

Agenda Item No.4(f)

**DERBYSHIRE COUNTY COUNCIL**

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND  
INFRASTRUCTURE**

**11 January 2018**

Report of the Strategic Director – Economy, Transport and Environment

**THE DERBYSHIRE COUNTY COUNCIL PERMIT SCHEME FOR ROAD  
WORKS AND STREET WORKS**

(1) **Purpose of Report** To approve the Evaluation Report of the Derbyshire County Council Permit Scheme (DCCPS) for Road Works and Street Works from 1 April 2015 to 31 March 2017.

(2) **Information and Analysis** The DCCPS commenced on 31 March 2015. The DCCPS applies within the County of Derbyshire excluding the area administered by Derby City.

Permits are required for all reinstatement types and all traffic sensitive streets within the administrative boundaries of Derbyshire County Council.

The Evaluation Report, which is attached as an Appendix to this report, reviews the operation of the permit scheme for the first two years of its operation 1 April 2015 to 31 March 2016 and 1 April 2016 to 31 March 2017.

Information is provided on compliance with the DCCPS, both in terms of the utility companies but also the Council's own works promoters.

The Council has under recovered its costs in terms of the operation of the scheme by £40,000 in 2015-16 and by £5,000 in 2016-17. It is anticipated that the Council will, in the next two years, be fully recovering the costs.

The operation of the DCCPS has assisted with the effective management of street works on the highway network and continues to aid the co-ordination of works across the County. The core objective of the scheme is to reduce disruption to road users, thereby improving the reliability of the network and reducing congestion. As the Council is currently only permitting traffic sensitive streets, consideration should be given to extending the permit scheme to cover all roads across the County.

- (3) **Financial Considerations** There are no financial considerations associated with this report.

### **Other Considerations**

In preparing this report the relevance of the following factors has been considered: legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property, social value and transport considerations.

- (4) **Key Decision** No.

- (5) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

- (6) **Background Papers** Held on file within the Economy, Transport and Environment Department. Officer contact details – Elaine Coope, extension 38516.

- (7) **OFFICER'S RECOMMENDATIONS** That:

- 7.1 The Cabinet Member approves the Derbyshire County Council Permit Scheme Evaluation Report for the period 1 April 2015 to 31 March 2017.
- 7.2 A further report on the implications of extending the Derbyshire County Council Permit Scheme to all roads within the administrative boundary of Derbyshire be submitted to a future Cabinet Member meeting.

**Mike Ashworth**  
**Strategic Director – Economy, Transport and Environment**



# **The Derbyshire Permit Scheme for Road Works and Street Works**

## **Evaluation Report**

**December 2017**

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## 1. Executive Summary

The highway network is fundamental to Derbyshire's economy and to the wellbeing of its population, carrying large numbers of people by public and private transport; and facilitating those delivering goods and services. It is carrying increasing volumes of traffic over time despite a recent dip associated with the national economy. The highway network also serves as a distribution network for essential supplies of water, power and communications but they require renewal and repair, inevitably causing significant disruption to the network, as does the essential maintenance work carried out by the Council itself. This disruption creates difficulties for all users, making the accurate prediction of journey times difficult for time-critical logistics and public transport, and can be a detriment to the attractiveness of the County to visitors.

As part of the Derbyshire Local Transport Plan (LTP) 2011-2026, the Council identified that, as part of its 'core business' for management of the highway network, it would seek improvements to the co-ordination of street works. Underlying this was the disruption caused to people dependent upon the network for transport purposes. In considering the Council's network management duties, the LTP states an aim to "co-ordinate and reduce the time taken to undertake road works and street works efficiently and safely". It is specified that this will be addressed within the first five years of the Plan period, by the introduction of a 'permit' scheme for street works. Such a scheme would apply, as well, to what are defined as 'works for road purposes' carried out by the highway authority (and its contractors).

The Council manages around 5,309 kilometres of road. Approximately 80,000 bus passenger journeys are made around Derbyshire every day.

The Derbyshire County Council Permit Scheme (DCCPS) commenced on 31 March 2015. The DCCPS applies within the County of Derbyshire excluding the area administered by Derby City.

Permits are required for all Reinstatement Type 0, 1 and 2 Streets and all Traffic Sensitive Streets within the administrative boundaries of the Council.

This is the first evaluation report which covers the period 1 April 2015 to 31 March 2016 and 1 April to 31 March 2017.

## 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 DCCPS was adopted by the Council on 31 March 2015 and has been amended to reflect the requirements introduced in 2015 as required.

This report sets out an overview of DCCPS's operational performance in its first and second years.

The report provides detailed scrutiny of the available data in relation to street works and activities in Derbyshire.

## 3. Objectives of the Derbyshire County Council Permit Scheme

The core objective of a permit scheme is to reduce the disruption to network users caused by all street works and works for road purposes. This is intended to have benefits for the utility companies themselves, network users, residents and businesses, carbon emissions and local air quality. It should improve cooperation between different works promoters and encourage both the use of the least disruptive working methods and the timely completion of works. The scheme is also intended to improve the information supplied to road users.

It is considered that Derbyshire has two major areas of strength in its economic potential derived from its highway connectivity; one of these (together with a central location) is the relatively modest and predictable levels of delay and congestion on the County's networks, and the other is its attractiveness as a visitor destination. Both of these characteristics require protection through careful management of the network if the County is to fulfil its economic potential. A proactive approach to the management of street works forms a major part of the Council's approach.

The DCCPS should enable the Council, in its capacity as a Local Highway Authority (hereinafter referred to as the Permit Authority), to better manage activities on its highway network, as well as minimising disruption from utility companies' street works and the Permit Authority's own highway works, both of which are covered by the DCCPS.

**Objective One** - A reduction in the disruption caused by street works and works for road purposes.

**Objective Two** - A reduction in congestion and delay to traffic arising from these works.

**Objective Three** - An improvement in the information provided to the public.

#### 4. Fee Structure

The Traffic Management Permit Scheme (England) (Amendment) Regulations 2015 requires that the Permit Authority shall give consideration to whether the fee structure needs to be changed in the light of any surplus or deficit.

The analysis of DCCPS staff costs and the fee income below covers the period 1 April 2015 to 31 March 2016 and 1 April 2016 to 31 March 2017. Staff costs are those over and above the cost of the Council's coordination duty under New Roads and Street Works Act (NRSWA) and do not include any costs incurred from the processing of the Council's own work applications. IT and training costs for this period are also shown.

##### **Costs and income were as follows:**

In 2015-16, the costs, including staff, resources and overheads were £386,128 with an income from the operation of the DCCPS of £346,279.

In 2016-17, the costs, including staff, resources and overheads were £394,448 with an income from the operation of the DCCPS of £389,409.

##### **Derbyshire Permit Scheme Current Fee Structure**

|                            | <b>Road Category 0,1 and 2<br/>or Traffic Sensitive</b> |
|----------------------------|---|
| Provisional Advance        | £72   |
| Major Works – Over 10 days | £223  |
| Major Works – 4 to 10 days | £130  |
| Major Works – up to 3 days | £65   |
| Standard Activity          | £100  |
| Minor Activity             | £50   |
| Immediate Activity         | £35   |
| Permit Variation           | £45   |

#### 5. Costs and Benefits

The Traffic Management Permit Scheme (England) (Amendment) Regulations 2015 require that the Permit Authority shall give consideration to whether the permit scheme is meeting Key Performance Indicators (KPIs) where these are set out in the guidance. A review of the Council's KPIs is included in the following sections. Section 6 provides the results of the Department for Transport (DfT) Performance Indicators, Section 7 provides the results of the Highway Authorities and Utilities Committee (HAUC) Traffic Management Act 2004 (TMA) Performance Indicators (TPIs) and Section 8 provides details of the Authority Measures (AM).

## 6. Performance Indicators

The Traffic Managements Permit Scheme (England) (Amendment) Regulations 2015 require that the Permit Authority shall give consideration to whether the DCCPS is meeting PIs where these are set out in the DfT Guidance. In accordance with the Regulations DCC monitors and evaluates the DCCPS to ensure parity of treatment for all works promoters and that the scheme meets its objectives.

Along with the DfT Performance Indicators, parity & performance is also measured using a set of HAUC TPI's and AMs.

Please note that, in the following tables and charts, figures have been rounded up/down to the nearest full percentage point or tenth of a percentage point. Where the figures do not add up to 100%, this is as a result of computer rounding. Where sample sizes are small please treat the resulting percentage data with caution.

### **6.1 PI 1 The number of Provisional Advance Authorisation (PAA), permit and permit variation applications received, the number granted and the number refused**

This indicator is measured as follows:

- The total number of PAA, permit and permit variation applications received, excluding any applications that were subsequently withdrawn.
- The number of applications granted as a percentage of the total applications made.
- The number of applications refused as a percentage of the total applications made.

Each application has an appropriate response period which means that the number of applications received in any one period does not correspond with the permits granted and refused within that period. In other words, a permit application received in one period may be responded to within the next period. This issue means that there are a number of permit applications, the status of which cannot be determined.

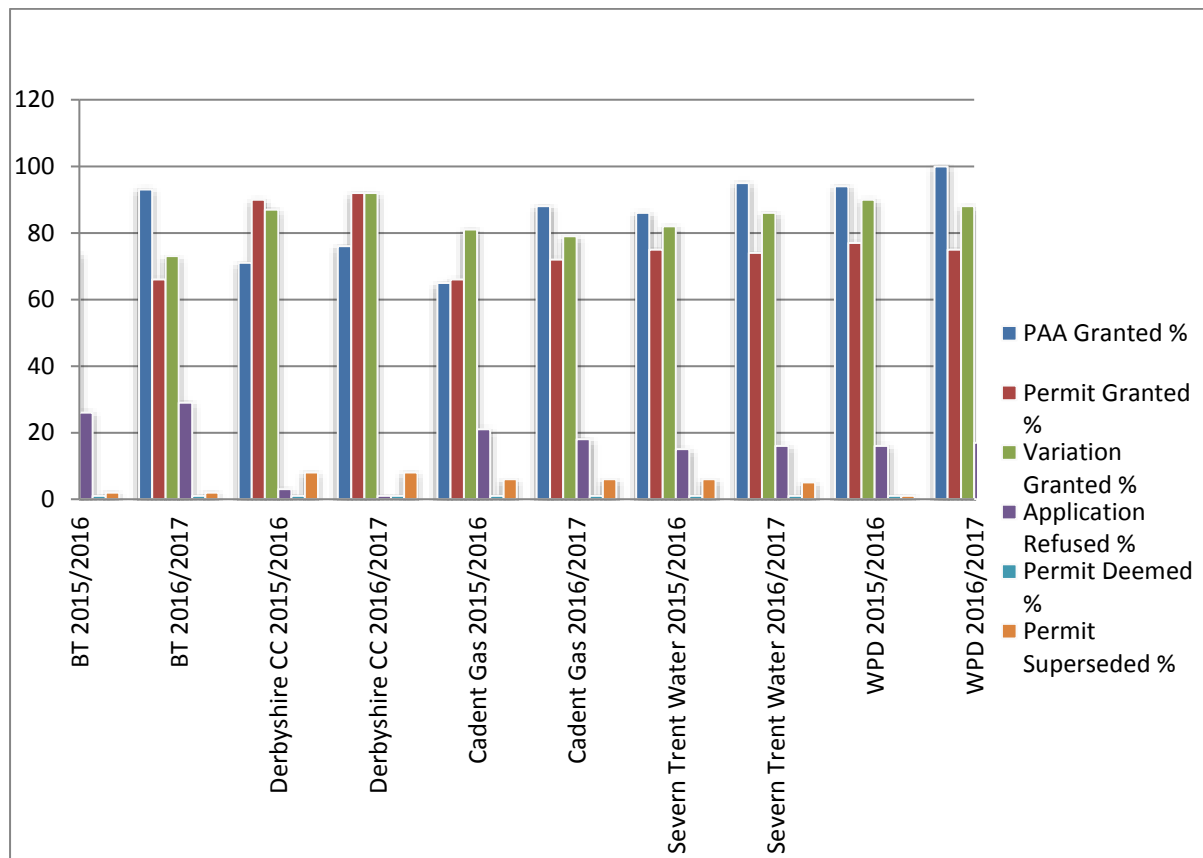


## 6.1.1 Results

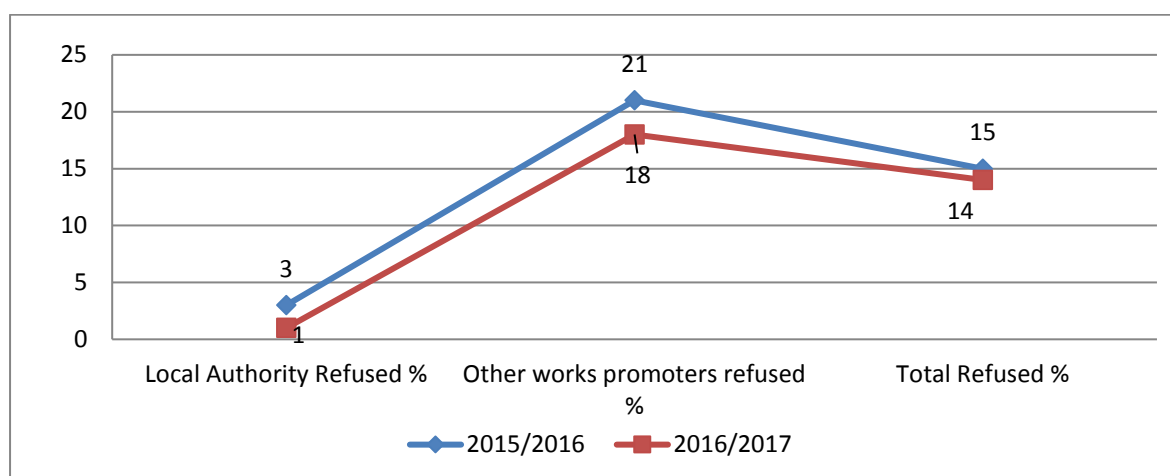
Table 1 below shows permit applications received, granted and refused in 2015-16 and 2016-17 in Derbyshire. The data is presented by promoter (Local Authority/all other works promoters).

|                                      | Local Authority |            | Other works promoters |            | All promoters |            |
|--------------------------------------|-----------------|------------|-----------------------|------------|---------------|------------|
|                                      | No.             | % of Total | No.                   | % of Total | No.           | % of Total |
| Total permit applns received 2015-16 | 3,172           | 27.0       | 8,703                 | 73.0       | 11,876        | 100.0      |
| Total permit applns received 2016-17 | 4,501           | 31.0       | 10,181                | 69.0       | 14,682        | 100.0      |
| Permits/Variations granted 2015-16   | 2,785           | 88.0       | 6,513                 | 75.0       | 9,296         | 78.0       |
| Permits/Variations granted 2016-17   | 4,091           | 91.0       | 7,661                 | 75.0       | 11,752        | 80.0       |
| Permits/Variations refused 2015-16   | 91              | 3.0        | 1,645                 | 19.0       | 1,736         | 15.0       |
| Permits/Variations refused 2016-17   | 31              | 1.0        | 1,633                 | 11.0       | 2,078         | 14.0       |

**PI 1 The number of Provisional Advance Authorisation, permit and permit variation applications received the percentage granted and the percentage refused (refused, deemed and superseded) by main works promoters 2015-16 and 2016-17**



## Permit refusal rates by promoter (Local Authority/all utilities) 2015-16 and 2016-17



### 6.1.2 Analysis

#### Number of Permit Applications

In 2015-16, 11,876 permit applications were received, 73% for external works promoters and 27% from Local Authority promoters. This increased to 14,682 permit applications in 2016/17, 69% for external works promoters and 31% from Local Authority promoters. The increased number of permits in 2016-17 can be attributed to a greater understanding by all works promoters of the permit scheme and the necessity to submit permits.

#### Permits Granted and Refused

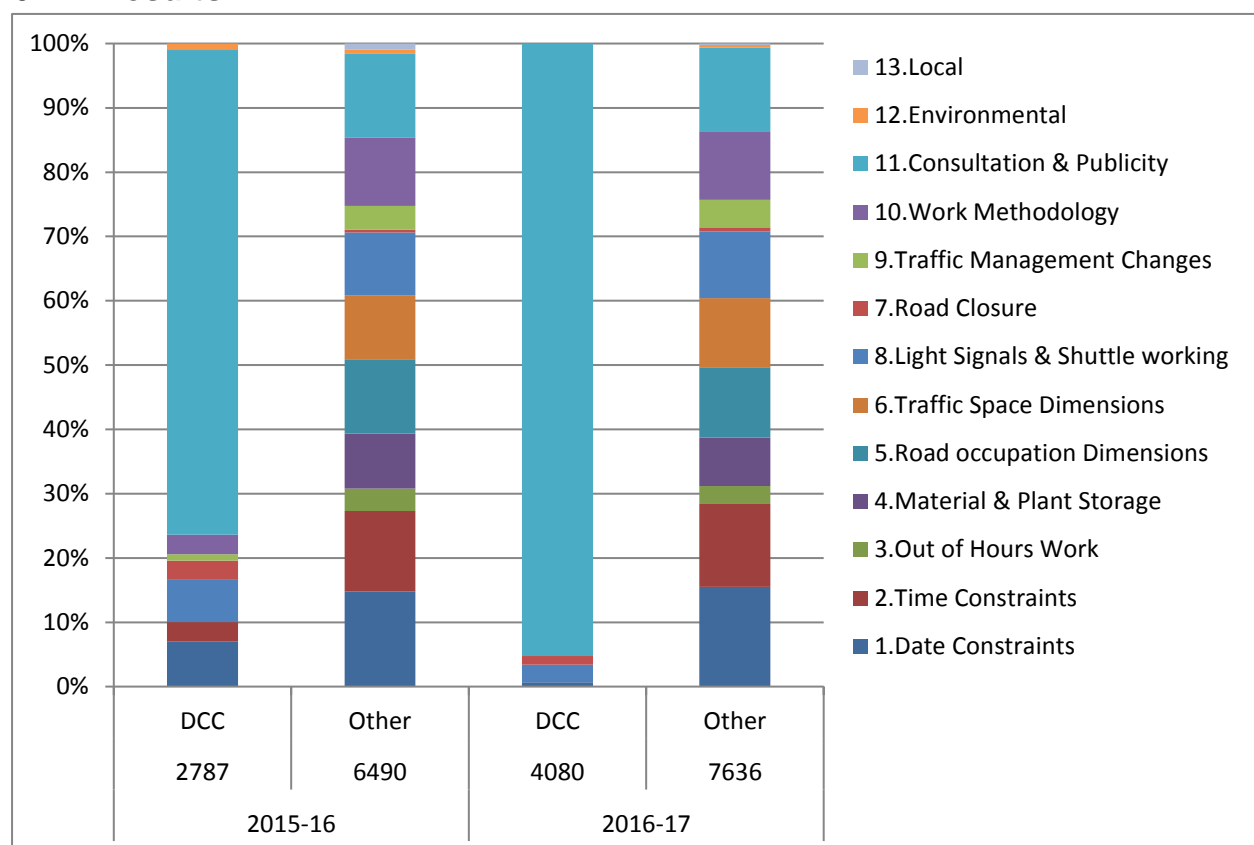
There was an increase in permits granted during 2016/17 compared with 2015-16, although the percentage was not significant; 78% in 2015-16 and 80% in 2016-17. There was a reduction in refusals, from 15% in 2015-16 to 14% in 2016-17, with the greatest reduction being with other works promoters from 19% to 11%. This is due, in part, to on-going work between the Council Street Works and external works promoters, such as giving due consideration to requesting a modification as an alternative to a refusal.

### 6.2 PI 2 The number of conditions applied by condition type

This indicator is measured as follows:

- The number of permits granted.
- The number of conditions applied, broken down into condition types. The number of each type being shown as a percentage of the total permits issued.

## 6.2.1 Results



## 6.2.2 Analysis

In general, fewer conditions were applied to Local Authority works than other promoters' works. Discussions took place with Local Authority works promoters and some improvements were made in 2016-17 compared to 2015-16. There have been issues with a number of external works promoters regarding the application of conditions 1a/b (duration of works) and 11a (display of permit numbers). A number of meetings have taken place to discuss these matters, however, Fixed Penalty Notices (FPNs) have been issued to act as an additional reminder of the necessity to comply with permit conditions.

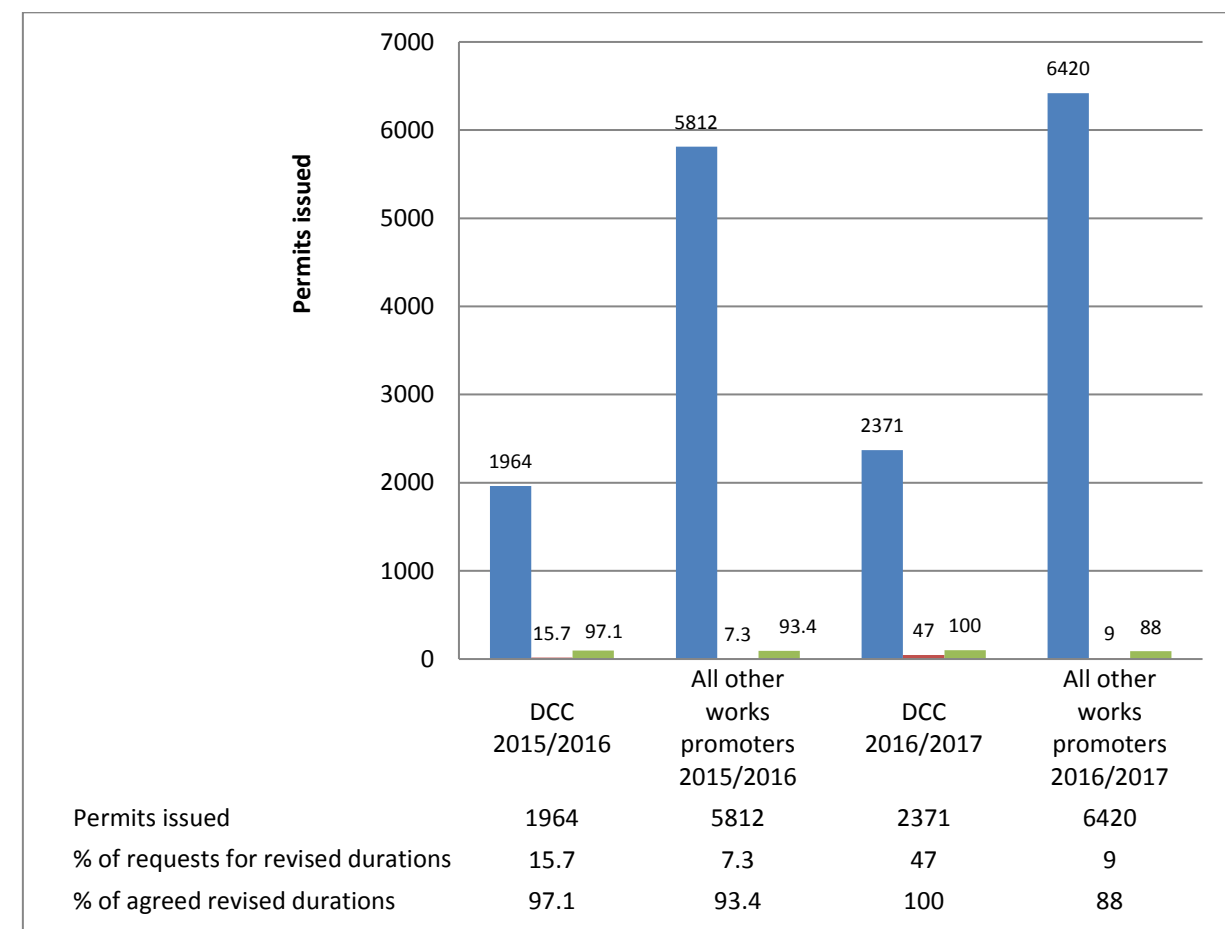
## 6.3 PI 3 The number of approved revised durations

This is measured by promoter and is shown as:

- The total number of permits issued.
- The number of requests for revised durations shown as a percentage of permits issued.
- The number of revised durations as a percentage of revised durations applied for.

### 6.3.1 Results

The table shows the percentage of requests for revised durations by the major works promoters and the percentage of these that were approved, as well as the annual summaries for Local Authority and all other works promoters.



### 6.3.2 Analysis

The Council encourages all works promoters to plan their works in such a way as to set realistic work durations when programming their time on site, thus reducing disruption and inconvenience to road users and pedestrians. The percentage of requests for extra time in the street were generally low across all works promoters. Where there was a request for extra time in the street, the percentage granted by the Council for both its own works and all other works promoters was high.

### 6.4 PI 4 The number of occurrences of reducing the application period

Also known as “early starts”, this is shown as:

- The total number of permit and permit variation applications made.

- The number of requests to reduce the notification period as a percentage of total applications made.
- The number of agreements to reduce the notification period as a percentage of requests made.

### 6.4.1 Results

| Period    | 2015-16                   |                       |                     |                       | 2016-17                   |                       |                     |                       |
|-----------|---------------------------|-----------------------|---------------------|-----------------------|---------------------------|-----------------------|---------------------|-----------------------|
|           | Reduced Applications Made |                       | Early Starts Agreed |                       | Reduced Applications Made |                       | Early Starts Agreed |                       |
|           | Local Authority           | Other Works Promoters | Local Authority     | Other Works Promoters | Local Authority           | Other Works Promoters | Local Authority     | Other Works Promoters |
| April     | 69 (43%)                  | 36 (12%)              | 17 (25%)            | 14 (39%)              | 180 (48%)                 | 127 (18%)             | 0 (0%)              | 42 (33%)              |
| May       | 92 (38%)                  | 60 (16%)              | 13 (14%)            | 30 (50%)              | 151 (40%)                 | 102 (16%)             | 0 (0%)              | 42 (41%)              |
| June      | 102 (41%)                 | 80 (16%)              | 7 (7%)              | 47 (59%)              | 175 (45%)                 | 84 (14%)              | 0 (0%)              | 38 (45%)              |
| July      | 139 (44%)                 | 107 (16%)             | 3 (2%)              | 66 (62%)              | 204 (56%)                 | 93 (16%)              | 0 (0%)              | 44 (47%)              |
| August    | 95 (57%)                  | 78 (15%)              | 3 (3%)              | 50 (64%)              | 153 (46%)                 | 112 (17%)             | 3 (2%)              | 49 (44%)              |
| September | 122 (58%)                 | 96 (16%)              | 3 (2%)              | 51 (53%)              | 141 (63%)                 | 105 (15%)             | 4 (3%)              | 34 (32%)              |
| October   | 145 (69%)                 | 97 (13%)              | 5 (3%)              | 49 (51%)              | 177 (67%)                 | 123 (16%)             | 7 (4%)              | 50 (41%)              |
| November  | 149 (82%)                 | 128 (18%)             | 2 (1%)              | 69 (54%)              | 166 (65%)                 | 94 (14%)              | 7 (4%)              | 33 (36%)              |
| December  | 126 (62%)                 | 97 (17%)              | 3 (2%)              | 45 (46%)              | 102 (64%)                 | 76 (11%)              | 1 (1%)              | 29 (38%)              |
| January   | 247 (79%)                 | 135 (20%)             | 2 (1%)              | 55 (41%)              | 130 (47%)                 | 119 (16%)             | 4 (3%)              | 48 (40%)              |
| February  | 232 (71%)                 | 148 (21%)             | 1 (0.5%)            | 69 (47%)              | 101 (41%)                 | 89 (12%)              | 2 (2%)              | 40 (45%)              |
| March     | 245 (74%)                 | 111 (17%)             | 4 (2%)              | 52 (47%)              | 104 (43%)                 | 113 (14%)             | 3 (3%)              | 39 (35%)              |
| Average   | 147 (60%)                 | 98 (16%)              | 5 (5%)              | 50 (51%)              | 149 (52%)                 | 103 (15%)             | 3 (2%)              | 41 (40%)              |

### 6.4.2 Analysis

This PI relates to the number of times promoters were allowed by the Council to start their works without having to comply with the minimum permit application lead-in period, commonly known as an early start agreement.

In 2015-16, on average, 51% of early start requests made by external works promoters were agreed by the Council. Whilst on average 5% of early start requests made by for the Council's own works were agreed.

In 2016-17, on average, 40% of early start requests made by external works promoters were agreed by the Council, whilst on average 2% of early start requests made by the Council's own works promoters were agreed.

The permit scheme provides a framework for the Council to treat all activities and activity promoters covered by the scheme on an equal basis. Early start requests by Local Authority promoters are much higher than other works promoters. Discussions have taken place with the Council's own works promoters regarding the requirement to comply with notification periods. Early

start requests are considered individually on their own merits by the Council and are never refused without a valid reason.

## 7. Highway Authorities and Utilities Committee (HAUC) TPI Measures

This section outlines the Permit Indicators (TPI's) agreed by National HAUC TPI working group.

The selected TPI's focus on occupancy and therefore, relates mainly to the stages of the works from works start to final conclusion.

### 7.1 TPI1 Works Phases Started (Base Data)

This is a count of all works phases that had an actual start date within the period.

#### 7.1.1 Results

The table below shows the number of works phases started by works promoters for 2015-16 and 2016-17.

| Promoter                     | 2015-16       | 2016-17       |
|------------------------------|---------------|---------------|
| BT Openreach                 | 2,505         | 3,280         |
| Cadent Gas                   | 1,070         | 1,908         |
| Derbyshire County Council    | 4,771         | 4,356         |
| Severn Trent Water           | 4,440         | 6,834         |
| Western Power Distribution   | 1,211         | 1,919         |
| Electricity North West       | 119           | 178           |
| Fulcrum                      | 59            | 53            |
| GTC                          | 64            | 40            |
| Network Rail                 | 190           | 119           |
| Northern Powergrid           | 24            | 85            |
| South Staffs Water           | 160           | 262           |
| Telefonica (O2)              | 58            | 32            |
| United Utilities             | 212           | 449           |
| Virgin Media                 | 548           | 759           |
| Yorkshire Water              | 443           | 289           |
| <b>Other Works Promoters</b> | <b>269</b>    | <b>453</b>    |
| <b>Total Local Authority</b> | <b>4,771</b>  | <b>4,356</b>  |
| <b>Total Works Promoters</b> | <b>11,372</b> | <b>16,660</b> |
| <b>Total</b>                 | <b>16,143</b> | <b>21,016</b> |

### 7.1.2 Analysis

The numbers of works phases started by most external promoters increased during 2016-17, following the pattern seen in previous results. This can be attributed to the increased awareness in the requirement for submitting accurate works phases. For Local Authority there was a slight reduction.

### 7.2 TPI2 Works Phases Completed (Base Data)

This is a count of all works phases that were completed within the quarter.

#### 7.2.1 Results

The table below shows the number of works phases completed by works promoters 2015-16 and 2016-17.

| Promoter                     | 2015-16       | 2016-17       |
|------------------------------|---------------|---------------|
| BT Openreach                 | 3,765         | 3,272         |
| Cadent Gas                   | 1,691         | 1,943         |
| Derbyshire County Council    | 3,974         | 4,145         |
| Severn Trent Water           | 6,235         | 6,899         |
| Western Power Distribution   | 2,026         | 1,953         |
| Electricity North West       | 221           | 173           |
| Fulcrum                      | 44            | 52            |
| GTC                          | 65            | 39            |
| Network Rail                 | 208           | 118           |
| Northern Powergrid           | 96            | 88            |
| South Staffs Water           | 243           | 260           |
| Telefonica (O2)              | 62            | 32            |
| United Utilities             | 465           | 450           |
| Virgin Media                 | 592           | 761           |
| Yorkshire Water              | 536           | 291           |
| <b>Other Works Promoters</b> | <b>295</b>    | <b>459</b>    |
| <b>Total Local Authority</b> | <b>3,974</b>  | <b>4,145</b>  |
| <b>Total Works Promoters</b> | <b>16,544</b> | <b>16,790</b> |
| <b>Total</b>                 | <b>20,518</b> | <b>20,935</b> |

#### 7.2.2 Analysis

The trends in the works phases are the same as in 7.1.2 above, apart for the Council's own works that indicate an increase in the number works completed.

### 7.3 TPI3 Days of Occupancy

This includes the actual duration.

#### 7.3.1 Results

This shows the total days of occupancy for all works promoters.

|                            | 2015-16 | 2016-17 |
|----------------------------|---------|---------|
| <b>All Works Promoters</b> | 16,363  | 16,431  |

#### 7.3.2 Analysis

There has been little variation in the days of occupancy. The increase can be attributed to extra major schemes.

### 7.4 TPI4 Average Duration of Works Phases Completed

This is the average duration of all works phases completed for the main promoters during 2015-16 and 2016-17.

#### 7.4.1 Results

| Promoter                     | 2015/16     | 2016/17     |
|------------------------------|-------------|-------------|
| BT Openreach                 | 4.2         | 3.26        |
| Cadent Gas                   | 7.81        | 7.81        |
| Derbyshire County Council    | 6.14        | 7.05        |
| Severn Trent Water           | 3.13        | 3.26        |
| Western Power Distribution   | 6.49        | 6.32        |
| Electricity North West       | 8.14        | 10.52       |
| Fulcrum                      | 5.59        | 7.94        |
| GTC                          | 5.43        | 6.32        |
| Network Rail                 | 2.78        | 2.27        |
| Northern Powergrid           | 4.83        | 5.24        |
| South Staffs Water           | 3.93        | 3.21        |
| Telefonica (O2)              | 2.31        | 1.57        |
| United Utilities             | 5.17        | 4.43        |
| Virgin Media                 | 6.63        | 4.31        |
| Yorkshire Water              | 2.01        | 1.69        |
| <b>Total Local Authority</b> | <b>6.14</b> | <b>7.05</b> |
| <b>Total Works Promoters</b> | <b>4.75</b> | <b>4.87</b> |
| <b>Total</b>                 | <b>4.97</b> | <b>5.01</b> |



## 7.4.2 Analysis

The results show that the works promoters that undertake mains renewals, such as Cadent Gas and Western Power Distribution, will have longer than average durations than works promoters such as Network Rail who undertake mostly minor works. Electricity North West has increased its average durations during 2016-17 and measures have been taken to monitor proposed durations in 2017-18.

The average duration has also increased for Local Authority and measures have been implemented to monitor overall works durations.

## 7.5 TPI5 Works Phases Completed on Time/Overrun Days

This is the proportion of all works phases completed in 2015-16 and 2016-17 where the works were completed by the proposed end date. For those works not completed on time, the total number of days by which the works phases overrun is also calculated.

Please note that only the five main external works promoters are shown along with the Council as the number of works phases for other works promoters are relatively small.

### 7.5.1 Results

| Promoter                   | % Works Phases Completed on Time 2015-16 | Number Of Overrun Days 2015-16 | % Works Phases Completed on Time 2016-17 | Number Of Overrun Days 2016-17 |
|----------------------------|--|--------------------------------|--|--------------------------------|
| BT Openreach               | 98.0                                     | 38                             | 99.6                                     | 6                              |
| Cadent Gas                 | 98.0                                     | 52                             | 96.8                                     | 45                             |
| Derbyshire County Council  | 96.0                                     | 768                            | 94.3                                     | 949                            |
| Severn Trent Water         | 96.4                                     | 76                             | 96.9                                     | 102                            |
| Western Power Distribution | 97.2                                     | 33                             | 99.2                                     | 15                             |
| Yorkshire Water            | 98.8                                     | 12                             | 99.4                                     | 1                              |
| Total All Works Promoters  | 99.3                                     | 218                            | 98.8                                     | 181                            |
| Total Local Authority      | 96.0                                     | 768                            | 94.3                                     | 949                            |

### 7.5.2 Analysis

For external works promoters the percentage of works completed on time has, in the majority, increased between 2015-16 and 2016-17. The exception being Cadent Gas. The results for the Council is less satisfactory.

Discussions have taken place with the various Council works promoters to try and improve the programming of works and to try and identify factors that have led to works overrunning.

With the exception of Severn Trent Water and Derbyshire County Council, the number of overrun days has decreased between 2015-16 and 2016-17. This may be due in part to better planning of works under the permit scheme and the use of FPNs to encourage accurate and timely permits and notices.

## 7.6 TPI6 Number of deemed permit applications

This is a count of the number of permit applications that have been deemed.

### 7.6.1 Results

| Promoter                     | 2015-16    | 2016-17   |
|------------------------------|------------|-----------|
|                              |            |           |
| BT Openreach                 | 31         | 6         |
| Cadent Gas                   | 13         | 10        |
| Derbyshire County Council    | 31         | 31        |
| Severn Trent Water           | 27         | 14        |
| Western Power Distribution   | 11         | 6         |
| Electricity North West       | 10         | 0         |
| Yorkshire Water              | 28         | 4         |
| <b>Other Works Promoters</b> | <b>18</b>  | <b>7</b>  |
| <b>Total Local Authority</b> | <b>31</b>  | <b>31</b> |
| <b>Total Works Promoters</b> | <b>138</b> | <b>47</b> |
| <b>Total</b>                 | <b>169</b> | <b>78</b> |

### 7.6.2 Analysis

The number of deemed permits for works promoters reduced during 2016-17 in comparison to 2015-16. This can be attributed to works promoters issuing most of their permits within the issuing guidelines and improved communication between the works promoters and the Local Authority.

The number of deemed permits within Local Authority has not changed.

## 7.7 TPI7 Number of Phase One Permanent Registrations

This is a count of all works phases completed, but only where the Phase was the first phase of the works and was closed with one of the following excavation types:

1. Works with excavation (single promoter).
2. Works with excavation (primary promoter).
3. Works in footpath or bridleway.
4. Works within pedestrian planning order.
5. Works within traffic order.

7. Works for road purposes.
8. Replacing poles, lamps, columns or signs.
9. Replacing manhole or chamber covers.

### 7.7.1 Results

| 2015-16 | 2016-17 |
|---------|---------|
| 3,348   | 3,237   |

## 8 Authority Measures

In addition to the DfT PIs and HAUC TPIs, the Council has collated its own data. These AMs, along with the PIs and TPIs reflect the business case and objectives put forward in the scheme submission documentation.

### 8.1 AM1 Average duration of works by permit type

This breaks down the results for TPI4 (see Section 7.4 above) by the five standard the Electronic Transfer of Notices (EToN) 4 permit types (Immediate – Emergency, Immediate – Urgent, Major, Minor, Standard). Please note that only the five main external works promoters are shown along with the Council as the number of works phases for other works promoters are relatively small.

#### 8.1.1 Results

| Promoter                         | Immediate -<br>Emergency<br>2015-16 | Immediate -<br>Urgent 2015-<br>16 | Major<br>2015-16 | Minor<br>2015-16 | Standard<br>2015-16 |
|----------------------------------|-------------------------------------|-----------------------------------|------------------|------------------|---------------------|
| BT Openreach                     | 2.30                                | 2.30                              | 6.00             | 2.60             | 10.20               |
| Cadent Gas                       | 5.00                                | 5.10                              | 19.20            | 2.70             | 4.70                |
| Derbyshire County Council        | 6.70                                | 0.00                              | 21.80            | 2.60             | 6.10                |
| Severn Trent Water               | 3.00                                | 3.10                              | 10.10            | 2.00             | 6.10                |
| Western Power<br>Distribution    | 0.50                                | 6.10                              | 24.20            | 2.00             | 5.70                |
| Electricity North West           | 0.00                                | 13.40                             | 0.00             | 1.70             | 5.80                |
| <b>Total All Works Promoters</b> | <b>0.60</b>                         | <b>1.90</b>                       | <b>3.10</b>      | <b>1.70</b>      | <b>4.10</b>         |
| <b>Total Local Authority</b>     | <b>6.70</b>                         | <b>0.00</b>                       | <b>21.80</b>     | <b>2.60</b>      | <b>6.10</b>         |

| Promoter                         | Immediate -<br>Emergency<br>2016-17 | Immediate -<br>Urgent<br>2016-17 | Major<br>2016-17 | Minor<br>2016-17 | Standard<br>2016-17 |
|----------------------------------|-------------------------------------|----------------------------------|------------------|------------------|---------------------|
| BT Openreach                     | 2.80                                | 2.30                             | 3.30             | 2.40             | 6.80                |
| Cadent Gas                       | 6.60                                | 5.30                             | 20.50            | 2.60             | 5.30                |
| Derbyshire County Council        | 2.00                                | 0.00                             | 17.00            | 2.40             | 10.20               |
| Severn Trent Water               | 1.60                                | 3.20                             | 15.20            | 2.00             | 5.80                |
| Western Power<br>Distribution    | 1.00                                | 5.80                             | 20.00            | 2.10             | 5.50                |
| Electricity North West           | 0.00                                | 12.10                            | 17.80            | 2.00             | 7.80                |
| <b>Total All Works Promoters</b> | <b>0.60</b>                         | <b>1.80</b>                      | <b>4.30</b>      | <b>1.20</b>      | <b>3.00</b>         |
| <b>Total Local Authority</b>     | <b>2.00</b>                         | <b>0.00</b>                      | <b>17.00</b>     | <b>2.40</b>      | <b>10.20</b>        |

### 8.1.2 Analysis

For both external works promoters and the Council, there are small variations between 2015-16 and 2016-17. Major works show the largest variations as external works promoters can have lengthy schemes which will affect the figures. Both Severn Trent Water and Cadent Gas have undertaken large mains schemes over the past two years which resulted in longer durations.

The overall trend is a reduction in occupation during 2016-17, with the exception of standard works for the Council. This has been addressed and a reduction will result in 2017-18.

### 8.2 AM2 Inspections

This measure provides two separate performance indicators:

1. The number of failed Sample Category A inspections (compliance with the "Safety at Street Works and Road Works Code of Practice") shown as a percentage of the total undertaken in the financial year 2015-16 and 2016-17
2. The number of failed permit conditions checks (where one or more permit conditions have been breached) shown as a percentage of the total undertaken in the financial year 2015-16 and 2016-17.

## 8.2.1 Results

| Promoter                   | Failed Sample Category A Inspections % 2015-16 | Failed Permit Conditions Check % 2015-16 | Failed Sample Category A Inspections % 2016-17 | Failed Permit Conditions Check % 2016-17 |
|----------------------------|--|--|--|--|
| BT Openreach               | 5.2  | 31.9                                     | 8.8  | 30.7                                     |
| Cadent Gas                 | 2.2  | 28.4                                     | 3.3  | 14.8                                     |
| Derbyshire County Council  | 0  | 13.5                                     | 0  | 13.3                                     |
| Electricity North West     | 1  | 10                                       | 7  | 0  |
| Fulcrum                    | 14.3   | 50                                       | 0  | 0  |
| Network Rail               | 0  | 100                                      | 33.3   | 100                                      |
| Northern Powergrid         | 4.2  | 25                                       | 9.5  | 40                                       |
| Severn Trent Water         | 2.2  | 35.2                                     | 3.5  | 20.3                                     |
| South Staffs Water         | 0  | 28.6                                     | 0  | 50                                       |
| United Utilities Water     | 0  | 33.3                                     | 2.7  | 6.3                                      |
| Virgin Media               | 11.1   | 0  | 9.4  | 58.3                                     |
| Western Power Distribution | 3.8  | 40                                       | 12.6   | 27.3                                     |
| Yorkshire Water            | 3.1  | 64.3                                     | 22.6   | 26.3                                     |

## 8.2.2 Analysis

The increased scrutiny of works by the Council and improved planning of works by promoters, following the introduction of DCCPS, would be expected to lead to an improvement in the quality of signing and guarding at road and street works sites, as well as improved compliance with regards to permit conditions. The failure results for individual promoters are highly variable and, in some cases, too high. Discussions have taken place with individual promoters to address these issues and failure rates will continue to be closely monitored in 2017-18 with the objective of an increased level of compliance.

## 8.3 AM3 Days of Disruption Saved/Number of collaborative works

The Council always seeks to minimise the days of disruption resulting from road works and street works by a number of co-ordination means, including exploring the possibility of collaborative works or challenging the initial duration and/or the proposed methodology of working (whether formally through the Section 74 mechanism or through informal discussion at the planning stage).

## 8.4 AM4 Permit Refusal Response Code – broken down by promoter

The Council has recently adopted the standard permit response codes contained in the draft HAUC (England) Advice Note, Standard Permit Response Codes (February 2016).

## 8.5 AM5 Fixed Penalty Notices (FPNs) (Permit Breaches)

This is a count of all FPNs issued and those that were subsequently withdrawn.

### 8.5.1 Results

|                            | 2015-16     |                | 2016-17     |                |
|----------------------------|-------------|----------------|-------------|----------------|
| Promoter                   | FPNs issued | FPNs Cancelled | FPNs issued | FPNs Cancelled |
| BT Openreach               | 82          | 4              | 44          | 11             |
| Cadent Gas                 | 82          | 15             | 52          | 3              |
| Severn Trent Water         | 153         | 10             | 155         | 22             |
| Western Power Distribution | 87          | 3              | 72          | 5              |
| Other Promoters            | 59          | 9              | 87          | 5              |
| <b>Total</b>               | <b>463</b>  | <b>41</b>      | <b>410</b>  | <b>46</b>      |

### 8.5.2 Analysis

The objectives of the FPN system is to encourage accurate and timely notice data, improve the co-ordination of works, improve data quality for all works promoters, to contribute to reduced levels of disruption arising from road and street works, ensure all works are carried out with a valid permit, meet Health and Safety requirements and are compliant with specified conditions.

An analysis of the reasons for FPNs being issued has shown:

- In 2015-16 BT received FPNs for mainly working without a permit.
- In 2015-16 Cadent Gas, Western Power Distribution and Severn Trent Water received FPNs for mainly breaching permit conditions, namely not manually controlling lights and lack of permit boards with a permit number.
- In 2016-17, BT FPNs had significantly reduced. The Council had held meetings with BT to address the number of works being undertaken without a permit.
- In 2016-17, Cadent Gas received less FPNs for permit breaches in particular the lack of permit boards without permit numbers. A reflection of the work Cadent had undertaken to improve their permit boards.
- In 2016-17, Severn Trent Water and Western Power Distribution were issued FPNs for breaches of permit conditions particularly in relation to not manually controlling lights and lack of permit boards with a permit number.

There was little or no improvement from the previous year and STW continue to have a high number of breaches for not displaying the permit number.

## 9 Conclusions

It is the Council's view that the operation of its permit scheme has been successful and that the objectives have been met as evidenced by the PIs shown in the previous sections of this report.

**Objective One** - A reduction in the disruption caused by street works and works for road purposes.

This has been attained by being able to target those works on the Council's strategic highway network by controlling those works by applying permit conditions. The average duration data indicates that the durations are consistent with the types of works expected to be carried out by works promoters.

**Objective Two** - A reduction in congestion and delay to traffic arising from these works.

This has been attained by being able to target those works on the Council's strategic highway network by controlling those works by applying permit conditions where temporary traffic control is utilised. The Council requests manual control of temporary traffic lights in times of peak traffic levels.

**Objective Three** - An improvement in the information provided to the public.

This has been attained by adding permit conditions that ensure advance notice is given on site prior to works being carried out. All permits are visible on [www.roadworks.org](http://www.roadworks.org) which is available to the public. The Council will continue to develop its permit scheme and liaise with all works promoters in order to discuss compliance with permit conditions, traffic management, coordination defects and performance issues.

The Council will discuss with its own works promoters the reason for overrunning works and long durations on works (where the works type is not consistent with the job) to drive down the current last two years figures.

The operation of the DCCPS has helped the Council to deliver its overall objective of providing a safe and reliable network. Further improvements in relation to the management of the highway network could be attained with the extension of the permit scheme to all roads in the County but this would have an impact on the resources required to deliver the scheme.

## 10 Glossary of Terms

|             |  |
|-------------|--|
| AM          | Authority Measure Performance Indicator  |
| Confirm     | Derbyshire County Council's IT system for permits  |
| DfT         | Department for Transport   |
| EMHAUC      | East Midlands Highway Authorities and Utilities Committee  |
| EToN System | The Electronic Transfer of Notices, the nationally agreed format for the transmission of notice information                          |
| EToN 4      | Version 4 of the above (first use of web based services for notification exchange)   |
| FPN         | Fixed Penalty Notices  |
| HAUC        | Highway Authorities and Utilities Committee  |
| KPI         | Key Performance Indicator, as developed by the DfT and set out in the Permit Code of Practice  |
| DCC         | Derbyshire County Council  |
| DCCPS       | Derbyshire Permit Scheme   |
| PAA         | Provisional Advance Authorisation  |
| PAN         | Permit Advice Note   |
| PI          | Performance Indicator  |
| S74         | Section 74 of the new Roads and Street Works Act 1991, amended by TMA (Charges for unreasonably prolonged occupation of the highway) |
| TMA         | Traffic Management Act 2004  |
| TPI         | HAUC TMA Performance Indicator   |