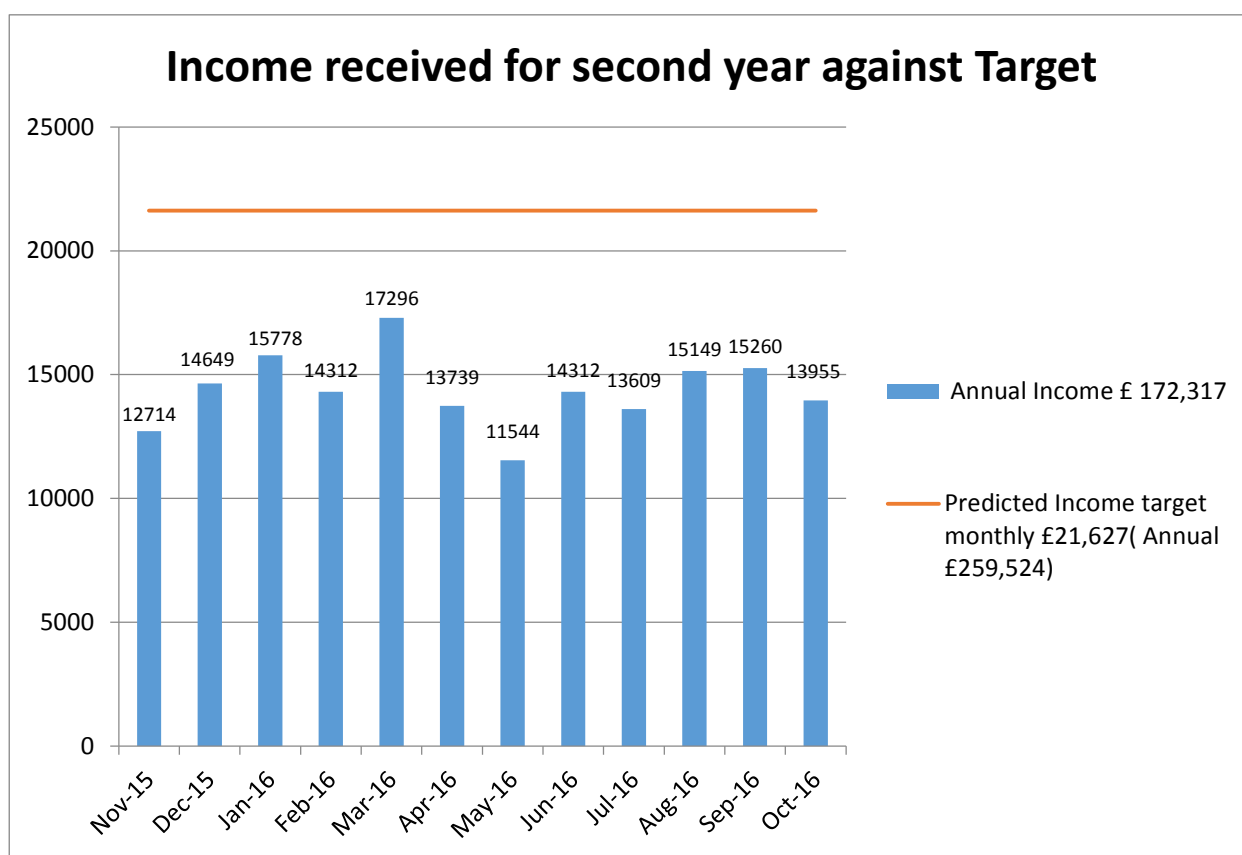
	Main roads	Minor roads
	All 0, 1, 2 streets and Traffic Sensitive (at any time) 3 & 4 streets	3 and 4 / Non Traffic Sensitive streets
Provisional Advance Authorisation	£91	£74
Major Activity [over 10 days] and all major works requiring a traffic regulation order.	£224	£143
Major Activity [4 – 10 days]	£128	£0
Major Activity [up to 3 days]	£63	£0
Standard activity	£128	£0
Minor Activity	£63	£0
Immediate activity	£57	£0
Permit Variation	£45	£35

4.2 The first operational year (2014/15) generated a deficit of **£74,423**. In year two £172,317 was received in income against a cost base, including overheads (human resources, accommodation, hardware etc.) of £259,524 resulting in a second year deficit of **£87,207**.

This represents a 17% increase in deficit which means an overall accumulated deficit of **£161,630** will need to be carried forward to year three. Clearly this growing deficit is not sustainable and so during 2017 a revised charging regime will need to be calculated in order for the scheme to be delivered on a cost recovery basis. This will be subject to full consultation.

4.3 One reason for this ongoing deficit is the DfT’s constraint during concept design that permit charging on all streets would not gain Ministerial approval. Due to the nature of the network within a small Unitary Authority many of the minor roads have a significant effect on traffic flows and so the level of permit consideration and resource applied cannot be much less than for main roads and sometimes more, depending on circumstances.

BFC will now consider a revised charging regime and invite comments from key stakeholders during the development stage.



Income Table November 2015 to October 2016

5 COSTS AND BENEFITS

5.1 The Traffic Management Permit Scheme (England) (Amendment) Regulations 2015 require that the permit authority also shall give consideration to whether the permit scheme is meeting key performance indicators where these are set out in the Guidance.

5.2 In section 6 below details are provided on the DfT Performance Indicators. In section 7 we provide details on the HAUC TMA Performance Indicators (TPI’s) and in section 8 we provide details on our Authority’s local performance indicators.

5.3 Included in the DfT Statutory Guidance for Highway Authority Permits Schemes document is a requirement in section 6.11 to offer a discounted fee for works on streets designated as traffic sensitive when the works are conducted wholly outside of the defined traffic sensitive times. In line with the discount rate for collaborative working, BFC introduced a 30% reduction on fees for works on traffic sensitive streets conducted wholly outside of traffic sensitive times from the 1st October 2015.

6 PERFORMANCE INDICATORS

PI1 The number of permit and permit variation applications

6.1 The table below shows the trend of permit applications received, granted and refused for the first and second year of operation in BFC.









Permits Received/Granted/Refused	Number Yr. 1	Number Yr. 2
Total permit applications received during the 2 years of scheme operation	5218	5979 9% 
Total permit variation applications during the 2 years of scheme operation	1546	3002 94% 
Total permits with status that cannot be determined	8	0 -100% 
Total permit and permit variations granted or refused	6764	8981 32% 
Total permit applications granted	4716	4686 -1% 
Total permit variations granted:	1375	2126 55% 
Total permit applications refused:	502	1292 157% 
Total permit variations refused	171	869 408% 

Table 1 Permits Received, Granted and Refused

6.2 The following charts show a breakdown of the data into permit applications and variations granted and refused in relation to highway authority works for road purposes and works by utility promoters, and provide a comparison with the percentage of permits granted in the different periods.

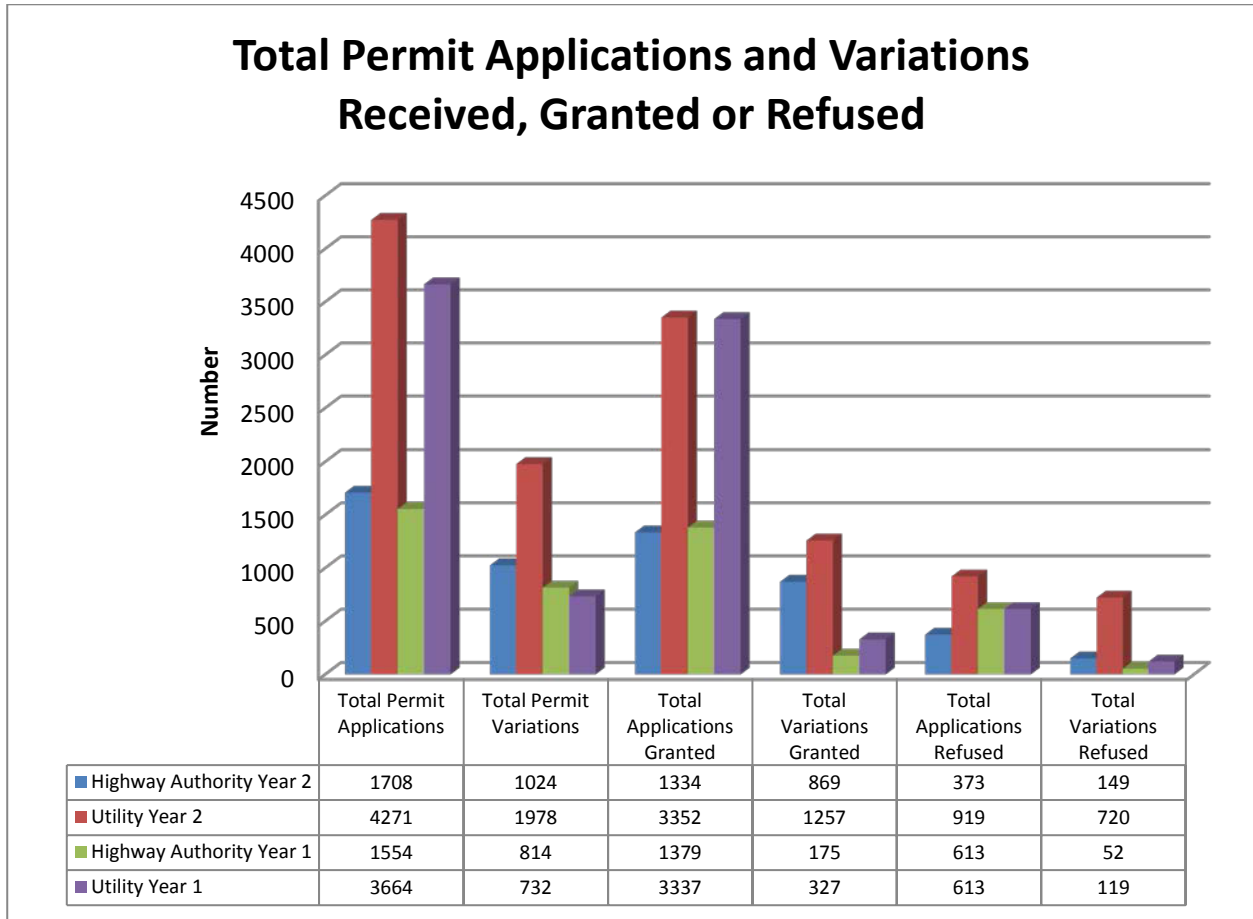


Chart 1 Applications and Variations Received, Granted and Refused by Highway Authority, Utility Promoter & year.

The data provided in the above chart has been collated from the BFC permitting system (Mayrise) and a summary of collated data is shown in Appendix 1.

Permit and Variation Applications

6.3 The following charts show the split of permit and variation applications granted and refused by both Highway Authority and utility promoters by works type.

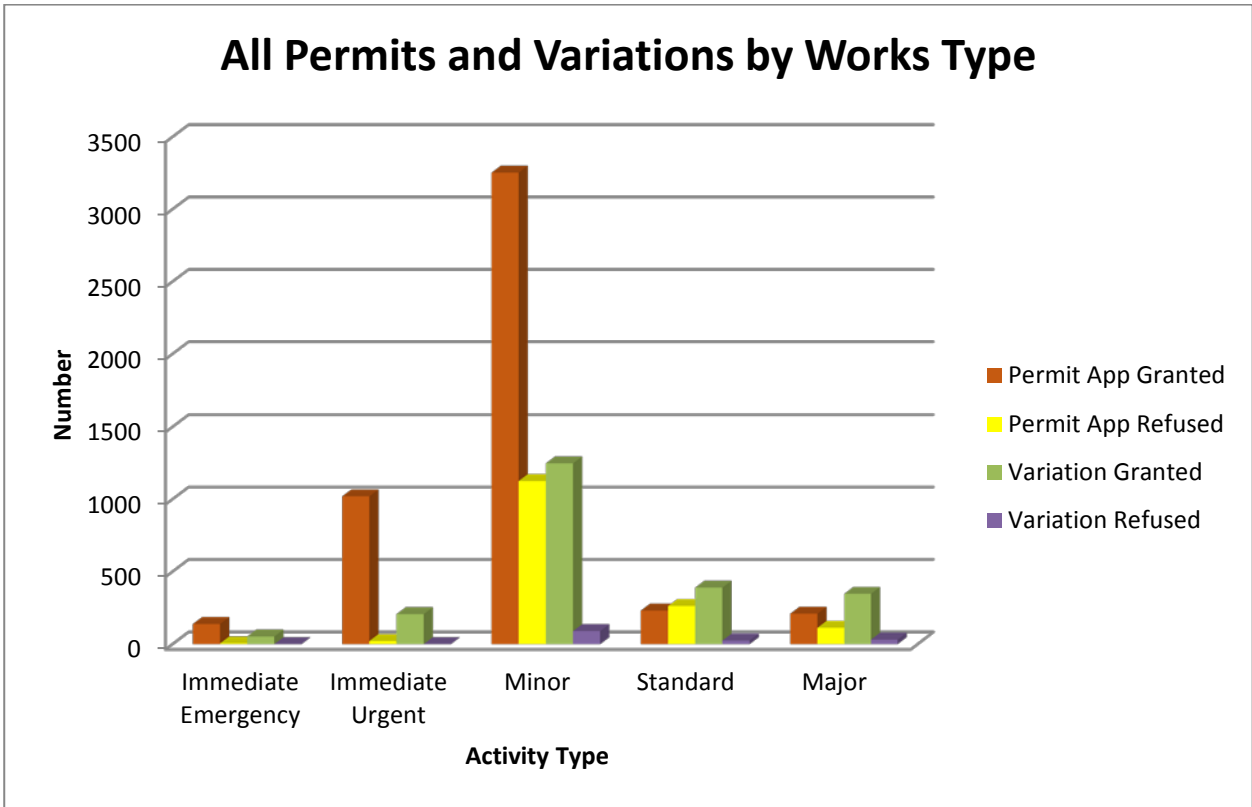


Chart 2 All Permit Variations, Granted and Refused by works type

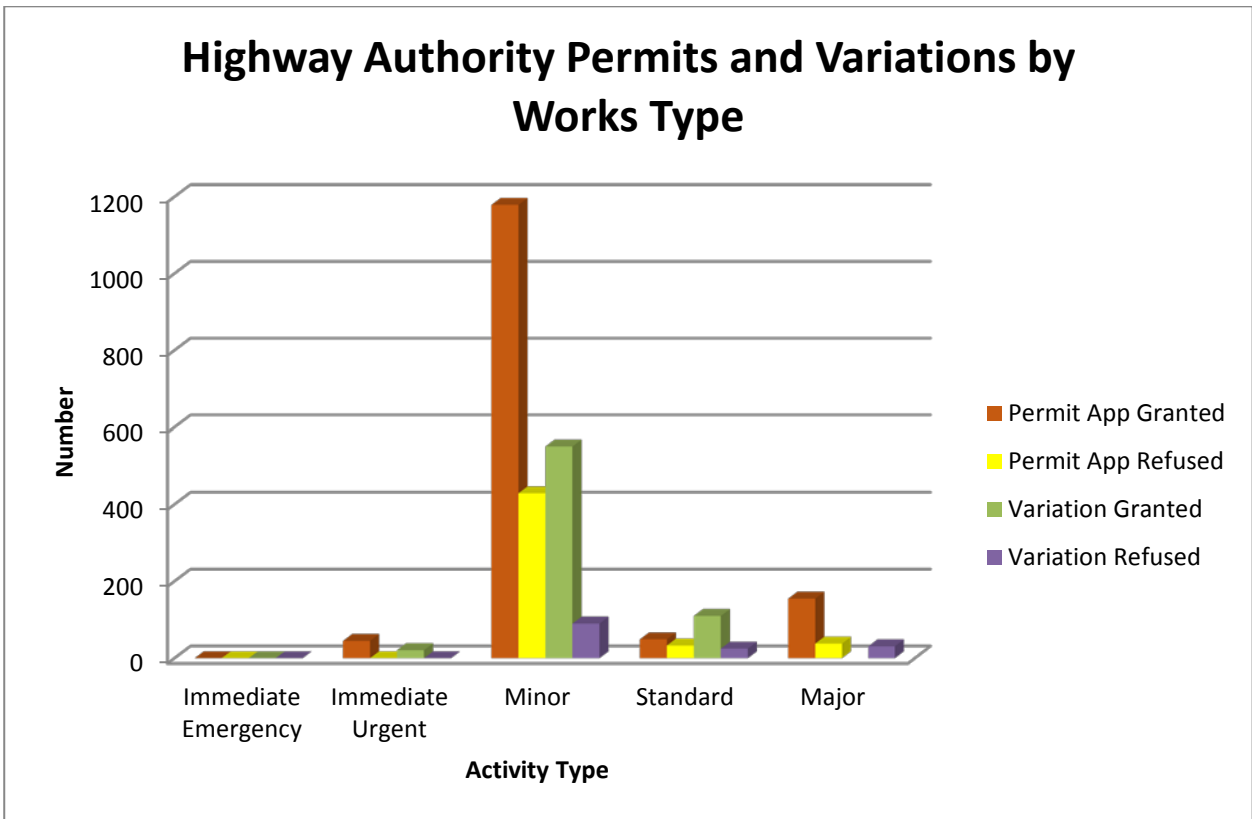


Chart 3 Permits and Variations Granted and Refused for Highway Authority by works type

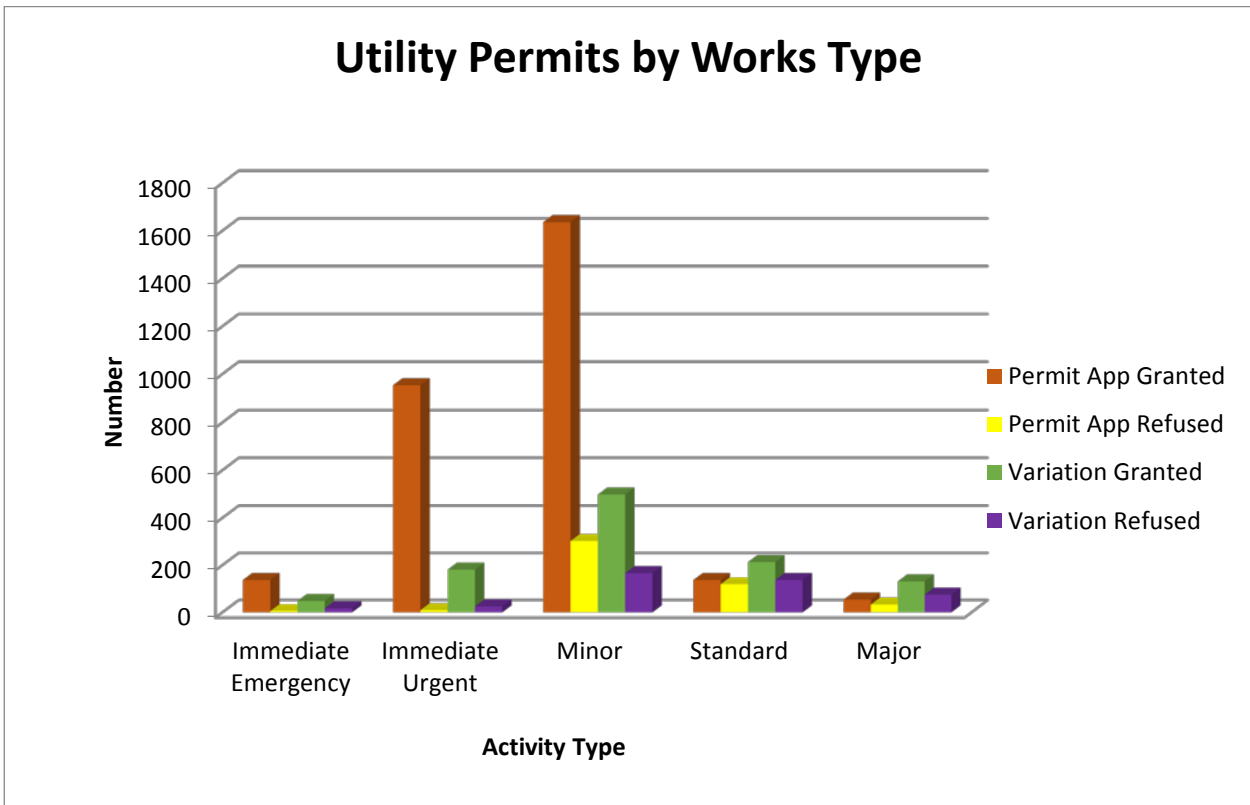


Chart 4 Permits and Variations Granted and Refused for Utility Promoter by works type

Analysis: Permits and Variations Granted and Refused

- 6.4 The charts show that there are differences in refusal rates between Utility Promoters and the Highway Authority. With major works, the Permit Authority meets with the Utility and discusses the project, this is normally after a joint site meeting has been arranged. Aspects of the project are discussed such as publicity, traffic management, and managing impact to the Network. This way there is more certainty over the permit application requirements and hence less are refused.
- 6.5 The Highway Authority has a higher refusal rate for major applications due to the nature of the works which are predominantly resurfacing requiring a road closure. The planning of these is reliant on resources, weather and the availability of road space in the streets involved or on the diversion routes. Taking into account these factors, it can mean that the Permit Authority has to refuse the permits due to works clashes on the street or diversion route. To apply for major works, a Provisional Advance Authorisation (PAA) needs to be received and a PAA can only be refused if details are incorrect; there is no facility for a modification request.
- 6.6 The process has been amended going forward for PAA's, the Permit Authority will now accept the PAA's and send a comment detailing all the information that is required before a permit application can be granted.
- 6.7 The number of permit applications has increased by 16% for utilities and 10% for the Highway Authority year on year and the granted rate is generally static +0.5% utilities and - 3.3% for the highway authority. The refusal rate however, has increased by 50% for utilities and decreased by 39% Highway Authority which may be an indication that the highway authority has now a better understanding of the requirements of the scheme.

6.8 The number of permit variation applications received has increased by 170% for utilities with the granted rate increasing in proportion to the increases in applications. The Highway Authority saw a 25% increase in permit applications, again with the granted rate increasing in proportion to the increase in applications. This may suggest more efficient planning for Highway Authority work compared to utilities or may simply be a symptom of the difference and predictability of the promoters work.

PI2 The number of conditions applied by condition type.

6.9 Conditions are added to permits by the work promoter to reflect the planning of the works and efforts to mitigate any disruption. In reviewing the permit application, the Permit Authority may consider other issues and may request additional conditions to be added by the promoter, by sending a Permit Modification Request (PMR). The PMR is a refusal until such time as the promoter adequately addresses the PMR which must be within 2 days.

The data shown in chart 5 shows the number of conditions applied, broken down into condition types. The number of each type being shown as a percentage of the total permits applications.

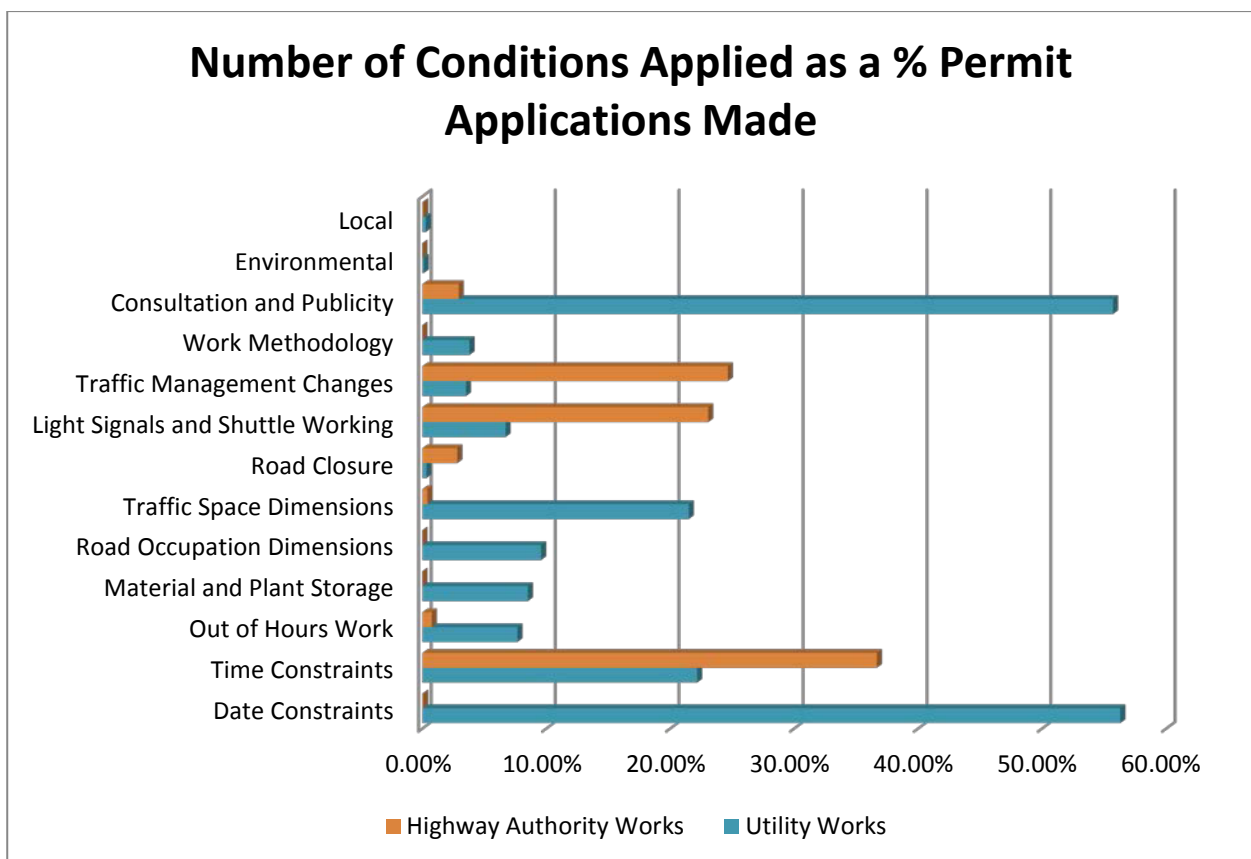


Chart 5 Number of conditions by condition type as a percentage of applications received

Analysis: Conditions

6.10 The chart above show the percentage of permit conditions applied against permits in relation to highway authority works for road purposes and streets works undertaken by statutory undertakers on the basis of the 13 Electronic Transfer of Notices protocol

(EToN) conditions. (Condition NCT13a is only used on agreement between the work promoter and the permit authority.)

- 6.11 This data is not entirely representative as some of the conditions are standard and apply to all permits and as such do not need to be added to the electronic permit application. Some Promoters do still include these which introduce an element of data distortion when comparing the application of conditions between Authority and Promoter.
- 6.12 The consultation and publicity condition is applied to every works because it must have a permit board on site (NCT 11a) additional conditions (NCT11b) for other specific types of publicity, such as letter drops, advanced warning signs etc. are not split out in our system. It could be assumed however, that the over 50% use of this condition relates to Utility use of NCT 11b. The communication of street and road works is supplemented by BFC's use of the <http://roadworks.org> website which publishes all permitted works on a map based website. Additional modules have been procured to enable BFC to publish road closures and other forms of particularly disruptive traffic management on this website. In addition any disruptive works or incidents are communicated via [@bracknelltravel](#) twitter page and the BFC [Facebook](#) page. This gives maximum opportunity for people to plan their journeys and avoid areas subject to works disruption.

PI3 The number of approved revised durations

- 6.13 Chart 6 & 7 below shows the number of requests for revised durations and also the number of these granted shown as a percentage of those applied for.

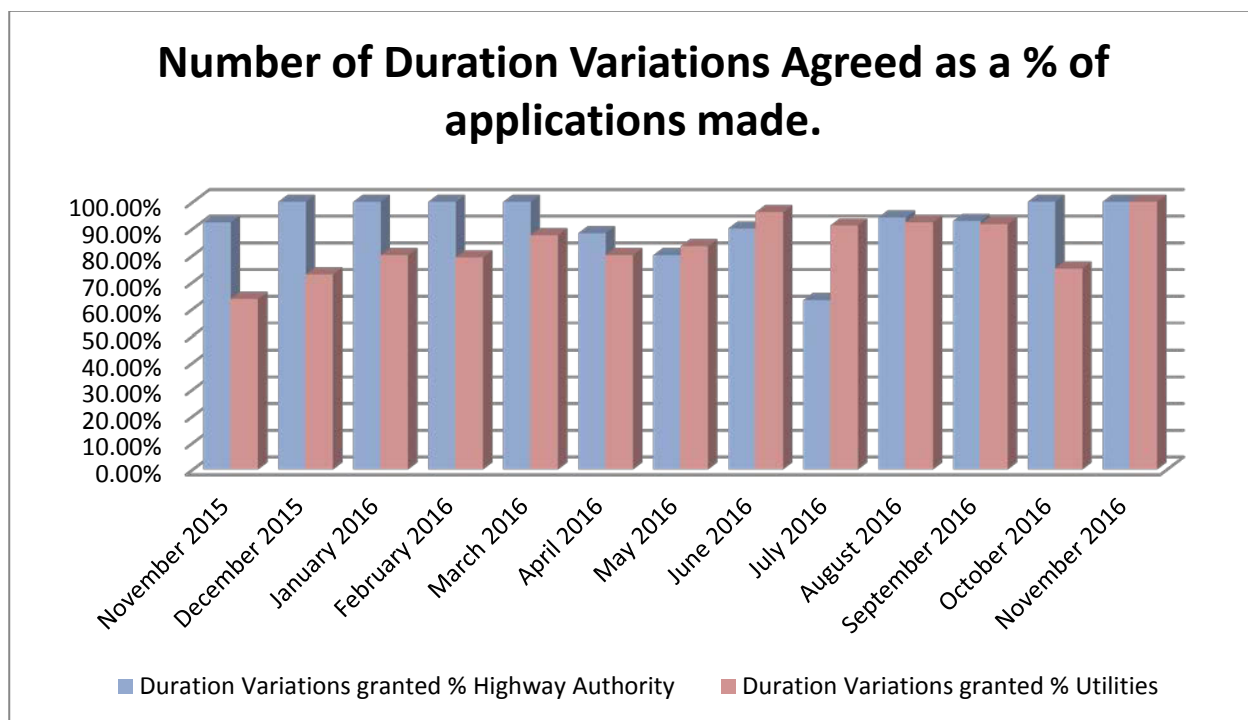


Chart 6 Number of duration variations granted as a % of those applied for by Highway Authority and Utility Promoter.

Number of Duration Variation requests

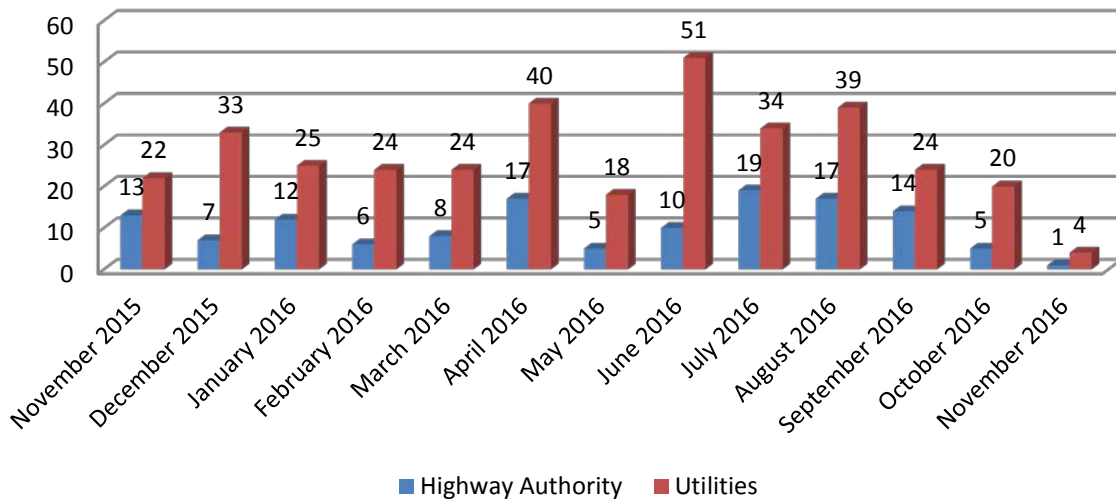


Chart 7 Number of duration variations requested.

Analysis: Duration Variations

6.14 Chart 6 shows that Highway Authority agreed duration variations were higher than Utility Promoters in the beginning of the permit year but this evens out somewhat by the end of the period. However, Chart 7 indicates that the number of duration variation requests for Highway Authority works is roughly a quarter of those made by all Utility Promoters.

PI4 The Number of occurrences of reducing the application period

6.15 Also known as “early starts”, the charts below show in chart 9, the number of requests to reduce the notification period as a percentage of total applications made. In table 2, the number of

Period	Early Starts Agreed			
	Highway Authority Year 2	Utilities Year 2	Highway Authority Year 1	Utilities Year 1
November 2015	11%	100%	33%	100%
December 2015	0%	73%	50%	80%
January 2016	4%	94%	15%	25%
February 2016	11%	89%	15%	0%
March 2016	14%	100%	18%	91%
April 2016	53%	100%	0%	45%
May 2016	31%	92%	22%	86%
June 2016	13%	83%	17%	83%
July 2016	7%	53%	0%	100%
August 2016	8%	72%	11%	30%
September 2016	30%	100%	40%	83%
October 2016	0%	100%	23%	80%
November 2016	0%	71%	0%	0%

Table 2 Number of requests to reduce the application period (Early Start) as a % of total applications made by Highway Authority and Utility Promoter

Analysis: Early Starts

- 6.16 The results show that more Utility Promoter 'early start requests' are granted, than is the case for the highway authority. The number of requests from the Highway Authority has increased by 22% from 2014/15 (Y1 135/Y2 165) but those received from Utility Promoters have increased by 94% (Y1 88/Y2 171).
- 6.17 This performance indicator measure is considered to be in relation to the number of times promoters were allowed by the Permit Authority to start their works without having to comply with the minimum permit application lead-in period, commonly known as an early start agreement.
- 6.18 The Highway Authority early start requests could be due to the nature of their works which are largely reactive.
- 6.19 The BFC Permit Scheme provides a framework for the Permit Authority to treat all activities and activity promoters covered by the scheme on an equal basis. The above data confirms this to be the case. Early start requests are considered individually on their own merits by the Permit Authority and are never refused without a valid reason.

7 HAUC TPI MEASURES

- 7.1 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 (TPIs), which are already being produced.

	Indicator	2014/15	2015/16
7.1	TPI1 Works Phases Started (Base Data)	6235	4838
7.2	TPI2 Works Phases Completed (Base Data)	5169	4639
7.3	TPI3 Days Of Occupancy	19478	24305
7.4	TPI4 Average Duration of Works	See table in 8.1	See table in 8.1
7.5	TPI6 Phases Completed on time	5110	4550
7.6	TPI8 Number of Phase One Permanent Registrations	1344	1837
7.7	Number of deemed permit applications	0	0

Table 3 TPI Indicators 2014/15 & 2015/16

8 AUTHORITY MEASURES

In addition to DfT KPIs and HAUC TPIs, BFC has collated its own data.

8.1 Authority Measure 1 (AM1) is the average duration of works phases completed by permit type as demonstrated in table 4 and Chart 8 presents the difference change from year 1 to year 2.

2015/2016	Utility Promoter 15/16	Highway Authority 15/16
Minor	1.94	1.37
Standard	7.4	7.45
Major	30.69	22.44
Immediate - Urgent	5.23	2.16
Immediate - Emergency	4.15	0
2014/2015	Utility Promoter 14/15	Highway Authority 14/15
Minor	1.48	1.31
Standard	9.19	11.08
Major	33.49	24
Immediate-Urgent	2.89	1.15
Immediate-Emergency	5.3	0

Table 4 Average duration of works phases 2014/15 & 2015/16

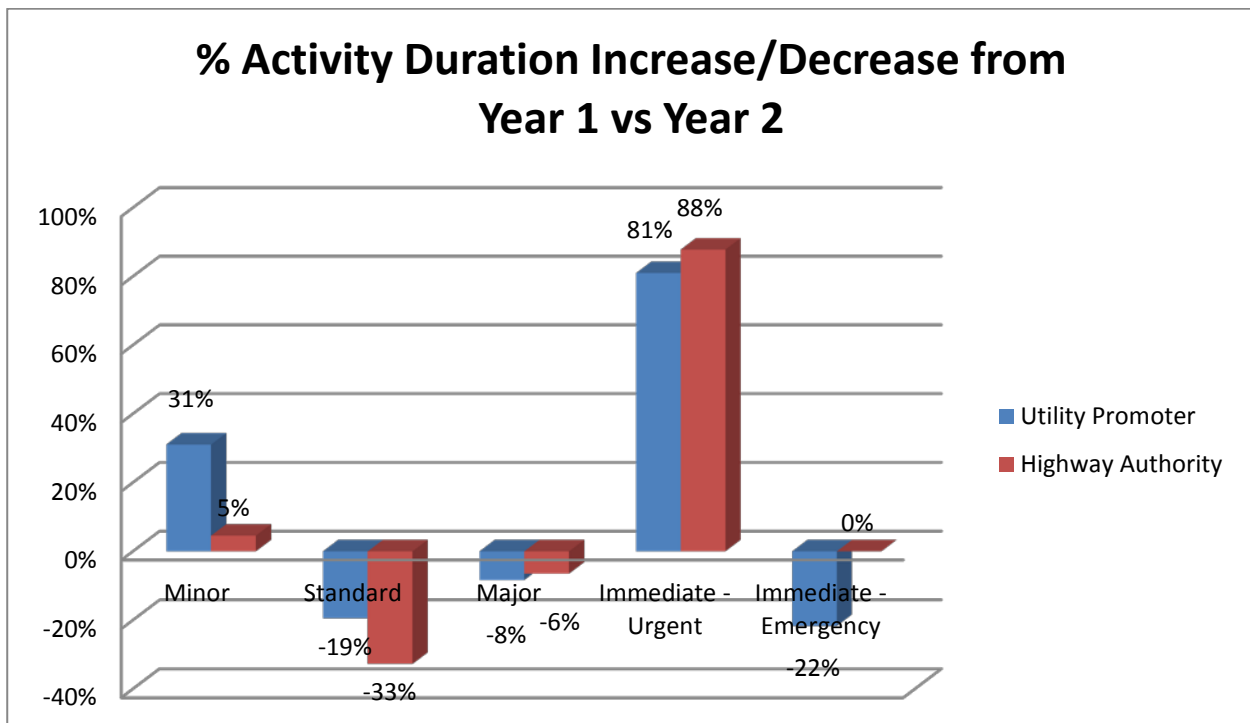


Chart 8 Average duration of works change by works type

Analysis: Average Duration of Works

- 8.2 The Highway Authority duration on major works is less than the Utility Promoter although one significantly lengthy scheme can greatly affect these figures. The Highway Authority has not conducted any immediate emergency works during the evaluation period which explains why the Utility promoters take longer, however, this has reduced by 1.15 days year on year.
- 8.3 The Utility Promoter works tend to be of a longer duration as they quite often are schemes involving many streets and requiring some streets to be kept in progress until other streets are completed. The Highway Authority major works are often restricted to one street and are predominantly resurfacing works. On immediate works the Utility Promoters have a longer duration as their works normally involve three stages excavation, engineering and reinstatement whereas the vast majority of Highway Authority immediate works involve patching or rectifying potholes. The trend is a reduction in occupation duration with the exception of Minor works where some Utilities are using extra time to complete first time permanent reinstatements which eliminates the need to return.

AM2 - Inspections

- 8.4 This measure is intended to provide two separate Performance Indicators:
- Number of failed Category A (works in progress) inspections shown as a percentage of the total undertaken within a period. Failures are typically classed as non-compliance with the signing, lighting and guarding of works as prescribed in the 'Safety at Street Works and Road Works' code of practice.
 - Number of failed permit conditions checks (where one or more permit conditions have been breached) shown as a percentage of the total undertaken within a period.

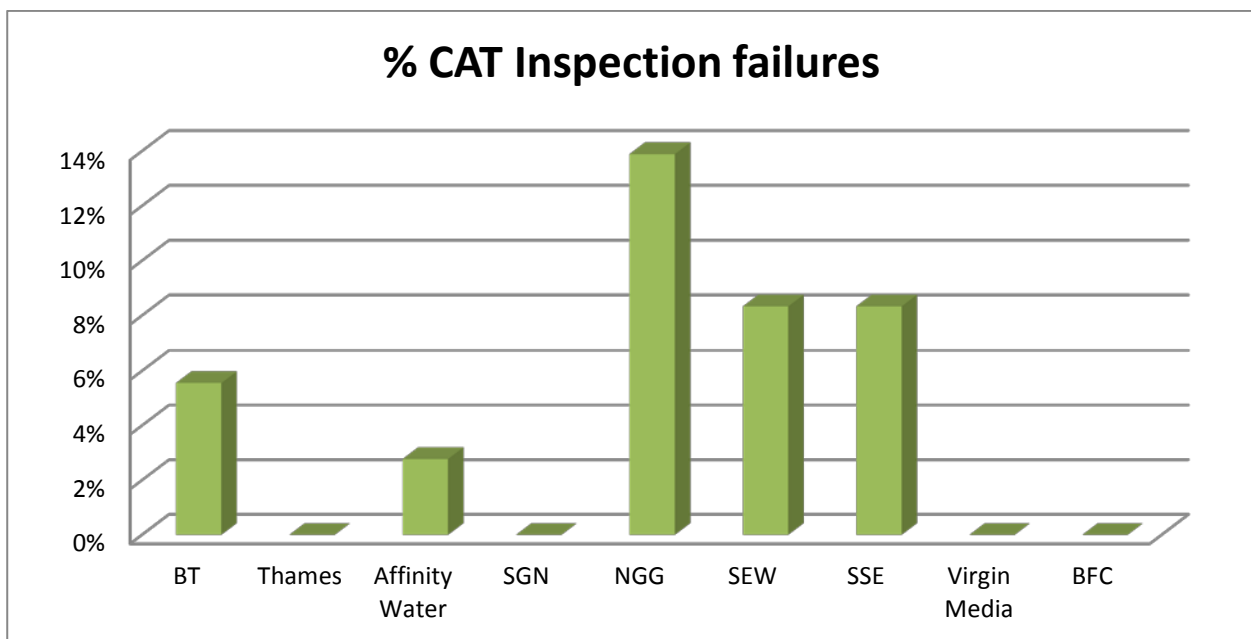


Chart 9 Failed CAT A inspections as a % of CAT A undertaken

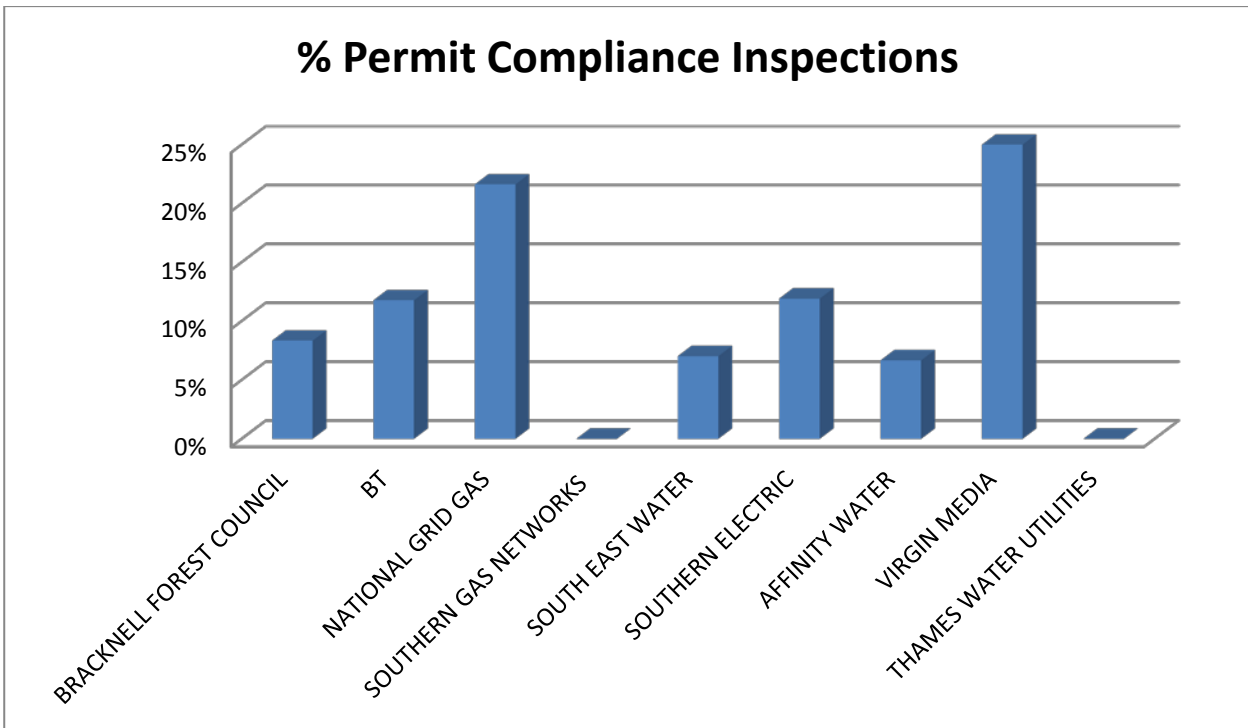


Chart 12 Failed Permit compliance inspections as a % of Permit compliance inspections undertaken

Analysis: Inspections

8.5 The Utility Promoters and the Highway Authority split for failures on both types of inspection is fairly even. The Highway Authority category A Inspection has improved from 14% failure in 2014/15 to 0% in 2015/16 this has largely been achieved through the fact that the contract with Ringway, BFC’s term maintenance contractor included KPI’s based on the permit scheme. Permit compliance checks also saw a 1% drop in non-compliance.

AM3 – Days of Disruption Saved/ Number of Collaborative works

8.6 This measure is the number of days of disruption saved by the Permit Authority through the various co-ordination powers available to them e.g. collaborative works or challenging initial duration and/or proposed methodology of working (whether formally through the S74 mechanism or through informal discussion at the planning stage).

8.7 Table 5 shows the Permit Authority data for the number of reported collaborative works and the number of days saved as a result of collaborative works on the Authority road network. It also demonstrates the number of challenges successfully issued to Utilities and the days they have saved.






	Year 1	Year 2
Duration Challenges	27	66  +144%
Days saved (Duration Challenges)	70	218  +211%
Permits with Collaborative Working (EtoN6)	2	16  +700%
Days Saved (Collaborative works)	8	389  +4762%
Total Working Days Saved	82	607  +640%

Table 5 Number of Durations Challenges and Permits with collaborative Working (EtoN6) and Days saved

Analysis: Days Saved

8.8 Whilst an increase in collaborative working has been recorded it is still believed that this is much more prevalent than the data suggests. There are still a significant number of projects where numerous utilities have been involved but have not acknowledged the collaborative nature of works in their permits. The second year of the scheme has seen a large increase in the number of days saved which offers tangible benefits to the public generated from the permit scheme.

AM5 – Fixed Penalty Notices (FPN's) (Permit breaches)

FPN's	70(6)	74(7B)	Works Without a Permit 19(1)	Permit Breaches 20(1)	Total
BFC	0	4	8	8	20
BT	2	4	1	10	17
NATIONAL GRID GAS	7	39	4	10	60
SOUTHERN GAS NETWORKS	0	2	0	0	2
SOUTH EAST WATER	0	5	0	9	14
SOUTHERN ELECTRIC	0	6	1	6	13
AFFINITY WATER	2	2	0	3	7
VIRGIN MEDIA	0	1	0	0	1
THAMES WATER UTILITIES	0	9	0	2	11
Total	11	72	14	48	145

Table 6 Fixed Penalty Notices issued to Utility Promoter and Highway Authority

8.9 In the year prior to permitting BFC issued 111 FPN's, 215 in the first year of the permit scheme and in year two this has reduced to 145. This reduction is likely to be caused by better understanding and application of the permit scheme by stakeholders.

8.10 Other breaches, in the form of works overruns under section 74 of the New Roads & Street Works Act 1991, have reduced. In the year prior to permitting there were 62 overruns (occurrences) and in the first year of the permit scheme this had reduced to 35 in year two an increase to 48 occurrences was recorded. Whilst this increase is disappointing it represents only 1% of works completed.

	No of overrun Works	No of Works	Overrun as % of Works
BRACKNELL FOREST COUNCIL	14	1479	0.95%
BT	1	381	0.26%
NATIONAL GRID GAS	17	222	7.66%
SOUTHERN GAS NETWORK	1	83	1.20%
SOUTH EAST WATER	0	1809	0.00%
SOUTHERN ELECTRIC	12	337	3.56%
AFFINITY WATER	3	107	2.80%
VIRGIN MEDIA	0	212	0.00%
THAMES WATER UTILITIES LTD	0	218	0.00%
Total Overruns	48	4848	1.00%

Table 7 Number of s74 Overruns and Overrun Percentage of Works Completed

9 CONCLUSION

9.1 The Bracknell Forest Local Transport Plan 3 (2011-2026) recognises that maintaining and improving roads, coordinating & controlling street works and managing parking, support, drive and deliver economic growth.



The Vision:

“To develop a sustainable transport system that supports local economy, provides choice and improves quality of life in a safe and healthy environment”

9.2 The plan specifically states the following:

Policy TP18 – Network Management

The Council will:

- Co-ordinate street and road works.
 - ✓ All Permits processed within statutory timeframe.
 - ✓ Duration of works reduced year on year with the exception of minor works.
- Monitor the safety of street and road works.
 - ✓ 934 Inspections of works in progress completed.
- Monitor the reinstatement of street works.
 - ✓ 5426 Reinstatement inspections completed
- Influence the actions of all stakeholders to ensure the Network Management Duty is achieved.
 - ✓ At least 607 Days saved through collaboration and authority direction.
 - ✓ 38% of works completed with first time permanent reinstatement increased from 26% in year one.
 - ✓ 32% reduction in Fixed Penalty Notices issued implying increased compliance.
- Pro-actively communicate highway network issues.
 - ✓ All permits visible on <http://roadworks.org> as well as <http://www.bracknell-forest.gov.uk/>
 - ✓ Disruptive works and incidents communicated via  twitter @bracknelltravel and BFC's  Facebook page.

Next Steps

From an operational point of view BFC will continue to monitor procedures involved with the processing of permits and bring forward any further improvements. The income shortfall will be tackled by calculating a new funding formula which will deliver cost recovery and recover previous deficits. It is anticipated that this work will be concluded, including informal liaison with stakeholders by April 2017. It is expected that a revised charging regime would be introduced during the 2017/18 financial year, subject to successful stakeholder consultation, with an ambition to recover previous deficits and operate a cost neutral scheme in the future.

EToN system – The Electronic Transfer of Notices, the nationally agreed format for the transmission of notice information.

EToN developers – representatives of the main software developers involved in street works

EToN Strategy Group – responsible for the development of the EToN system

KPI – Key Performance Indicator as developed by the DfT and set out in the Permit Code of Practice

NMD – Network Management Duty, a legal obligation created by the Traffic Management Act 2004 for highway authorities to secure the expeditious movement of traffic

AM – Authority Measure

PAN – Permit Advice Note

TMA – Traffic Management Act 2004

Sample A – An inspection undertaken during the progress of the works as defined in Section 2.3.1 of The Code of Practice for Inspections 2002

SEPS – South East Permit Scheme

NCT – National Condition Text from HAUC England used from 01/07/2015 and mandatory from October 2015

NRC- National Refusal Codes being developed by HAUC England, currently draft. Their use was adopted by ESCC from 01/07/2015 in line with NCT conditions

WFRP – Works For Road Purposes

HAUC – Highway Authorities & Utilities Committee

BFC – Bracknell Forest Council