

8 March 2017		ITEM: 12 (Decision 01104411)
Cabinet		
Proposal to Introduce Permitting Scheme within Thurrock		
Wards and communities affected: All	Key Decision: Key	
Report of: Brain Little, Cabinet Member for Transportation & Highways		
Accountable Head of Service: Ann Osola, Head of Transportation & Highways		
Accountable Director: Steve Cox, Corporate Director of Environment & Place		
This report is Public		

Executive Summary

In April 2016, following growing concerns about disruption to traffic, a Congestion Task Force was established to tackle disruption to traffic on Thurrock's roads. One delivery area identified by the Task Force was more proactive management of impediments to traffic on Thurrock's Local Highways Network. In June 2016, the Council established a dedicated Highways Network Management Team, to investigate potential measures to deliver more proactive control of the network. This proposal to switch from Highways Noticing to Highways Permitting emerged from these investigations, as a means of leveraging greater control over the activities of Statutory Undertakers working on the network, for example, gas and water companies upgrading mains pipes.

Planning, Transportation and Regeneration Overview and Scrutiny was consulted on this proposal at its meeting of 05 January 2017 and gave it their full support. Cabinet is asked to approve the switch to Highways Permitting for implementation with effect from June 2017.

1. Recommendation(s)

1.1 That the Cabinet approves the proposal to introduce Permitting Scheme within Thurrock with effect from June 2017.

2. Introduction and Background

2.1 Thurrock Council, as the Highway Authority has a statutory duty to coordinate road works within the borough and to maintain the free flow of traffic, keeping disruption to road users and residents to a minimum.

- 2.2 In June 2016, in recognition of the growing challenges in relation to this obligation, Thurrock Council established a dedicated Highways Network Management Team to give Thurrock more proactive control of traffic movements across its networks. A key recommendation arising from this work was that Thurrock change the mechanism by which it controls the activities of statutory undertakers, for example, gas and water companies upgrading mains pipes, undertaking works on the highway.
- 2.3 There are two methods of control available to the Highways Authority to enable this: i) 'Noticing' which is supported by the New Road and Street Works Act 1991; ii) or 'Permitting' which is supported by the Traffic Management Act 2004. Currently, Thurrock Council utilises the 'Noticing' process to meet its statutory obligations to co-ordinate works within the borough.
- 2.4 The key difference between the two methods is that with 'Noticing', the Statutory Undertakers inform a Local / Highway Authority where they are working under New Road and Street Works Act 1991(NRSWA) legislation, whereas with 'Permitting', the Traffic Management Act 2004 allows the Authority to implement a Permit Scheme where the Statutory Undertakers have to apply for permission to work on the network.
- 2.5 Within a Permit Scheme, the Highway Authority can stipulate conditions that enable the works to be contained in a certain period, or restricted hours of work to suit the best operating method for a particular road or area, providing the Council with more control of its network. Any Statutory Undertaker who fails to comply with these conditions can be fined by the Council. With 'Noticing', the Authority relies on the Statutory Undertakers to carry out their repairs in an expedient considerate manner.
- 2.6 Thurrock Council has, to date, coordinated works under the NRSWA legislation through Notices submitted by the Statutory Undertakers. However, due to growing demand on Thurrock network and necessity to relieve the congestion, steps have been taken to assess costs and benefits of operating a Permit Scheme.

3. Issues, Options and Analysis of Options

- 3.1 Under a Permitting Scheme, statutory undertakers buy a Permit to occupy road space, based on the duration of occupation, the scale of proposed works, and the sensitivity of the street within the road network. The feasibility study of the Permit Scheme reviewed the volume of potential permits issued on the traffic sensitive and non-traffic sensitive routes on Thurrock network. Table 1 below shows the forecast volumes with the associated charges. The total potential income from Permit Scheme is currently estimated at £242,340 per annum (Legislation requires the Council to set charges such that it recovers the net costs of operating the Permit Scheme over and above the

current cost of operating a Noticing Scheme, but does not generate a surplus).

Table 1 – Permit Scheme Income

Activity	Road Category			Permit fee		Income		Total
	Cat 0-2 TS	Cat 3&4 No TS	Total	Cat 0-2 TS	Cat 3&4 No TS	Cat 0-2 TS	Cat 3&4 No TS	
Major (PAA)	n/a	n/a	n/a	95	70	2,090	26,600	28,690
Major	22	380	402	215	140	4,730	53,200	57,930
Standard	88	432	520	120	70	10,560	30,240	40,800
Minor	240	1232	1472	60	40	14,400	49,280	63,680
Immediate (Urgent)	43	272	315	55	35	2,365	9,520	11,885
Immediate (Emergency)	76	408	484	55	35	4,180	14,280	18,460
Total Permit Fee Income	469	2724	3193			38,325	183,120	221,445
Total Variation Income						4,095	16,800	20,895
Total Income						42,420	199,920	242,340

3.2 Overall, the implementation and operation of the Permit Scheme would be cost – income neutral, as costs of running the scheme need to be met. Implementation costs would be absorbed within overall service budgets. Benefits of a Permit Scheme include:

- Better control of timings of works that affect road and footway space
- Enhanced planning and visibility of works on the network
- Increased collaboration between parties affected by traffic management
- Improved information and awareness about works on the highway

3.3 It is proposed that, subject to Cabinet approval, permitting is introduced in Thurrock with effect from June 2017.

4. Reasons for Recommendation

4.1 Cabinet approval is sought to allow the introduction of Highways Permitting as a tool for more proactive management of Thurrock’s Highways Network.

5. Consultation (including Overview and Scrutiny, if applicable)

5.1 Planning, Transportation and Regeneration Overview and Scrutiny were consulted at their meeting of 05 January 2017.

6. Impact on corporate policies, priorities, performance and community impact

6.1 Implementation of the Permit Scheme would enhance the Council’s priorities in allowing more control over submitted works. This will allow for less delay

and congestion, hence reduced costs for users of Thurrock's road network and related retail and freight movements.

- 6.2 The positive health benefits associated with reduced congestion, would be beneficial for air quality, and promote a 'greener environment' for our residents to live in.

7. Implications

7.1 Financial

Implications verified by: **Laura Last**
Management Accountant

The costs of implementation and operation of Permit Scheme are shown to be cost neutral. The implementation cost will be managed through existing budgets. The performance of the estimated costs and income would be reviewed after the scheme is implemented to ensure that the Scheme's operations remain cost – income neutral as required by the legislation.

7.2 Legal

Implications verified by: **Vivien Williams**
Planning & Regeneration Solicitor

The Traffic Management Act 2004, and its supporting Codes of Practices, allows for Local Authorities to implement a Permit Scheme in order to meet its statutory responsibilities for the Local Authorities to coordinate works on its network under Section 59 of the New Road and Street Works Act 1991.

7.3 Diversity and Equality

Implications verified by: **Natalie Warren**
Community Development and Equalities Manager

There are no adverse risks identified for groups with protected characteristics.

7.4 Other implications (where significant) – i.e. Staff, Health, Sustainability, Crime and Disorder)

- None

8. Background papers used in preparing the report (including their location on the Council's website or identification whether any are exempt or protected by copyright):

- Statutory legislation and supporting Codes of Practices
- 5 January 2017 Planning, Transportation and Regeneration Committee report on Congestion Task Force

9. Appendices to the report

- None

Report Author:

Julie Nelder

Highways Infrastructure Manager

Transportation & Highways