

V6.0

West and Shires

Permit Scheme

Operational Guidance

Document Content

1	Introduction	2
2	Versions of the West and Shires Permit Scheme	3
3	WaSPS Scheme Governance	4
4	Scope of the Permit Scheme (Section 4)	6
5	Permit Applications (Section 5)	7
6	Conditions (Section 6)	14
7	Issuing a Permit and Other Responses (Section 7)	17
8	Variations to Permits (Section 8)	18
9	Permit Charges (Section 9)	22
10	Charging for Overrunning Activities (Section 10)	25
11	Permit Offences and Sanctions (Section 11)	26
12	Related Matters (Section 13)	27
13	RESTRICTIONS ON FURTHER ACTIVITIES	29
14	Monitoring the Permit Scheme (Section 14)	35
14	Contact Information	36
16	Appendix A: Conditions	37
17	Appendix B: Standard Durations	40
18	Appendix C: Standard Comment Text	42
19	Appendix D: Early start Application process	49
20	Appendix E: Application to working within a Section 58 restriction process	50

1 Introduction

1.1 The WaSP Scheme Operational Guidance

1.1.1 The West and Shires Permit Scheme, referred to as the WaSP Scheme or Scheme, is a common permit scheme currently operating in a number of Local Highways Authorities across the region, including (as of version date):

- Shropshire Council (1 April 2014)
- Cheshire East Council (3 November 2014)
- Coventry City Council (16 March 2015)
- Warwickshire County Council (16 March 2015)
- Worcestershire County Council (1 April 2016)
- Telford and Wrekin Borough Council (June 2016)

1.1.2 This Operational Guide as outlined in Section 2.2.1.4 of the Scheme document states that to ensure the continued operation of the scheme an operational guide will be developed to provide advice and guidance on the day to day operation of the scheme. This document will detail the practical application of the scheme; from when conditions will be applied to how the Key Performance Indicators (KPI's) are to be measured and reported.

1.1.3 **The Operational Guidance document is a supplementary reference to the WaSP Scheme, but does not supersede the obligations contained within the Regulations, Statutory Guidance or WaSP Scheme.**

1.1.4 Additional information relating to individual authorities street designations, application forms and processes will be contained within this document.

1.1.5 This document will be jointly owned by all those who operate or work under the scheme. It is anticipated that the document will be frequently developed through the Operation Board to take into account the continual development of Street Works.

1.1.6 This document assumes that it is read in conjunction with the West and Shires Permit Scheme. This document contains references to the WaSP Scheme and **unless for emphasis** it does not repeat the scope or content of the WaSP Scheme.

1.2 Application of Operational Guidance







1.2.1 The WaSP Scheme Permit Authorities are committed to operate the scheme *in a fair and equitable way ensuring a level playing field with all promoters competing for time and space on the highway.*

1.2.2 The Operational Guidance document has been produced to support this approach and define some of the working practices between the Permit Authority and Promoter to build upon the content of the WaSP Scheme.

1.2.3 Within this document there is reference to action that may be carried out by the Permit Authority, *such as the enforcement of an offence.* When considering any course of action, the Permit Authority will ensure they do so in alignment to the WaSP Scheme principles and in **a fair and equitable way.**

2 Versions of the West and Shires Permit Scheme

- 2.1 As a result of changes in the mandatory requirements for permit scheme content introduced by the Transport Minister through a review and approval process, there is now one version of the WaSP Scheme, all authorities now use the HAUC National Conditions and Refusal text.

COUNCIL	START DATE	Contact Details	Representative
 Cheshire East Council	3 November 2014		Dave Reeves
 Coventry City Council	16 March 2015		
 Shropshire Council	1 April 2014	streetworks@shropshire.gov.uk 0345 678 9006	Ffion Horton
 Telford & Wrekin COUNCIL	1 June 2016		Adam Brookes
 Warwickshire County Council	16 March 2015		Keith Davenport
 worcestershire county council	March 2016		Lauren Montgomery

3 WaSPS Scheme Governance

3.1 Operational Boards and Groups

3.1.1 WaSP Scheme has committed to ensuring that there is full engagement with all Promoters in regards to all aspects of the continued operation, evolution and monitoring of the scheme.

3.1.2 As stated in section 2.4.4 of the WaSP scheme document in addition to an Operational Board consisting of a representative from each Highway Authority using the scheme, there will be a Working Group which will comprise representatives from the Promoter areas of: water, power, gas, telecoms and highways working under the WaSP Scheme in addition to Permit Authority representatives.

3.1.3 Operational Board

3.1.3.1 The Operational Board will consist of representatives from each Permit Authority working under the WaSP Scheme and will effectively be responsible for the running of the scheme.

3.1.3.2 The Operational Board will meet quarterly and location of meetings to be agreed.

3.1.3.3 The WaSP scheme is ultimately a scheme run by the Permit Authorities and as such they will be required to ensure that the scheme is both successful and fit for purpose.

3.1.3.4 The Operational Board will be required to identify and decide on improvements for any substantial failings / inconsistencies, implement guidance notes or additions to the Operational Guidance as and where required, and review and implement findings from the Working Group to ensure that the scheme is being consistently and successfully operated.

3.1.3.5 As stated in the WaSP Scheme there may also be circumstances where the Working Group escalates issues to the Operational Board for consideration.

3.1.4 Working Group

3.1.4.1 The WaSP scheme will strive to ensure its development of the scheme remains as inclusive as its development, as such an Operational Group will be created as a continuation of the Permit Forums that met monthly in the development stage of the scheme.

3.1.4.2 The Operational Group, **to be called the Working Group**, will consist of representatives from each Highway Authority operating the scheme and Promoter areas of water, power, gas, telecoms, rail and highways. The table below shows the incumbent representatives for each area.

3.1.4.3 Once the scheme has moved from the development state the group will meet alternative months.

3.1.4.4 The group will review and discuss the operation of the scheme; including and not exclusive to, KPI's, performance, enforcement, operational issues such as application of conditions and reductions.

3.1.4.5 Should the group highlight areas of concern these may be escalated to the Operational Board for review.

PROMOTER AREA	ORGANISATION & REPRESENTATIVE	CONTACT EMAIL
Gas	Neil Bayley Streetworks Management Specialist National Grid	neil.s.bayley@cadentgas.com
Highways	Vacant	Vacant
Power	Samantha Brothwell Street Works Policy Manager Western Power Distribution	sbrothwell@westernpower.co.uk
Rail	Robin Chivers Highways Interface Manager Network Rail	robin.chivers@networkrail.co.uk
Telecoms	Tim Ingman Statutory & Standard Engineer Virgin Media	Tim.ingman@virginmedia.co.uk
Water	Laura Stevenson Site Works Co-ordinator South Staffs Water	laurastevenson@south-staffs-water.co.uk

3.1.5 Ad-hoc Working Groups

- 3.1.5.1 From time to time either the Operational Board or Group may highlight the requirement for a smaller working group to be created.
- 3.1.5.2 These groups will be used to establish best practice working methods and innovative working practices.
- 3.1.5.3 There may also be instances where further guidance is required and a Working Group may be created to develop these, which will be included within this Operational Guidance document.
- 3.1.5.4 Any finding from the group will be presented to the Operational Group who will review the findings and offer its recommendation to the Operational Board regarding its adoption into the scheme.

4 Scope of the Permit Scheme (Section 4)

4.1 Strategically Significant Streets

- 4.2 Only Shropshire Council has any defined strategically significant streets that are outside the road category 0,1,2 or traffic-sensitive. Detail for these streets can be found within the WaSP Scheme Addendum for Shropshire Council.
- 4.3 If a new Authority joins the WaSP Scheme and they have additional strategically significant streets that are outside the road category 0,1,2 or traffic-sensitive these will be detailed during the Consultation process and set-out with the scheme Addendum for that Authority.

4.4 Other Designations

- 4.4.1 Where a street or section of street requires the consultation with another organisation, for instance areas of archaeological or environmental importance or sensitivity, sites affecting the Ministry of Defense etc., this may be recorded in the Permit Authority's ASD.
- 4.4.2 Further information on these streets can be obtained from the relevant Permit Authority.

5 Permit Applications (Section 5)

5.1 Permit Start and End Dates

5.1.1 On strategically significant streets, where a Promoter identifies in advance that an activity cannot begin on the permit start date then the Promoter should make best endeavors to contact the Permit Authority on the previous day, via an EToN comment associated to the relevant permit.

5.2 Registerable Activities

5.2.1 The WaSP Scheme sets-out the criteria for whether an activity is registerable and therefore requires a permit. If a Promoter is unsure whether their activity fits into this criteria they must contact the relevant Permit Authority for clarification and guidance.

5.3 Application Timescales

5.3.1 Time lines for the permit applications, including permit variations, and the response times from the Permit Authority must adhere to the legislative time scales (as below).

ACTIVITY TYPE	MINIMUM APPLICATION PERIODS AHEAD OF PROPOSED START DATE		MINIMUM PERIOD BEFORE PERMIT EXPIRES FOR APPLICATION FOR VARIATION (INCLUDING EXTENSION)	RESPONSE TIME FOR ISSUING A PERMIT OR SEEKING FURTHER INFORMATION OR DISCUSSION		RESPONSE TIME FOR RESPONDING TO APPLICATIONS FOR A VARIATION
	PAA	PA		PAA	PA	
Major	3 months	10 days	2 days or 20% of the original duration whichever is the longer	1 calendar month	5 days	2 days
Standard	N/A	10 days		N/A	5 days	
Minor		3 days		N/A	2 days	
Immediate		2 hours after work start		N/A	2 days	
Day refers to Working Day as defined in section 98(2) of NRSWA.						

5.4 Early Starts (Applications outside of the Minimum Period)

5.4.1 An early start request is defined by a Promoter wanting to start their activity, *not for Immediate works*, **inside** the minimum application period ahead of the proposed start date, *for example*:

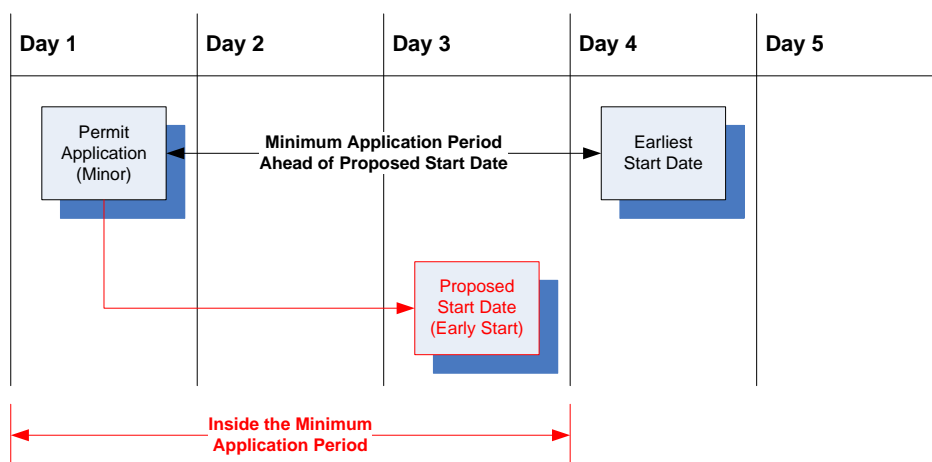


Figure 5.4.1: Example of an application period and where an early start is required for a Minor category work

- 5.4.2 As detailed within the WaSP Scheme, in justified and exceptional circumstances a permit may be submitted inside the minimum application period ahead of the proposed start date.
- 5.4.3 Refer to Appendix D for a guide on the early start process
- 5.4.4 Where a Promoter wishes to start their activity within the minimum application period ahead of the proposed start date, they should submit an application to the Permit Authority that contains correct timescales in the first instance. The level of justification must be supplied with the permit application detailing sufficiently why the correct lead time could not be adhered to. The Promoter **must** then contact the Permit Authority to request an early start for this permit.
- 5.4.5 The Permit Authority will assess the impact of these works to determine whether they can start ahead of the relevant notice period. Such permission should not be unreasonably refused. If allowed, the Permit Authority will grant the initial permit application and provide an early start request agreement as a comment with this response.
- 5.4.6 The Promoter can then submit a modification application for the granted permit with the revised duration. Subject to no further changes by the Promoter or on the network, this modification application will be granted.
- 5.4.7 The modification application for an early start does not qualify for a valid permit, even if the application has been agreed by the Permit Authority. **A valid permit will not be in place, for the revised duration, until the Permit Authority has granted the modification application.**
- 5.4.8 Where a permit is received by the Permit Authority inside the minimum application period ahead of the proposed start date this application will be rejected.

- 5.4.9 For all applications from the Promoter, the response times from the Permit Authority will not be altered. These response times will take into consideration the response times provided for by an EToN Modification Application (refer to Section 8 of this document).

5.5 Applications for Associated Traffic Management

- 5.5.1 All WaSP Scheme Permit Authorities will apply a WaSP Scheme Portable Temporary Traffic Signals Protocol for portable temporary traffic signals. This Protocol is available on the WaSP Scheme Permit Authorities website.
- 5.5.2 For all planned activities, a Promoter must have the appropriate traffic management provisions agreed prior to works start. The application periods ahead of the proposed start date are a minimum period and must take into consideration any associated processes or procedures related to the application for associated traffic management.
- 5.5.3 For all immediate activities, a Promoter must ensure the appropriate traffic management provisions are onsite immediately. Applications must be submitted along with the permit application.
- 5.5.4 Any request to expedite an application for associated traffic management must be in accordance with the WaSP Scheme Portable Temporary Traffic Signals Protocol.
- 5.5.5 The WaSPS Permit Authorities will accept EToN Temporary Traffic Signal Applications, however these applications will not supersede the content of the permit and in instances where the TTSA and traffic management provisions on the permit do not align, the permit will be rejected.
- 5.5.6 Where the Permit Authority refuse the traffic management application or where the promoter has not sent in the traffic management application associated with the works, the permit authority will request a modification or reject the permit application.
- 5.5.7 Where changes to the traffic-management are planned during the undertaking of works these will be defined as a condition on the permit. Where these changes occur on a strategically significant street then the Promoter must issue a permit variation (works data variation) to the Permit Authority notifying them of the change in affect. These permit variations will not receive a permit fee.

5.6 Multiple Permits for Multi-way Traffic Signals

- 5.6.1 Where multi-way traffic signals extend into an adjacent USRN, permit applications are required for the adjacent USRN's.
- 5.6.2 A separate permit will be required for traffic management in adjacent street's (separate USRN). There will be no charge for these permits.
- 5.6.3 All permits for traffic light heads only must have 0 inspection units – otherwise they will count towards the statutory sample inspections.
- 5.6.4 If the excavation of any planned activity extends into another USRN then this will require additional permits for each occurrence, *associated to the primary works*.
- 5.6.5 In such instances the permit for these works must include exact location details of each junction and the traffic management layout.

5.7 Illustrations and Traffic Management Layouts

- 5.7.1 Promoters are encouraged to provide as much information as possible for the traffic management provisions within their permit application.
- 5.7.2 Where the carriageway restriction type is submitted as no carriageway incursion or some carriageway incursion then an illustration or traffic management layout is not required, however the Permit Authority may request further information during the application process.
- 5.7.3 Where the carriageway restriction type involves traffic control (Convoy working, two way Signals), lane closure, road closure or contra-flow then an illustration or traffic management layout must be provided.
- 5.7.4 The illustration detailing the layout of the work and traffic management will depend on traffic management for the activity.
- 5.7.5 Where the traffic management is stop/go boards or two-way signals then the illustration or plan does not need to be to scale, however the Permit Authority retains the right to request a scale drawing subject to impact and severity of the work or location.
- 5.7.6 Where traffic management is multi-way signals, the illustration or plan must be to scale.
- 5.7.7 The table below provides clarification of the traffic management type and illustration required (based on the ETON Carriageway Restriction Type data element):

TRAFFIC MANAGEMENT	ILLUSTRATION
No carriageway incursion	Not required on application, but may be requested by the Permit Authority.
Some carriageway incursion	Not required on application, but may be requested by the Permit Authority.
Traffic control (give and take)	Not required on application, but may be requested by the Permit Authority.
Traffic control (priority working)	Not required on application, but may be requested by the Permit Authority.
Traffic control (stop/go boards)	Not required on application, but may be requested by the Permit Authority.
Traffic control (two-way signals)	Required on application, drawings not to scale
Traffic control (convoy working)	Required on application, drawings not to scale
Lane closure	Required on application, drawings not to scale
Contra-flow	Required on application, drawings not to scale
Road Closure	Required on application, drawings not to scale

- 5.7.8 The WaSP Scheme Portable Temporary Traffic Signals Protocol will provide examples of illustrations and traffic management layouts.

- 5.7.9 If a works promoter fails to provide an appropriate illustration or traffic management layout this may result in a permit modification request.

5.8 Standard Durations

- 5.8.1 As part of their statutory duty to coordinate their network; the Permit Authority will review the duration requested on a permit application and make relevant amendments.
- 5.8.2 The initial requested duration may be challenged by the Permit Authority if it is considered excessive and/or the description of work does not warrant the duration requested.
- 5.8.3 Every effort must be made by each Promoter to ensure adequate information is provided on the permit to allow the authority to assess the application. This includes justification for any durations that may be considered excessive, especially in consideration to the description of work.
- 5.8.4 In instances where a work methodology, *such as concrete curing and venting*, may require a longer than expected duration and/or result in periods where the Promoter will not be physically on site during the occupation this must be made clear on the permit application (within the work methodology).

5.9 Standard Duration Matrix

- 5.9.1 The WaSP Scheme has developed a duration matrix based on existing average durations (refer to Appendix B). This matrix is provided as a guide for standard durations and each Permit Authority may challenge any duration they feel is not adequate regardless of the matrix.
- 5.9.2 Additionally a Promoter may issue permits that have a duration exceeding the matrix, and provide justification for this within the permit application.
- 5.9.3 The Standard Duration Matrix will be adopted by all WaSP Scheme Permit Authorities and will be subject to an annual review within the Operational Board and Working Groups.

5.10 Assumed Information

5.10.1 Depth of Excavation

- 5.10.1.1 It is assumed that the depth of an excavation will be 1.5 metres or less, and as such it does not have to be specified on the permit.
- 5.10.1.2 If an excavation will be greater than 1.5 metres this then it should be clearly stated on the permit application. Failure to specify this on the permit may result in a permit offence and penalties being incurred.

5.10.2 Reinstatement Type

- 5.10.2.1 It is assumed that the reinstatement type will be permanent; and as such it does not have to be specified on the permit.
- 5.10.2.2 If the intended reinstatement type is interim it must be specified on the permit and a relevant permit condition must be applied, *such as NCT10a*.

5.10.2.3 Where there is a change to the reinstatement type from, permanent to interim, a permit variation must be submitted by the Promoter; failure to do so may result in a breach of the permit which may result in a permit offence and penalties being incurred.

5.10.2.4 In addition, Section 74 charges may be applied when the permanent reinstatement is undertaken by the Promoter. The Promoter is encouraged to provide sufficient detail as to why permanent reinstatement was not completed in the first instance to enable the Permit Authority to make a decision in this regard.

5.10.3 Working Hours

5.10.3.1 It is assumed that all activities on site will take place between working hours; 08:00 to 16:30 Monday to Friday excluding Bank Holidays.

5.10.3.2 If the intended working day is within this time frame it does not need to be specified on the permit application.

5.11 Permit Content

5.11.1 Inspection Units

5.11.2 Only one permit is required (per USRN) regardless of the number of inspection units.

5.11.3 Contact Details

5.11.3.1 All contact details provided on a PAA and permit applications must be working and current and should provide ease of access to those planning the works and operatives who can discuss the proposed works or works in progress.

5.11.3.2 These contact details may be in addition to the contact details specified within EToN and submitted in an appropriate section of the application.

5.11.3.3 If contact details are provided for a call centre or central administrative body, then they must be able to manage the enquiry efficiently.

5.12 Use of the EToN Footway Closure Tick Box

5.12.1 When the EToN Footway Closure tick box is checked on a permit application the Permit Authority will assume the proposed works and/or traffic management will affect pedestrians.

5.12.2 The WaSP Scheme Permit Authorities will follow the HAUC Advice Note No. 2014/05 Footway Closure (Restriction) in such matters.

5.13 Extension into Non-working Days

5.13.1 As detailed within the WaSP Scheme, if the impact or duration of an activity can be lessened by extending works on site into weekends and Bank Holidays then Promoters are actively encouraged to consider these possibilities.

5.13.2 The Permit Authorities will make a general policy available as part of the WaSP scheme Operational Guidance for such situations and will proactively seek opportunities to lessen road occupancy.

- 5.13.3 Following the outcome of DfT's consultation on 7 day working the Forum will review any changes needed to the Operational Guidance.

5.14 Cancelling a Granted Permit no Longer Required

- 5.14.1 In the absence of any related Statutory Guidance, Code of Practice or Advice Notes for the cancellation of a booked occupation (road space) the WaSP Scheme Permit Authorities would actively encourage Promoters to cancel any permit which will not be required for a planned activity at the earliest opportunity.
- 5.14.2 The WaSP Scheme Permit Authorities may monitor instances where a booked space is not used (on the assumption that if an actual start notice is not provided then the work did not take place).

5.15 Document Attachments

- 5.15.1 Where possible all WaSP Scheme Permit Authorities will utilise the EToN document attachment functionality.
- 5.15.2 All Promoters are encouraged to also use this functionality, however the use of email to send and receive documents is still accepted.

5.16 EToN System Failures

- 5.16.1 Where there is a failure of the Permit Authority or a Promoter EToN system, the Permit Authority will implement an interim alternative strategy for managing permit applications, variations, responses and other notifications to ensure that workflows are not unduly interrupted.
- 5.16.2 This procedure is detailed in the WaSP scheme Operational Guidance.

6 Conditions (Section 6)

6.1 Use of Condition Text Code

- 6.1.1 Contrary to the WaSP Scheme, for expediency and in consideration to EToN character constraints, when using conditions from the HAUC (UK) National Conditions the Promoter is not required to apply the entire condition text.
- 6.1.2 Instead the relevant National Condition Text code may be applied with any required constraints or necessary detail.

6.2 Use of Conditions

- 6.2.1 The application of conditions is an integral part of a permit. The Operational Guidance will give practical information on how the conditions are to be applied and managed.
- 6.2.2 Appendix A contains a standard matrix for the application of conditions (refer to Appendix and below). The Permit Authorities expect the Promoter to follow this matrix when submitting a permit application. Should a Permit Authority wish for additional conditions outside of the standard matrix they will enter into discussion with the Promoter.
- 6.2.3 The Permit Authority may provide advice on the application of correct conditions, however it remains the responsibility of the Promoter to submit the permit following a competent review of the correct conditions.
- 6.2.4 The Permit Authority may reject any permit if the conditions applied are not acceptable.
- 6.2.5 An applicant must not rely on an action from the Permit Authority, such as a Modification Request or an Authority Imposed Variation, to correct the conditions attached to the permit.

6.3 Conditions Matrix

- 6.3.1 The WaSP scheme has developed a flow chart providing assistance in the application of the correct conditions to each permit
- 6.3.2 The Promoter must make every effort to apply the correct conditions in line with the Matrix for their permit.
- 6.3.3 It must be noted that the flow chart does not replace the requirement for the Promoter to read the WaSP Scheme document in relation to conditions and their use.
- 6.3.4 A Permit Authority retains the right to reject an application should no effort to apply the correct conditions be made. A standard refusal text for this reason will be used to assist in the reporting of this failing.
- 6.3.5 The number and frequency of such refusals as a result of permits for this reason will be reviewed and collated throughout the WaSP Scheme to identify trends in performance and areas of improvement.

6.4 Date and Duration Conditions

- 6.4.1 These are considered standard conditions and as such they do not have to be included on the permit application
- 6.4.2 Should there need to be an amendment to the details considered included on these conditions then a variation permit will be required.
- 6.4.3 With NCT1a should the work not commence on day 1 then the duration of the permit will not be extended if requested and Section 74 charges will be applied if the work continues after the reasonable end date.
- 6.4.4 Should the start date for NCT1b be after the permitted validity period the initial permit should be cancelled and a new permit application may be required.
- 6.4.5 **Out of Hours – NCT2a**
- 6.4.5.1 Should work be undertaken on site outside the 08:00 – 16:30 Monday to Friday (excluding Bank Holidays) this condition must be submitted
- 6.4.5.2 The work undertaken as specified in NCT2A will form part of the permit duration.
- 6.4.5.3 Should it be found that work was undertaken outside of the specified working times and NCT2A not applied or undertaken outside of the times specified on NCT2A it will be deemed that the works are undertaken without a valid permit and penalties may be applied or prosecution process commenced.
- 6.4.5.4 If work is required to be undertaken out of hours a permit variation must be submitted by 10am the next working day or penalties will be applied or prosecution process commenced.
- 6.4.5.5 The site may remain open out of hours with traffic management in place without NCT2A applied but no work may take place.

6.5 Site Storage Conditions

- 6.5.1 Details of where plant, traffic management provisions, equipment, excavated materials etc. are to be stored on site must be included on the Site Plan.
- 6.5.2 Should the removal of them allow for the disruption caused on the highway to be minimized, provision for their removal must be made. In these instances this condition will be applied.
- 6.5.3 Please note it is expected that storage and placement of all equipment will be in a manner that will cause the least disruption to the highway network.

6.6 Conditions for a Site Plan

- 6.6.1 The detail included on the site plan will vary from permit type.
- 6.6.2 Should the Permit Authority require a more detailed site plan then they will advise the Promoter of this requirement.
- 6.6.3 It is not anticipated that this condition will be applied in all permit applications.
- 6.6.4 However it should as standard apply to major works, particularly those undertaken on the SSS network or instances where the approval of the permit relies on the highway occupation agreed.

6.7 Amendments to Granted and Deemed Permits

6.7.1 Before Works Start

- 6.7.1.1 Due to the nature of the work on the highway and network management, the Promoter or Permit Authority may identify amendments to conditions once the permit has been granted.
- 6.7.1.2 If a Promoter identifies required changes they must submit a permit variation to the Permit Authority detailing the changes to the conditions.
- 6.7.1.3 If a Permit Authority identifies required changes they will initially enter into discussion with the Promoter and may issue an Authority Imposed Variation or agree with the Promoter to submit a permit variation.
- 6.7.1.4 In such instances no charge will be applied for this permit variation.
- 6.7.1.5 Where works are in progress, the Promoter will be required to make any changes to the site by 10 am the next working day, failure to do so may result in enforcement at the discretion of the Permit Authority.

6.8 Immediate Works

- 6.8.1.1 WP – Immediate works commence on site. Include any known information around permit conditions or traffic management arrangements where possible. Submit Permit Application within 2 hours of work starting on site. Where works start after 16:30 then the permit application must be submitted by 10:00 on the next working day. •
- 6.8.1.2 PA - Assess Permit Application, including Duration (S74). For Immediate Works the permit should be granted to ensure the works in progress are covered with a permit, any required changes should be dealt with by the PA issuing an Authority Imposed Variation (AIV). Grant Permit within 2 working days (not including day of receipt). If an AIV is required for the continuing works then this should be issued without delay.
- 6.8.1.3 WP – If required, amend permit to include conditions requested by the PA. The AIV places the new conditions on the permit, and whilst it is not mandatory to resubmit the permit, it is good practice to confirm agreement.
- 6.8.1.4 PA – Reassess Permit Application if amended. There should be no further conditions imposed, unless unforeseen exceptional circumstances occur.

WP – Send relevant notifications as works progress – Works Stop & Registration. → In some cases a PA would have indicated via their ASD data that a telephone call is required where immediate works take place at certain locations. → If works have been completed on site prior to the permit being granted and the works stop notification has been sent, e.g. if the works took place over the weekend, there is no requirement to reopen the permit.

7 Issuing a Permit and Other Responses (Section 7)

7.1 Permit Approvals

- 7.1.1 The approval for the permit will only be considered approval for the detail specified on the permit and any assumed information (unless otherwise stated on the permit).
- 7.1.2 Work must not commence on site until the permit has been granted (with the exception of immediate activities) without committing an offence (refer to Section 11 of this document).

7.2 Permit Refusals and Standard Text

- 7.2.1 The WaSP Scheme Permit Authorities have adopted the use of the HAUC Refusal text that will be used when a permit is refused or modified and any other relevant notification, (refer to Appendix C).
- 7.2.2 A modification request, from the Permit Authority, serves as a refusal and a modified application, from the Promoter, will be required from to obtain a granted permit.
- 7.2.3 Should an Authority Refuse a permit, the Promoter will be required to resubmit a further permit; a modification to a refused permit will not be accepted. The WaSP authorities would encourage the Promoters to submit an amended permit as a new phase to the original permit to assist in the prompt assessment of the works.
- 7.2.4 The use of standard text will allow the permit authority to review the performance of Promoter and highlight any failings easily. The details of these findings will be published with the monthly KPI's.
- 7.2.5 The standard text will be reviewed by the Operational Board, in conjunction with the Working Group, to ensure it is up-to-date and fit-for-purpose..

8 Variations to Permits (Section 8)

8.1 Duration Extensions

- 8.1.1 Where additional duration is requested before 2 days or 20% of the original duration expires, *whichever is the longer*, the Permit Authority will look to approve the variation. This process is to ensure that the permit will not expire and the work will not continue illegally, however it is at the discretion of the Permit Authority if they wish to extend the reasonable duration of the permit and as such absolve any Section 74 overrun charges that would have been incurred.
- 8.1.2 There may be instances where the Permit Authority are unable to allow an extension on site and the work may have to be completed with interim reinstatement with a return for permanent reinstatement when the network is free.
- 8.1.3 In these instances the Permit Authority may state that the entirety of the return visit will be subject to Section 74 overrun charges, but should state this when the extension is refused.
- 8.1.4 Where Section 74 overrun charges will be applied, the next working day, *either as an extension of the original activity or a new interim activity*, will act as Day 1.
- 8.1.5 An approved variation extending the permit does not automatically absolve the Promoter of Section 74 charges.
- 8.1.6 Where a permit has expired (Past the agreed end date) and no extension request has been received by the Permit Authority then the Promoter must close the permit at No Excavation and resubmit a new permit linked to the original permit number and include all the reinstatement details on the new permit. The Permit Authority will reserve the right to make a charge for the new permit and charge section 74 after the original end date of the previous permit.

8.2 Changes to Provisional Advanced Authorisations

- 8.2.1 A Provisional Advanced Authorisation (PAA) cannot be varied. Any change to the proposed Major activity will depend on the type of change required, and the Permit Authority may accept changes via the subsequent permit application or request a new PAA application.
- 8.2.2 Where the proposed change is minor change, *not affecting the duration or traffic management*, the changes can be submitted on the Major permit application.
- 8.2.3 Where a proposed change is a major change, *such as a change in traffic management or duration*, a new PAA will be required.
- 8.2.4 In all circumstances, the Permit Authority must be contacted to discuss the changes and agree a course of action. The Permit Authority will take into consideration to level of change in addition to the timing and effect of the change.
- 8.2.5 Where it is agreed that a new PAA is required and the Promoter's application has to be made within the minimum application period ahead of the proposed start date, then the Permit Authority will accept this application if a discussion and agreement has taken place.

8.3 Modification Requests and Authority Imposed Variations

- 8.3.1 As a general principle, the Permit Authority will use a Modification Request before a permit or permit variation is granted. Once a permit or permit variation has been granted the Permit Authority will apply any changes via an Authority Imposed Variation or Revocation.
- 8.3.2 Promoters are encouraged to adopt a similar principle, using a modification application prior to a granted permit and a works data variation or duration variation application (as applicable) after a permit has been granted.
- 8.3.3 At any stage of a permit life-cycle, if a permit is fundamentally incorrect it will be refused/revoked by the Permit Authority.

8.4 Response Timescales for Modification Applications and Modification Requests

8.4.1 In consideration to the timescales defined within the main EToN systems used by the Promoter and Permit Authorities, the following timescales will be used by the Permit Authorities to calculate response timescales for modification applications:

SCENARIO	PROCESS 1	PROCESS 2	PROCESS 2	PERMIT AUTHORITY RESPONSE PERIOD
1	Permit Application	Permit Granted	Modification Application (Data)	2 Days
2	Permit Application	Permit Granted	Modification Application (Duration)	2 Days
3	Permit Application	Modification Request	Modification Application (Data)	2 Days or Remaining Period (of the original application)
4	Permit Application	Modification Request	Modification Application (Duration)	Full Response Period
5	Permit Application	Modification Application (Data)	-	2 Days or Remaining Period (of the original application)
6	Permit Application	Modification Application (Duration)	-	Full Response Period
7	Permit Application	Permit Refused	Modification Application (Data)	Full Response Period
8	Permit Application	Permit Refused	Modification Application (Duration)	Full Response Period

Promoter Action

Permit Authority Action

Figure 8.5.1: Modification Application Response Times (from the Permit Authority)

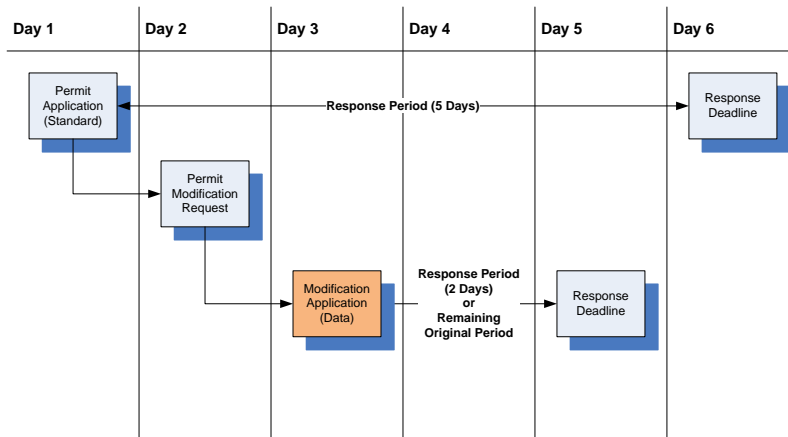


Figure 8.5.1: Example of Scenario 3 – Modification Application after a Modification Request

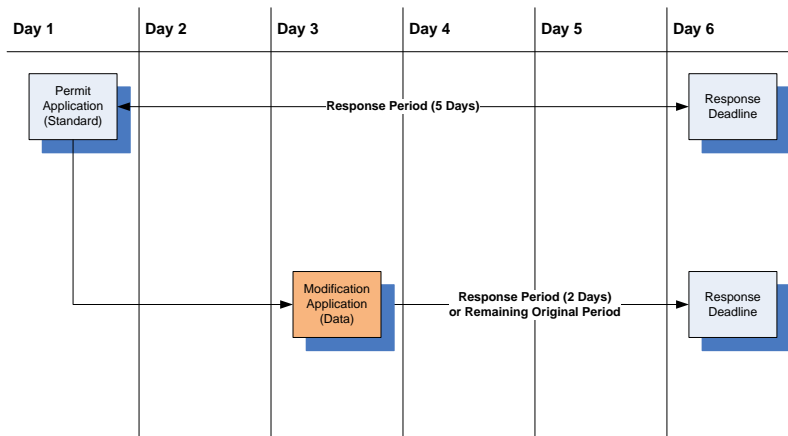


Figure 8.5.1.: Example of Scenario 5 – Modification Application (Data) after a Permit Application with no Permit Authority Response

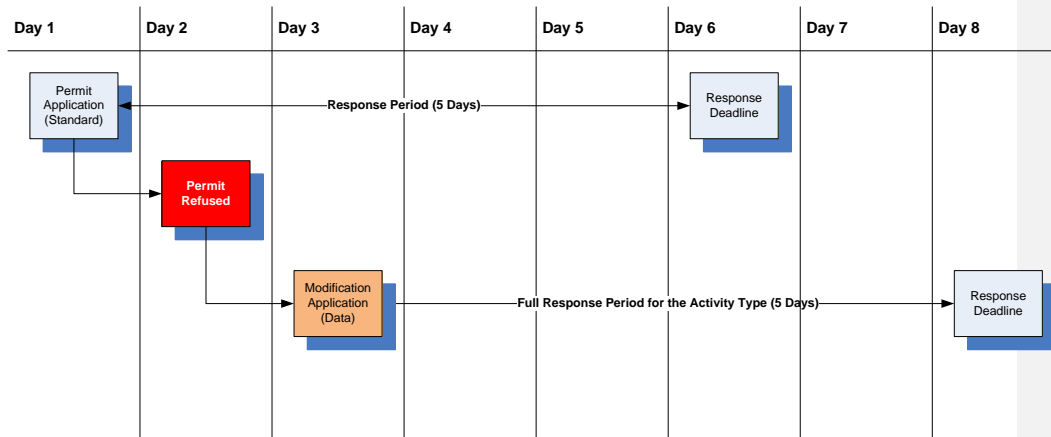


Figure 8.5.1.: Example of Scenario 7 – Modification Application after Permit Refusal

8.4.2 It must be noted by the Promoter that the Modification Application response times could result in a response by the Permit Authority on or beyond the proposed start date, especially for Minor works.

8.5 Permit Variations for Agreed Changes to Works in Progress

8.5.1 Where changes to the permit have been agreed or defined as a condition, such as *a change in traffic management*, the Promoter must advise the Permit Authority of these changes within 24 hours of the change coming into effect via a permit variation.

8.5.2 There will be no charge for this permit variation.

9 Permit Charges (Section 9)

9.1 Charge Applied for a PAA

9.1.1 A fee will be charged upon the application of a Permit for the provisional advance authorisation, in accordance with Regulation 30.

9.1.2 It is also appreciated that EToN systems may not align to this process for permit fee reconciliation. Any Promoter who will have an issue with reconciliation of a PAA charge when applied in this manner should contact the relevant Permit Authority(s).

9.2 Reductions

9.2.1 Collaborative work

9.2.1.1 All associated permits must reference each other to qualify for the reduction. Failure to comply may result in the reduction not being agreed.

9.2.2 New connections

9.2.2.1 As permit fees for new connections can be recharged by the utility company these will be waived by the Permit Authority.

9.2.2.2 A Memorandum of Understanding between the Permit Authorities and Promoters have been developed (Appendix E) confirming that correspondence will state that the permit fee has been waived by the Authority and ensure that the charge has not been passed onto the customer.

9.2.3 Working outside Traffic Sensitive times

9.2.3.1 This discount relates to work (occupation) on a traffic sensitive street of no more than one day.

9.2.3.2 All work, including setting up and removal of traffic management, must be started and finished wholly outside traffic sensitive times.

9.2.3.3 The request for this discount must be discussed with the Permit Authority before the work is started on site to enable appropriate application of conditions and an inspections (work in progress) to take place.

9.2.4 Innovative

9.2.4.1 The methodology that is covered by this discount will be decided and reviewed by the Working Group.

9.2.5 Economic development

9.2.5.1 The projects that are covered by this discount will be decided locally by each Permit Authority. An example of a project fitting the criteria would be superfast broadband roll out.

9.3 No fees

- 9.3.1 Where a Permit Authority issue an Authority Imposed Variation (AIV) or Revocation, not as a result of the Promoter action and to rectify an issue caused by the Promoter, then the subsequent permit fee and/or permit variation fee will not be charged for.
- 9.3.2 In these instances where a revoked activity is re-planned within a month of the issuing of the revocation, the associated permit will be free of charge, otherwise the original permit fee will be refunded.
- 9.3.3 Where a Permit Authority issue an Authority Imposed Variation (AIV) or Revocation, as a result of a Promoter action and to rectify an issue caused by the Promoter, then the subsequent permit fee and/or permit variation fee will be charged for.
- 9.3.4 Permits on behalf of the Fire Service in relation to maintenance of fire hydrants will not incur a charge; however the Permit Authority may request evidence of the request. If this is evidence is requested and supplied in a timely manner the reduction may not be given.
- 9.3.5 Diversionary work if initiated by the Highway Authority (Section 86) will not incur a permit fee.

9.4 Fee Reconciliation and Invoicing

- 9.4.1 At the beginning of each month the Permit Authority will provide each utility with the previous period (month) permit fees in the form of a statement, detailing information on the permit including permit reference, permit fee and any discount already agreed.
- 9.4.2 Following this submission there will be a ten day period to enable the activity promoter to agree the charges with the Permit Authority. The final date for agreement to the charges will be stated in the initial correspondence and agreement should be reached within the ten days.
- 9.4.3 Within this time frame each Promoter should resolve all queries with the Permit Authority and confirm agreement to the final charge.
- 9.4.4 Should no response be given within the stated time scale it will be considered that the charges are agreed without challenge?
- 9.4.5 Following the stated date the invoice will be raised for the agreed amount

9.5 Reduced Fee for Innovation

- 9.5.1 The WaSP Scheme Working Group will define more clearly situations where this discount may be applied and this will become part of the WaSP scheme [Operational Guidance](#). As new technologies or methodologies become accepted as industry practice then these agreements may need to be reconsidered regularly.

9.6 Reduced Fee for Economic Development

- 9.6.1 The WaSP Scheme Working Group will define within the [Operational Guidance](#) instances when a discount may be applied where it is demonstrated that an activity provides significant economic benefit to the local authority or Council.

9.7 Fee Waiver for Repeat Permits

- 9.7.1 Where a Promoter has had to repeatedly cancel or limit their works as a result of conditions outside of their control, *such as parked cars at site*, which could not have been avoided, they can contact the Permit Authority to issue the option for an duration extension or additional permit at a reduce or waived fee.
- 9.7.2 In such instances the Permit Authority will consider the instances of failure to start or complete works, in addition to the efforts undertaken to ensure the worksite would be clear of obstruction. There must be clear evidence that the Promoter has made best endeavors to ensure the worksite would be clear and that works have not started or could not be completed because of action outside of their control.

10 Charging for Overrunning Activities (Section 10)

10.1 Section 70 & Section 74 Fixed Penalty Notices

- 10.1.1 While Section 54, Section 55 & Section 57 FPN's are no longer to be issued for permits Section 70 (registration of reinstatement) and Section 74 (7b) (Actual starts, work stops) may still be issued on permits.
- 10.1.2 The process for S74 is unaltered with the introduction of permits.

11 Permit Offences and Sanctions (Section 11)

11.1 Enforcement

11.1.1 Regulation 19

11.1.1.1 Where work is undertaken without a valid permit it will be considered a breach of Regulation 19. For the avoidance of doubt a valid permit is one that has been granted, or deemed granted.

11.1.1.2 The application for a permit does not constitute a *granted, or deemed granted*, permit.

11.1.1.3 Only one Regulation 19 offence can be issued for each occurrence *i.e. it is not a daily offence*.

11.1.1.4 In consideration to their Network Management Duty a Permit Authority make take any necessary action to remove an obstruction of the highway.

11.2 Regulation 20

11.2.1.1 Should there be any recorded breach of an applied permit condition an offence under Regulation 20 may be issued.

11.2.1.2 In consideration to their Network Management Duty a Permit Authority make revoke a permit where agreed conditions are not being adhered to.

11.3 Prosecutions

11.3.1 Each Permit Authority may decide to forgo the offer to discharge liability for an offence *i.e. issue an offence and FPN*, and proceed with a prosecution if they deem the breach to be so significant or too frequent with no attempt to improve.

11.3.2 Failure to discharge liability by the Promotor may result in prosecution by the Permit Authority for the original offence.

11.3.3 The prosecution will be dealt with in line with each Permit Authority's internal procedures.

12 Related Matters (Section 13)

12.1 Storage on the Highway

- 12.1.1 Any requirement and provision for storage on the highways must be defined within the footprint of the activity for that permit.
- 12.1.2 Where additional storage is required either outside of the activity footprint or on another USRN then a Section 171 license must be obtained.

12.2 Temporary Traffic Restriction Orders

- 12.2.1 The WaSP Scheme provides a basic guidance to the issuing of a temporary order or notice, however each Permit Authority will make relevant forms and their own processes available on their website.

12.3 Temporary Notices

- 12.3.1 The Promoter should inform the Permit Authority as soon as practicable if a closure or traffic restriction is needed, or in any case with the Immediate permit application. This process and contact details will be provided by the Permit Authority on their website.

12.4 Third Party Damage

- 12.4.1 Third party damage will be reviewed on case by case basis in regards to Section 74 charges. If the third-party Promoter is causing unnecessary delay and increased duration to the works then the primary Promoter must discuss this with the Permit Authority.
- 12.4.2 The primary Promoter must request the extension of the permit when third party damage has occurred regardless of the circumstances or the impact of the subsequent delay.

12.5 Parking Restrictions

- 12.5.1 The Traffic Regulation Order imposing parking restrictions on a particular street should already contain an exemption allowing for activities to take place in a parking bay. Promoters should check whether any further dispensation is required well before the works are due to start.
- 12.5.2 Each Permit Authority will have its own processes to follow in this regard and relevant contact details will be provided on the Permit Authority website.

12.6 Maintenance of Undertaker's Apparatus

- 12.6.1 Irrespective of a Section 81 notification being generated by the Permit Authority, each registerable activity will require a permit and will be subject to a permit fee.

12.7 Streets Subject to Immediate Notification

- 12.7.1 Streets subject to immediate notification are defined in the Permit Authority's Associated Street Data (ASD). Any clarification of these streets can be obtained from the relevant Permit Authority.

12.8 Specialist Materials (First Time Permanent Reinstatement)

- 12.8.1 In some locations, the Permit Authority may request a first time permanent reinstatement using specialist materials. These areas will be specified by the Permit Authority within their ASD and any clarification of these streets can be obtained from the relevant Permit Authority.

12.9 Temporary Traffic Signals

- 12.9.1 All WaSP Scheme Permit Authorities will apply the WaSP Scheme Portable Temporary Traffic Signals Protocol for portable temporary traffic signals (refer to Section 5.5).

12.10 System Issues

12.10.1 Permit Authority EToN Failure

- 12.10.1.1 Once a failure is identified with the EToN system the Permit Authority should contact the Promoter immediately to advise them of the situation, and provide regular updates on the resolution of the issue.
- 12.10.1.2 For any sustained EToN system failure the Permit Authority may request that they are contacted upon every instance of a certain activities on the network *for example: a call for all Immediate permits with two-way lights or above, or any actual start on a strategically significant street.*

12.10.2 Promoter EToN Failure

- 12.10.2.1 Once a failure is identified with the EToN system the Promoter should contact the Permit Authority immediately to advise them of the situation, and provide regular updates on the resolution of the issue.
- 12.10.2.2 Dependent on the failure and the subsequent issues the authority may direct the utility to operate in a certain ways to limit the effect of the issue. The utility will be expected to follow these directions.
- 12.10.2.3 Enforcement penalties incurred due to system issues will not be automatically absolved from charges.

13 RESTRICTIONS ON FURTHER ACTIVITIES

Comment [CM1]: Additional text from withdrawn guidance.

13.1.1 Introduction

13.1.2 People may sometimes get the impression that road works take place without any thought given to minimising disruption to residents and road users. All too often, it appears as if roads have been dug up repeatedly by different bodies with no apparent co-ordination, or within months of resurfacing.

13.1.3 To address this, provisions have been made in NRSWA to allow authorities to restrict works in all or part of a street following:

13.1.4 Substantial Road Works (Section 58); and,

13.1.5 Substantial Street Works (Section 58A)

13.1.6 The authority may decide not to exercise its powers under section 58 or section 58A.

13.1.7 These powers also apply to streets covered by permit schemes. The process for managing other activities, which promoters decide that they need to carry out before the restriction comes into effect, is modified from NRSWA to reflect the fact that under a permit scheme activities are controlled through permits. Restrictions apply only to the length of the street on which such substantial road or street works have been carried out. Under permit schemes the restrictions apply to all activities covered by the scheme.

13.1.8 There are three elements to the provisions for each of the restrictions:

- Substantial highway works or substantial street works which trigger the restrictions
- Processes and actions before the substantial works take place to make sure that as much activity as is likely to arise over the period of restriction can be carried out before it comes into force
- Processes and actions during the restriction to accommodate emergencies or other activities that, exceptionally, can take place in that period.

13.1.9 The use of the forward planning information process at 2.9 should assist in managing situations when restrictions are required.

13.1.10 Restrictions which have been imposed on streets or parts of streets under NRSWA prior to an authority operating a permit scheme, will continue to apply following the changeover.

13.2 Substantial Works - Definition

13.2.1 Substantial Road Works

Substantial Road Works are works for road purposes affecting any of the carriageway, footway, footpaths, cycle tracks or bridleways and include resurfacing, reconstruction, widening or alteration of the level of the street. This includes specialist non-skid surface dressing.

Substantial Road Works extend at least 30 metres continuously and:

- Reduces the width of a footpath, footway, bridleway or cycle track by more than two-thirds; or,
- Prohibits the use of the carriageway by vehicles; or,
- Reduces the width of the carriageway by more than one-third.

13.2.2 Substantial Street Works

13.2.3 Substantial street works means major activities which are street works that:

- have been identified in an organisation's annual operating programme or, if not identified in that programme, are normally planned or known about at least six months in advance of the date proposed for the activity; or,
- other than immediate activities, have a duration of 11 days or more.

13.3 Creating a Restriction

13.3.1 On receipt of an application for Provisional Advance Authorisation a Permit Authority wishing to impose a restriction following Substantial Street Works or Substantial Road Works should:

a) Identify other activities that it already knows about that should also be completed before the restriction comes into force.

b) Publish a notice of its intention to create a restriction on its website, giving at least 1 calendar month. The notice must describe the proposed activity and give the proposed start date; state the duration of the proposed restriction and the part of the highway that it will affect; and require any other promoters proposing activities who have not already applied for a permit, to do so within the calendar month (or more) period.

c) Copy the notice to:

- any sewer, transport or bridge authority with an interest in the street;
- anyone who has given advance information of intended works;
- anyone with apparatus in the street;
- anyone who has registered an interest in that street;
- the occupiers of any premises which have a frontage onto the street in question.

d) Place a copy of the notice on the register;

e) Place a copy on any central registers.

Copies of notices should be given electronically or by post, where appropriate.

13.3.2 No other activity promoter may now begin any works (other than exempted activities or those to which an authority has given consent - see 8.5.3) in that part of the street until all the activities referred to in the last paragraph have been completed.

13.3.3 Activity promoters must reply to such notice received from permit authorities within the 1 calendar month (or more) notice period. In the case of section 58 processes, the failure of a promoter to make an application in response to the notice can be taken into account by the permit authority in deciding whether to issue a permit, i.e. if the promoter could have applied but does not do so, they run the risk of not obtaining a permit if they apply later.

- 13.3.4 At the end of this period, the permit authority will know of the proposals of the first activity promoter, of any activity promoter who has made a permit application in response to the permit authority's notice, and of any other activity promoter who has co-incidentally applied for a permit or Provisional Advance Authorisation of its intention to work in that part of the highway.
- 13.3.5 To co-ordinate those activities, the permit authority may now issue permits stating when each of those activities may begin. Authorities should do this as quickly as possible.
- 13.3.6 No other activity promoter may now begin any activity (other than exempted activities or activities to which an authority has given consent - see 8.5.3) until the restriction has expired.
- 13.3.7 After the end of the notice period and before all the activities have been completed, the permit authority may give a direction imposing the restriction. It must copy the direction to all parties to whom it gave its original notice and place a copy on the register using the next available ASD update.
- 13.3.8 If the substantial activity which triggered the restriction was substantial road works and these have not started within six months of the proposed date, or within six months of the completion of any other activities, such as utility street works, that were carried out as a result of the notice, the notice ceases to be valid. A restriction will not be created, as the process would need to be repeated.
- 13.3.9 Once the substantial activity is completed, the authority should give a further notice to the parties mentioned above stating that the activity has been completed and that the restriction is in force. This action should be prompted by the works closed notice for the substantial activity to the parties listed above. Once the restriction is in force, no activities may be undertaken in the street, except as detailed in 8.5.

13.4 Duration of Restrictions

- 13.4.1 Durations of restrictions depend upon the type of activity carried out and the impact it has on the travelling public and the local neighbourhood. Longer restrictions will apply where streets, or parts of streets, have been newly constructed, reconstructed or resurfaced, as set out overleaf:

Table 5. Duration of Restrictions		
Street (Including Footway, Cycleway etc)		
	Traffic-Sensitive or Reinstatement Category 0, 1 & 2	Reinstatement Category 3 & 4 and Non traffic-sensitive
1: Reconstructed	5 years	5 years
2: Resurfaced including level change	3 years	3 years
3: Other substantial road or street works	1 year	6 months
Combination of 1 or 2 plus 3	Higher of figures	Higher of figures
Customer connections	days	

Definitions used:

Reconstruction is the removal of some or all of the various layers that make up a road pavement and their replacement, and is used to strengthen the road pavement.

Resurfacing is the removal of the running surface and its replacement to restore surface integrity and skid resistance.

Other substantial road or street works" refers to the effects of substantial street works and substantial road works, such as drainage provision, which leave similar reinstatements to those after undertakers' works.

13.5 Activities During a Restriction

Activities may be carried out during a restriction if they either fall within the categories of exempt activities or have the consent of the authority.

13.5.1 Exempt activities and reduced restrictions

Activities which are exempt or subject to reduced restrictions are:

- minor activities that do not involve breaking up or excavating in the highway;
- immediate activities;
- customer connections (see 8.5.2 below);
- works to comply with either an improvement notice or prohibition notice issued by the Health and Safety Executive under sections 21 or 22 of the Health and Safety at Work Act 1974;
- works carried out under regulation 16(3)(b) of the Gas Safety (Installation and Use) Regulations 1998;
- works carried out to comply with approved programme permitted under Regulation 13A of the Gas Pipelines Safety Regulations 1996 (SI1996/825, as amended by SI2003/2563) that could not have been identified before the restriction began;
- activities required to expose equipment covers and manhole covers buried during the substantial street or road works.

The normal application rules appropriate to the activity concerned must be followed.

13.5.2 Customer connections

If an undertaker receives a request for a new customer connection after the period for response to a section 58 or section 58A notice of restriction, and it is not possible to carry out the necessary works before the restriction comes into force - then an embargo on carrying out those works shall apply for 20 working days immediately following the completion of the substantial street or road works, as indicated in Table 5.

Before applying for the appropriate permit the undertaker must contact the street authority to discuss its proposals and the extent of the works in the street. The application must contain the information discussed, the fact that it is a customer connection, and the name of the permit authority officer who has confirmed the proposal.

It is expected that the minimum works will be carried out to provide the connection but it should be recognised that in some circumstances, extra work may be required to minimise disturbance to the restricted surfaces.

13.5.3 Exemption by consent

The regulations provide for activities that are not covered by the exemptions in 13.5.1 and 13.5.2 to be carried out during a restriction with the consent of the permit authority. There may be circumstances where wider considerations make it appropriate for the authority to grant such consent.

13.5.4 Permit applications during restrictions

13.5.5 The permit application that an activity promoter must give for an activity that he wishes to carry out during the period of a restriction imposed under section 58 or section 58A of NRSWA depends upon whether:

- a) the activity comes within the scope of any of the specific exemptions listed in 13.5.1 and 13.5.2; or,
- b) the permit authority's consent is required.

In (a), the ordinary rules appropriate to the activity concerned, set out in Chapter 10, must be followed.

In (b), an application for consent should be made, specifying, in addition to the normal activity information, the grounds upon which consent is sought. Once consent is granted, an application for a permit must be made in the usual way. The permit authority would then deal with this, again in the usual way. If the permit authority refuses consent then the promoter may appeal if it considers this to be unreasonable.

13.5.6 The exemptions described in 13.5.1 exemplify the balance that must be achieved if the co-ordination aspects of the legislation are to be successful. In considering applications for consent from activity promoters, permit authorities must take account of the needs of the promoter's customers. Equally, activity promoters must recognise the needs of road users and the need to ensure best value for money in highway expenditure. The key test is whether the promoter could reasonably have foreseen the eventuality during the notice period and/or could reasonably be required to postpone the activity until the end of the restriction.

13.5.7 Promoters should do their utmost to give details of their plans for activities in affected streets as early as possible within the notice periods, and to complete their activities before any specified starting date or as specified in the permit. Nevertheless, if an activity overruns, or has to be carried out after the specified date, it would be sensible from the point of view of road users for these activities to be accommodated before completion of the substantial activity concerned.

13.6 Policy Guidance

13.6.1 The appropriate use of restrictions will not only protect streets where notice is served, but should also encourage permit authorities and promoters to plan and amend their programmes in a way which minimises inconvenience for the public.

- 13.6.2 A restriction under section 58 or section 58A cannot be made if substantial activities have started without a notice under section 58 or section 58A having been given. However, even if activity promoters are not aware of a restriction, they are strongly recommended to approach the authority to establish whether a restriction is in force, if a street in which they propose to carry out works, has been newly constructed, recently reconstructed or resurfaced. Activity promoters should not assume that they can automatically break open that street. It may be that the ASD entry has not yet been posted or that a particular activity promoter was not sent the relevant notice under section 58 or section 58A and there may be a restriction in force.
- 13.6.3 If having received a notice, the authority realises that there is a restriction in place then they should advise the activity promoter of this fact as soon as possible.

13.7 Dispute Resolution

- 13.7.1 Disagreement between the activity promoter and the permit authority should be resolved by means of the dispute resolution procedures set out in Chapter 14.

13.8 Revocation of Restrictions

- 13.8.1 Restrictions may be revoked by the permit authority at any time. The permit authority should do this by sending a revised section 58 or section 58A notice to the promoter(s) concerned, informing them that the original restrictions are now revoked. In issuing restrictions the authority must give the same consideration to the situation as when issuing the original restrictions and include the reasons for the revocation.

14 Monitoring the Permit Scheme (Section 14)

13.9 Operational Performance Measures

- 13.9.1 The Permit Authorities will collect and issue the WaSP Scheme Key Performance Indicators and any national performance indicators.

13.10 Limits to providing Operational Measures

- 13.10.1 The Working Group will review how Operational Measures may vary depending on the EToN systems used across Permit Authorities and Promoters.
- 13.10.2 Every effort will be made to ensure that all of the data is obtained in as consistent a format as possible across all parties.

14 Contact Information



Ffion Horton
Streetworks Manager
Shropshire Council Highway Depot
107 Longden Road
Shrewsbury
SY3 9EL

Tel 01743 258785
Mob 07582 004063
Ffion.Horton@shropshire.gov.uk



David Reeves
TMA / NRSWA Senior Permit
Scheme Co-ordinator
Cheshire East Highways

Tel 01270 686341
Fax 375216
dave.reeves@cheshireeasthighways.org



Keith Davenport
Traffic Manager
Warwickshire County Council
Budbrooke Depot
Warwickshire

Tel 01926 412246
Mob 07584 389172
keithdavenport@warwickshire.gov.uk



Traffic and Transportation
Civic Centre 4, Floor 8
Much Park Street
Coventry, CV1 2PY

Tel 024 7683 1632



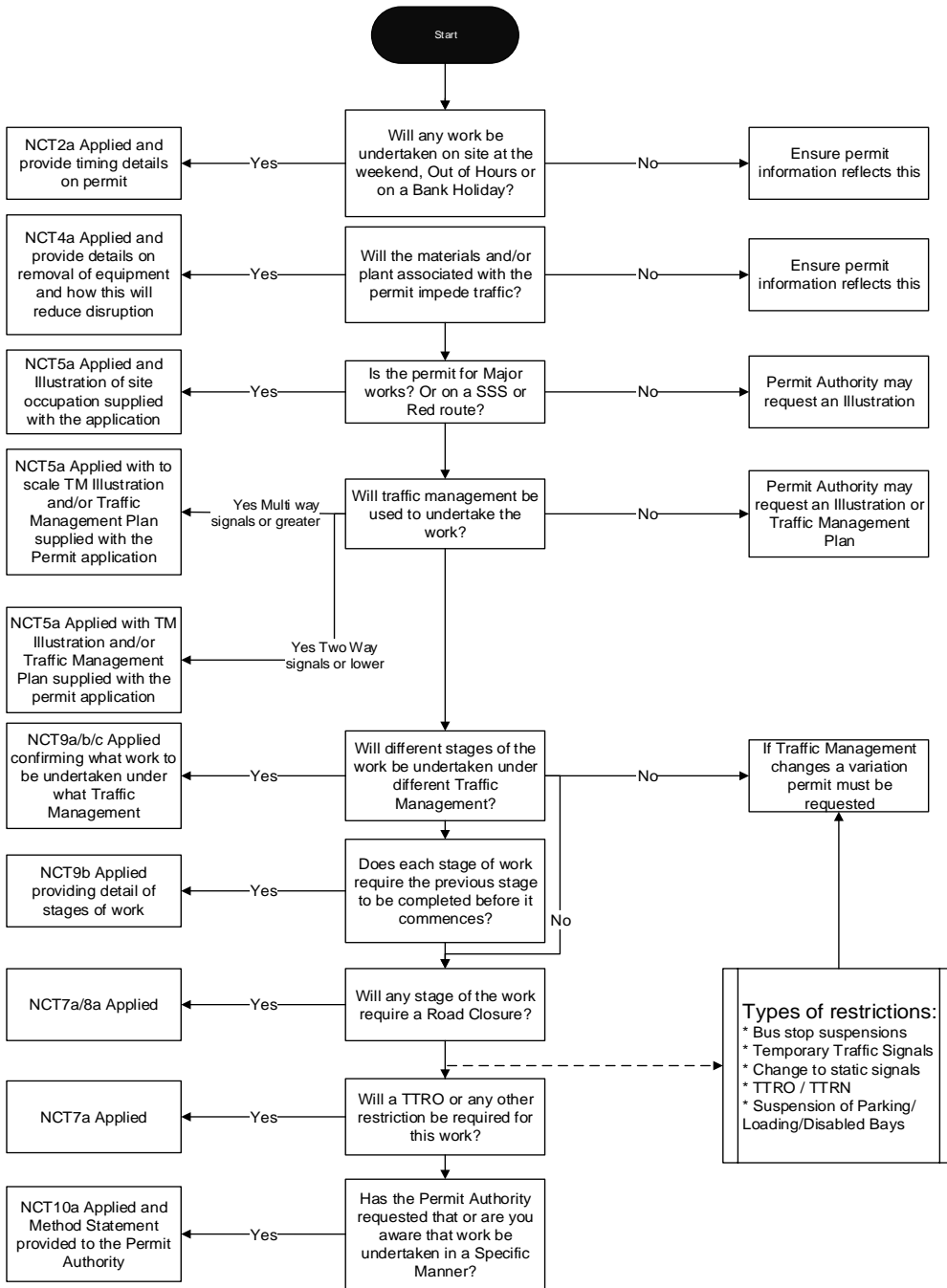
Lauren Montgomery
Streetworks Inspection Manager
County Hall
Spetchley Road
Worcester
WR5 2NP

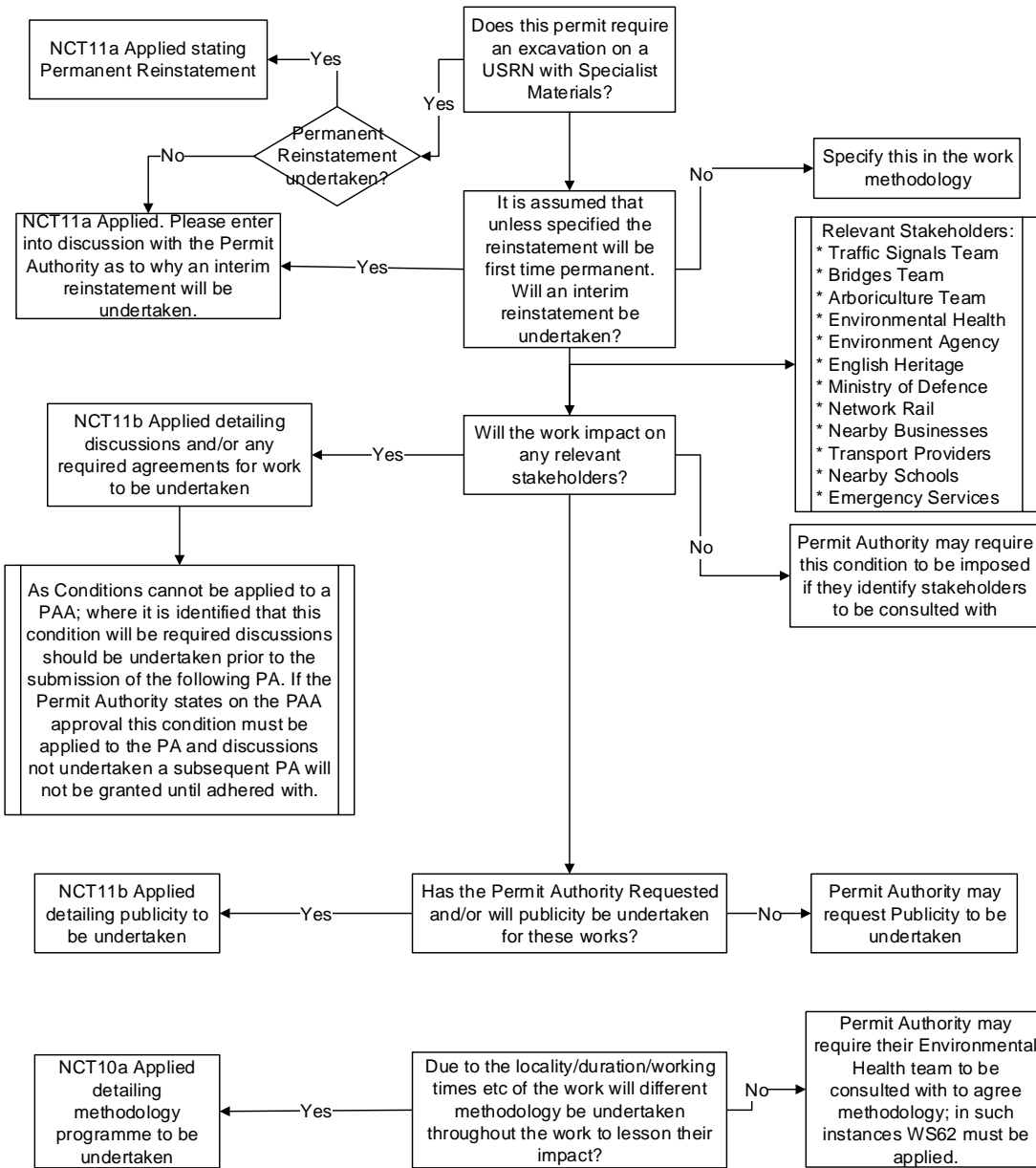
Tel 01905 846216
07725 430662
Lmontgomery@worcestershire.gov.uk [Email Address]



Tel [Telephone]
Fax [Fax]

16 Appendix A: Conditions





17 Appendix B: Standard Durations

Telecomms				Electric							
BT				Virgin				Western Power Distribution			
Work Type	Orig	Actual	Accept	Work Type	Orig	Actual	Accept	Work Type	Orig	Actual	Accept
1/2 Precast Chamber	3.01	3.01	3	Locate tee in f/w	3.03	2.14	2	Remedial Work	2.89	2.08	2
Concrete Chamber	3.37	3	3	Locate tee in c/w	2	1	1	Interrim to Perm	2.92	1.58	2
2 Concrete Chamber	5.44	4.44	4	Replace lid	3	2	2	Tree Cutting	1	1	1
Pole New/Reco/Repla	2.96	1.34	1					1 Dig Pit	7.86	6.42	6
Cable provision duct	2.4	1.6	2					Overlay	Case	by	Case
Access to UG box	2.68	1.85	2					Joint Holes	Case	by	Case*
Install Aerial Cable	3	2.33	2					Decayed Pole	2	1.8	2
Install Poly Cable	3.68	3.24	3					Repair Fault*	6.5	5.09	*5
Interim to Perm	3	1	1					Substation work	7	6.5	6
Blockages	3.13	2.73	3	Clear Blockage	3.03	1.97	2	Overhead work	0.84	0.84	1
Remedial	4	3.43	3					Test borehole	3	1	1

Gas							
National Grid Gas				Wales and West Utilities			
Work Type	Orig	Actual	Accept	Work Type	Orig	Actual	Accept
Service Disconn	3.33	3	3	Cut off disconn	90	6.43	6
Mains Replace	Case	By	Case	Mains Replace	Case	By	Case
Service alteration	4.1	3.8	4	Urgent service Alt	5	3.33	3
Remedials	3	1.76	2	Defects	3	2	2
New service 1-10m	4.32	3.83	*4	New service 1-10m	4.34	3.83	4
New service 10-20m	5	4.3125	4	New service 10-20m	4	4	4
New service 20m+	Case	By	Case	New service 20m+	10	10	5
No Gas	9	24	5	Interim to Perm	1.89	1.16	1
Poor pressure	5	4.23	4	Reset valve Cover	2	1.5	2
Replace service	4.62	3.81	4	Renew Gas service	4.07	1.73	2
Gas escape	6.34	5.29	5	Gas escape	5.82	4.8	5

*3

*LV-3

*HV-4/5

* 10m - Extension allowed
10m+ evidence required.

*3

Water			
STW			
Work Type	Orig	Actual	Accept
New connections	3	2.61	3
Lay standard service	3.21	2.45	3
Remedial	3	3	3
Standard Connection	3	2.4	3
Install/Renew/Repair boundary box	2.99	2.06	2
New meter box	2.74	0.9	1
Meter maintenance	3	1	1
Interim to perm (f/w)	2.93	0.96	1
Repair Exchange meter	3	1	1
Exceptional work	Case	By	Case
Mains replacement	Case	By	Case
Defect	2.39	1.14	1
Core defect			2
Manhole reset	2.97	1	1
Standard sewer repair	5.08	3.83	4
Valve renew	3.5	2.5	3
Reset Lid	2.82	2.34	2
Repair/Renew/Install hydrant	3.18	2.66	3
Short/large main cut out	5.5	4.57	5
Aqua stop			4
Large main repair (pipe)	3.81	3.19	4
Large main repair (collar)			3
Comm pipe repair			2
Short comm pipe			3
Long comm pipe		*4	*3 (due to moling)
Rebuild chamber	2.97	1.45	2
Meter repair	2.56	1.56	2
Cut off	2.8	2.2	2
Sluice valve Repair/Rebuild	3.04	2.06	2
Renew/Replace/Install stop tap & chamber	2.6	1.7	2

of 2

18 Appendix C: Standard Comment Text

Current WaSP Code	HAUC Refusal Code & Text	Amended WaSP Refusal Code & Text
Missing Information		
No equivalent	RC10 This would include instances where <u>required</u> conditions have not been provided/are not necessary or conflict. The works description or location information provided is insufficient. Use this code for missing information issues not covered by the below.	RC10. Permit is refused <i>delete as required</i> . There is missing information on the permit (specify). NAME XXXX
VP4a. Data Variation Approval	No equivalent	RC10a. Approval is given to amend/include XXXXX on the permit, please state agreement ref XXXXXXXX in the agreement section of the Modified application/variation request <i>delete as required</i> . Name XXXX
VP4b. Data Variation Refusal	No equivalent	RC10b. Application to amend/include XXXXX is refused (Specify reason). NAME XXXX
WR1f. Condition Refusal	RC11 You have omitted essential conditions for these works. If you still plan to proceed with the activity you must supply the appropriate conditions within the conditions text box. [NAME] [Tel]	RC11. Permit is refused <i>delete as required</i> . You have omitted essential conditions for these works. If you still plan to proceed with the activity you must supply the appropriate conditions within the conditions text box (Specify). NAME XXXX
VP5a. Condition Variation Approval	No equivalent	RC11a. Approval is given to amend the conditions associated with this permit (details of new conditions) NAME XXXX

West & Shires Permit Scheme

Operational Guidance

VP5b. Condition Variation Refusal	No equivalent	RC11b. Application to amend conditions (specify) is refused as (detail). NAME XXXX
WR1e. Bay Suspension Refusal WR1f. No TM Application Refusal WR1g. Site Provision Refusal	RC12 Please provide the required [illustration/traffic management drawing/works activity footprint] for this activity. Please supply the required plan and submit a new application once you have received approval. [NAME] [Tel]	RC12. Permit is refused <i>delete as required</i> . Please provide the required [TM application/bay suspension/reduced speed limit/illustration/traffic management drawing/works activity footprint] for this activity. Please supply the required plan and submit a new application once you have received approval. NAME XXXX
Incorrect Details on Permit		
WR2a. USRN Refusal	RC20 This would include where the dates, USRN or primary recipient of the Permit are incorrect. Use this code for incorrect Permit detail issues not covered by the below.	RC20. Permit is refused <i>delete as applicable</i> . The following details on the permit are incorrect (Specify). NAME XXXX
No equivalent	RC21 You have incorrectly selected XXX as the primary recipient of the permit. If you still plan to proceed with this activity you must submit a new permit application ensuring that you have issued it to the correct permitting authority. [NAME] [Tel]	RC21 Permit is refused <i>delete as appropriate</i> . You have incorrectly selected XXX as the primary recipient of the permit. If you still plan to proceed with this activity you must submit a new permit application ensuring that you have issued it to the correct permitting authority. NAME XXXX

West & Shires Permit Scheme

Operational Guidance

WR1a. Location Description Refusal WR2b. Conflicting Coords and Location Refusal	RC22 Your location description and map coordinates conflict, preventing effective coordination of these works. If you still plan to proceed with the activity you must amend this information. [NAME] [Tel]	RC22. Permit is refused <i>delete as required</i> . Your location description and map coordinates conflict/is not sufficient <i>delete as required</i> preventing effective coordination of these works. If you still plan to proceed with the activity you must amend this information. NAME XXXX
No equivalent	RC23 You have conflicting information contained within your permit application. You state [Example 1] which conflicts with [Example 2] If you still plan to proceed with the activity you must supply consistent information. [NAME] [Tel]	RC23. Permit is refused <i>delete as required</i> . You have conflicting information contained within your permit application. You state [Example 1] which conflicts with [Example 2] If you still plan to proceed with the activity you must supply consistent information. NAME XXXX
Co-ordination Issues		
No equivalent	RC30 This would include where the works will cause any sort of conflict (e.g. with an event.) Use this code for co-ordination issues not covered by the below.	RC30. Permit is refused <i>delete as required</i> . The works cannot be accommodated on the network (Specify why). Please submit a new permit application with alternative dates. NAME XXXX
No equivalent	RC31 Your works will conflict with other activities for your proposed dates at this location, and collaboration is not possible. Please submit a new permit application with alternative dates. The conflicting works are estimated to be completed on [XX/XX/XXXX]. [NAME] [Tel]	RC31. Permit is refused <i>delete as required</i> . Your works will conflict with other (Works/Events/Diversion Routes etc. <i>delete as required</i>) for your proposed dates at this location, and collaboration is not possible. Please submit a new permit application with alternative dates. The conflicting works are estimated to be completed on [XX/XX/XXXX]. NAME XXXX

West & Shires Permit Scheme

Operational Guidance

No equivalent	RC32 You have not specified the precise [Times/Days] that your work site(s) will be occupying the public highway. If you still plan to proceed with this activity you must supply the necessary timing information. [NAME] [Tel]	RC32. Permit is refused <i>delete as appropriate</i> . You have not specified the precise [Times/Days] that your work site(s) will be occupying the public highway. If you still plan to proceed with this activity you must supply the necessary timing information. NAME XXXX
No equivalent	RC33 Your works will conflict with other activities for your proposed dates at this location. Please confirm you can co-ordinate your works with the party who are (Name of Conflicting Promoter). If you still plan to proceed with this activity you must submit a new permit application with alternative dates or an agreement of collaboration. The conflicting works are estimated to be completed on [XX/XX/XXXX] by (XXXXX promoter). [NAME] [Tel]	RC33. Permit is refused <i>delete as appropriate</i> Your works will conflict with other activities for your proposed dates at this location. Please confirm you can co-ordinate your works with the party who are (Name of Conflicting Promoter). If you still plan to proceed with this activity you must submit a new permit application with alternative dates or an agreement of collaboration which is required to be referenced on the permit in line with the WaSP process <i>delete as required</i> . The conflicting works are estimated to be completed on [XX/XX/XXXX] by (XXXXX promoter). NAME XXXX
Lack of Approval		
No equivalent	RC40 This would include where TM approval has not been given, an early start has not been sought, the duration applied for is not viewed as acceptable or where the Permit applied for does not reflect prior agreements made. Use this code for general lack of approval or the codes below for a specific issue.	RC40. Permit application is refused <i>delete as required as approval for (Specify) cannot be given/has not been given delete as required</i> . NAME XXXX
WR1d. Wrong TM Refusal	RC41 You have not gained the relevant [TM plan/WAF/site meeting] (<i>delete as appropriate</i>) approval for these works. [NAME] [Tel]	RC41. Permit application is refused <i>delete as required</i> . You have not gained the relevant [TM plan/WAF/site meeting/TM] (<i>delete as appropriate</i>) approval for these works. NAME XXXX
WR1g. Site Provision Refusal		

West & Shires Permit Scheme

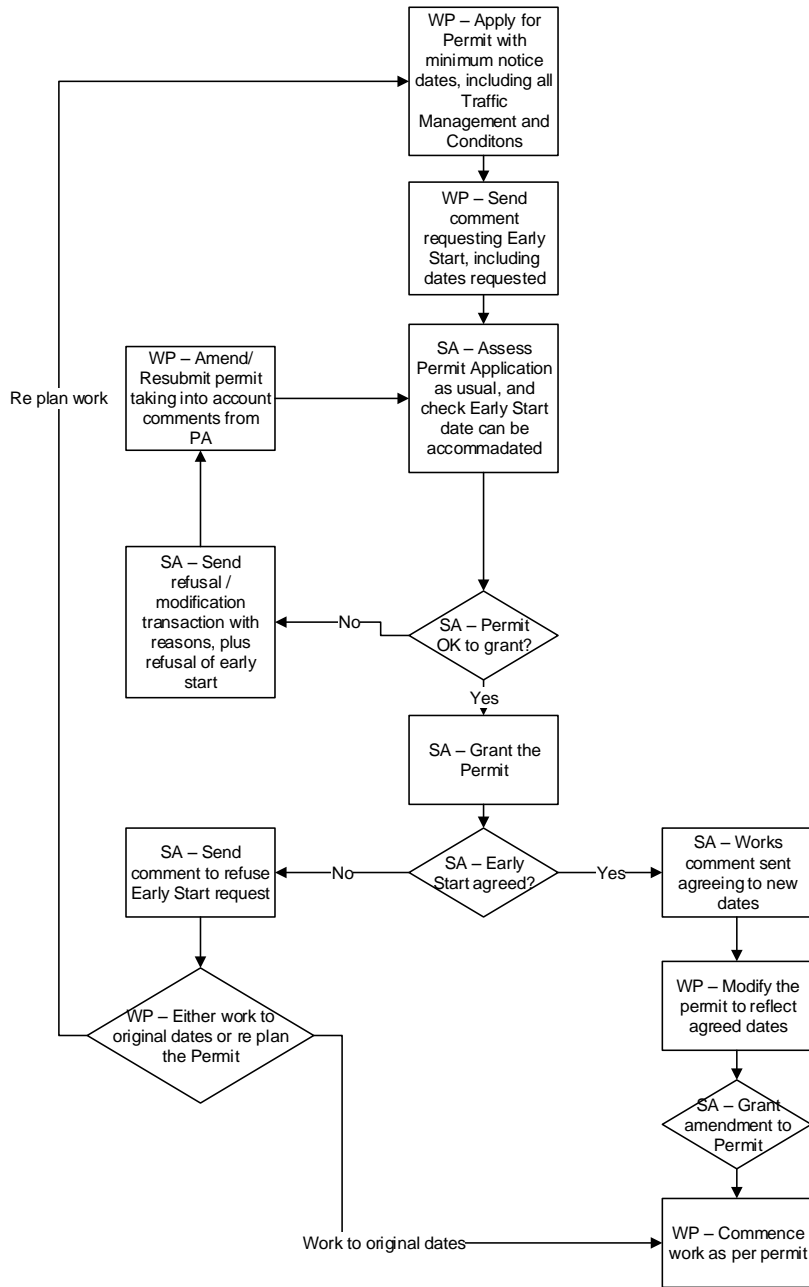
Operational Guidance

VP1r. Early Start Refusal	RC42 No Early Start Agreement has [not been obtained/not been justified] for this activity. [NAME] [Tel]	RC42. Permit application is refused <i>delete as required</i> . Permit start date is within minimum application period and requires an early start. No Early Start Agreement has [been obtained/been justified/is permitted] <i>delete as required</i> for this activity. NAME XXXX
VP1a. Early Start Approval	No equivalent	RC42a. Request to reduce the application period has been approved, please state agreement ref XXXXXXXX in the agreement section of the Modified application/variation request <i>delete as required</i> . Once the permit variation/modification is granted the revised start date is dd/mm/yy until this time the current permit dates must be adhered to. Name XXXX
No equivalent	RC43 This street is protected by a section 58 restriction. Please provided evidence that you have the relevant agreement to work within this restriction. [NAME] [Tel]	RC43. Permit application is refused <i>delete as required</i> . This street is protected by a section 58 restriction. (Please provided evidence that you have the relevant agreement to work within this restriction/agreement to work within this restriction is not given and work must be replanned after restriction ends on dd/mm/yy) <i>delete as applicable</i> . NAME XXXX
WR4c. Duration Challenge Refusal	RC44 The duration is considered to be excessive/insufficient [delete as required] because [XX]. Please specify a duration not longer than [XX] working days. [NAME] [Tel]	RC44. Permit application is refused <i>delete as required</i> . The duration is considered to be excessive/insufficient (<i>delete as required</i>) because [XX]. Please specify a duration not longer than [XX] working days. NAME XXXX
VP2a. Revised Duration Approval	No equivalent	RC44a. Application to extend the duration of the permit is approved; agreed end date is now dd/mm/yy NAME XXXX
VR2r. Revised	No equivalent	RC44b. Application to extend the duration of the permit is refused NAME XXXX

West & Shires Permit Scheme

Operational Guidance

Duration Refusal		
WR1f. Revised Duration Approval S74	No equivalent	RC44c. Approval is given to extend the end date of the permit however this agreement does not allow the extension of the reasonable period and the permit may be subject to overrun charges NAME XXXX
Other		
No equivalent	RC50 Any other reason not covered – As above you must clearly state the refusal reason – this category should be kept to a minimum otherwise the quality of the data can be diluted and made less useful in driving performance improvement.	RC50. Permit application is refused <i>delete as required</i> for the following reasons. NAME XXXX
WR4f. Modified after Grant	No equivalent	Please note once a permit has been granted and required changes required this should be done through the submission of a Variation Permit and not a Modified Application. If the amendments are still required please submit a Variation Permit. [NAME]
PAA Grant - Further info	No equivalent	PAA accepted pending further discussion and agreements over works dates and methodology [NAME] xx xxxx
VP4a. Data Variation Approval	No equivalent	VP4a. Approval is given to amend the <i>?????</i> (change of information on the permit) NAME XXXX



19. Appendix D: Early Start Application process

Version 6. August 2017

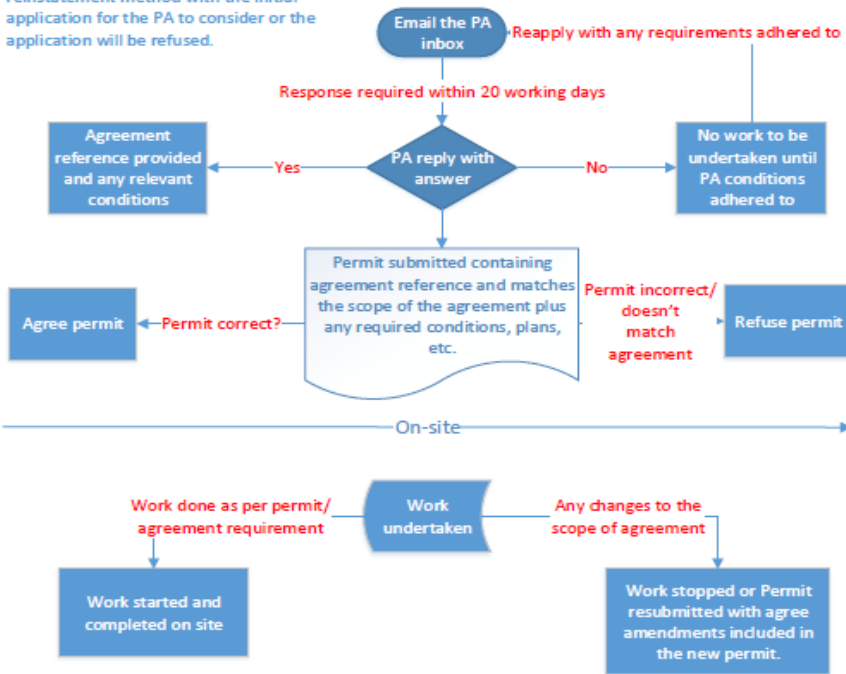
20. Appendix E: Section 58 Restriction Process

Application to working within a Section 58 restriction process for non exempt works

Additional reinstatement guidance

- * Tie into existing joints
 - * Full width reinstatement up to 3 metres in footway
 - * Reinstatement to be machine laid?
 - * Reinstatement undertaken in 300mm steps
 - * 3 metres either side of centre line
- The undertaker must submit their proposed reinstatement method with the initial application for the PA to consider or the application will be refused.

Has the project/scheme been included in the latest proforma submitted to the local Coordination meeting? If no, the application will not be processed unless there are extenuating circumstances i.e. customer connection, loss of service. The request can be remade once the work has been submitted correctly on the proforma at the next Coordination meeting.



The agreement to waive a S38 restriction is at the discretion of the Permit Authority and this process does not override their legal ability to refuse early entry. It is recommended by the WeSP Authorities that our Utility Company colleagues take note of the HA work submitted on the proforma/proposed S38 restriction on the gaster when planning their work – It should not be ignored and assumed a waiver of the S38 will be agreed.