**DARLINGTON BOROUGH COUNCIL DEVELOPMENT OF A SINGLE PERMIT SCHEME IN ACCORDANCE WITH THE TRAFFIC MANAGEMENT PERMIT SCHEME (ENGLAND) REGULATIONS 2007.**

**THE CONSULTATION – YOUR CHANCE TO COMMENT**

Part 3 of the Traffic Management Act (TMA) 2004 introduced permit schemes as a new way in which activities in the public highway could be managed and to improve authorities’ ability to minimise disruption from road and street works.

The Darlington Borough Council permit scheme is prepared and designed to improve the management of works in the street undertaken by the highway authority and statutory undertakers.

It is an important aspect of duties and policies of the authority to manage activities in the street so as to minimise the impact of activities whilst allowing essential activities to take place.

The Darlington Borough Council Permit Scheme intends to use incentives and discounts to encourage promoters to actively plan the methodology and scheduling of works with the future in mind which it is hoped will lead to;

* greater opportunity to manage and maintain the local highway network for the safe and efficient use of road space, whilst allowing promoters access to maintain their services and assets.
* a reduction in the length of occupation of highway works and thus ongoing disruption to the public.
* improved information available to the public to help provide and inform reliable journey times.
* greater collaborative activities between all activity promoters
* parity of treatment for all activity promoters particularly between statutory undertakers and highway authority works and activities.

The scheme will apply to all adopted roads throughout the borough of Darlington, the “specified area” for the purposes of the regulations. Motorways and trunk roads are not included in this scheme as they are and remain the responsibility of Highways (England).

Before the scheme can be introduced Darlington Borough Council is seeking the views of those who will be affected to ensure it reflects the guidance and regulations as well as suiting the needs of the authority and those surrounding it.

Please return your completed questionnaire by 5pm 15th November 2019 to

Streetworks@darlington.gov.uk

**Freedom of Information**

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the Freedom of Information Act 2000 (FOIA) and/or the Environmental Information Regulations 2004 (EIR). If you want information that you provide to be treated as confidential, please be aware that, under the FOIA and EIR, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential.

If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on Darlington Borough Council. The Council will process your personal data in accordance with the Data Protection Act (DPA) and, in the majority of circumstances, this will mean that your personal data will not be disclosed to third parties.

**Confidentiality and data protection**

If your response to this consultation contains any information that allows you to be identified under data protection law, Darlington Borough Council will be the controller for this information. As part of this consultation, we are asking for your name and email address in case we need to ask you any follow-up questions about your response. You do not have to give us this personal information. If you provide it, we will only use if for the purpose of asking follow-up questions. The information will be kept on a secure IT system within Darlington Borough Council and destroyed within 12 months of the end of the consultation period, or upon a written request from you.

Darlington Borough Council privacy policy has more information about your rights in relation to your personal data, how to complain and how to contact the Data Protection Officer. You can view it at <https://www.darlington.gov.uk/your-council/data-protection-and-freedom-of-information/foi-and-eir/>

**ABOUT YOU**

1. **Are you responding as an individual or on behalf of on organisation?**
2. **Which best describes your company or organisation, Utility, Local Authority, Transport Authority etc?**
3. **Your name (optional)**
4. **Your company or organisation (optional)**
5. **Your position in the organisation (optional)**
6. **Your e-mail (optional)**
7. **If you are responding on behalf of an organisation or interest group how many members do you have? (optional)**
8. **If you would like your response or personal details to be treated confidentially please explain why?**

**THE CONSULTATION**

***Question 1***

**Do you consider that the permit scheme is suited to the needs of the people, residents and road users of Darlington Borough Council?**

If not why not?

***Question 2***

**Do you think that the permit scheme reflects the requirements of the requirements of the Statutory Guidance for Permit Schemes and the Statutory Guidance regarding Permit Scheme Conditions?**

If NO, please clarify where in the document you feel it does not reflect?

***Question 3***

**Do you think that the permit scheme reflects the requirements of the requirements of the Traffic Management permit Scheme (England) Regulations 2007?**

A copy can be found here at

<http://www.legislation.gov.uk/uksi/2007/3372/contents/made>

<https://www.legislation.gov.uk/uksi/2015/958/contents/made>

If NO, please clarify where in the document you feel it does not reflect?

***Question 4***

**Do you understand the conditions that can be applied in granting a permit?**

If not, please explain?

***Question 5***

**Do you understand the penalties for not applying for a permit and are they clearly indentified in the scheme document?**

***Question 6***

**Do you understand the penalties for not complying with a permit condition and are**

**they clearly indentified in the scheme document?**

***Question 7***

**Do you agree with the monitoring proposed and is it adequate?**

If NO, please explain why?

***Question 8***

**Are there any other aspects of the scheme for which you require further clarification?**

***Question 9***

**Do you have any suggestions for improving the scheme?**

***Question 10***

**Do you have any other comments on the permit scheme?**