



**Permit Scheme  
For Road Works and Street Works  
Consultation report**

Consultee - Virgin Media	Consultee Response	DBC Comment/Response	Amendment to scheme
<b>Question 1</b> Do you consider that the permit scheme is suited to the needs of the people, residents and road users of Darlington Borough Council?	No - Virgin Media are disappointed that Darlington Borough Council's Permit Scheme and associated fee's will apply to all classification of roads. If the council chooses to apply permits to 100% of streets, contrary to advice from Ministers, Virgin Media requests that Darlington Borough Council grant permits for category 3 and 4 roads by default and for those permits to be at zero fee levels.	Darlington Borough Council does not believe the scheme is contrary to ministers' advice. An authority should have the power to control activities, including its own on all streets and believes that activities on type 3 & 4 roads are just as important to the roads users as those on 0, 1 and 2. The application of a permit scheme and the tasks associated with that should be cost neutral. Given the volume of notices processed in 2018/19 for type 3 & 4 streets (on which our matrices have been based) to charge a zero fee would not allow for the scheme to be cost neutral. Regulation 30 provides the PA with the power to charge for permits. The DFT permit fee matrix has been used to determine the allowable costs and therefore the permit fee by works type and road category. The annual evaluations will determine whether the costs of running a scheme have been covered and fees may be adjusted either up or down to ensure the scheme remains cost neutral.	No
<b>Question 2</b> 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?	Yes	N/A	No
<b>Question 3</b> 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 <a href="http://www.legislation.gov.uk/ukxi/2007/3372/contents/made">http://www.legislation.gov.uk/ukxi/2007/3372/contents/made</a> <a href="https://www.legislation.gov.uk/ukxi/2015/958/contents/made">https://www.legislation.gov.uk/ukxi/2015/958/contents/made</a>	-	N/A	No
<b>Question 4</b> Do you understand the conditions that can be applied in granting a permit?	Yes	N/A	No
<b>Question 5</b> Do you understand the penalties for not applying for a permit and are they clearly identified in the scheme document?	Yes	N/A	No
<b>Question 6</b> Do you understand the penalties for not complying with a permit condition and are they clearly identified in the scheme document?	Yes	N/A	No
<b>Question 7</b> Do you agree with the monitoring proposed and is it adequate?	Yes	N/A	No
<b>Question 8</b> Are there any other aspects of the scheme for which you require further clarification?	If works continue beyond the end date of a permit, Virgin Media believe this would be classed as breach of permit condition, not working without a valid permit.	For clarification, this is treated as an overrun which constitutes a Section 74.	No
<b>Question 9</b> Do you have any suggestions for improving the scheme?	Virgin Media would suggest a monthly review meeting to be held every month for the first 3 months of a scheme to review issues encountered within the start up period of the scheme and are happy for this to be a joint meeting with other undertakers, which we can review statistics on refusals, FPN's etc, would this be of benefit to D.B.C?	Darlington Borough Council will be happy to meet with utilities on a monthly basis for the first three months following implementation. This would also be an excellent opportunity to discuss lessons learned and share best practice.	No
<b>Question 10</b> Do you have any other comments on the permit scheme?	Again just to clarify as per Question 1, Virgin Media are disappointed that Darlington Borough Council's Permit Scheme and associated fee's will apply to all classification of roads. If the council chooses to apply permits to 100% of streets, contrary to advice from Ministers, Virgin Media requests that Darlington Borough Council grant permits for category 3 and 4 roads by default and for those permits to be at zero fee levels.	See response to Question 1	No

Consultee - Openreach	Consultee Response	DBC Comment/Response	Amendment to scheme
<p><b>Question 1</b></p> <p>Do you consider that the permit scheme is suited to the needs of the people, residents and road users of Darlington Borough Council?</p>	<p>Openreach understand the benefits that permit schemes may bring in enabling authorities to apply more resource to co-ordination of those activities with the potential to cause significant disruption on the highway.</p> <p>Openreach also fully support the need for utilities and authorities to work together to maximise efficiency and reduce disruption for the benefit of all.</p>	N/A	No
<p><b>Question 2</b></p> <p>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?</p>	<p>In the Statutory Guidance for Permit Schemes, the DfT have stated that the level of scrutiny carried out should be proportionate to the level of disruption, expecting a less rigorous approach on category 3 and 4 roads. It also states that in these circumstances fees should be waived or discounted.</p>	<p>Darlington Borough Council does not believe the scheme is contrary to ministers' advice. An authority should have the power to control activities, including its own on all streets and believes that activities on type 3 &amp; 4 roads are just as important to the roads users as those on 0, 1 and 2. The application of a permit scheme and the tasks associated with that should be cost neutral. Given the volume of notices processed in 2018/19 for type 3 &amp; 4 streets (on which our matrices have been based) to charge a zero fee would not allow for the scheme to be cost neutral. Regulation 30 provides the PA with the power to charge for permits. The DfT permit fee matrix has been used to determine the allowable costs and therefore the permit fee by works type and road category. The annual evaluations will determine whether the costs of running a scheme have been covered and fees may be adjusted either up or down to ensure the scheme remains cost neutral.</p>	No
<p><b>Question 3</b></p> <p>Do you think that the permit scheme reflects the requirements of the requirements of the Traffic Management permit Scheme (England) Regulations 2007?</p> <p>A copy can be found here at <a href="http://www.legislation.gov.uk/ukxi/2007/3372/contents/made">http://www.legislation.gov.uk/ukxi/2007/3372/contents/made</a> <a href="https://www.legislation.gov.uk/ukxi/2015/958/contents/made">https://www.legislation.gov.uk/ukxi/2015/958/contents/made</a></p>	<p>Yes, having looked through your document and legislation, your proposed permit scheme seems to reflect the requirements of the Traffic Management permit Scheme.</p>	N/A	No
<p><b>Question 4</b></p> <p>Do you understand the conditions that can be applied in granting a permit?</p>	<p>Within the sections of your permit scheme including section 8, 9 &amp; 11, I understand the conditions.</p>	N/A	No
<p><b>Question 5</b></p> <p>Do you understand the penalties for not applying for a permit and are they clearly identified in the scheme document?</p>	<p>It is an offense to undertake works without a required permit under Regulation 19, this information is clear within the document.</p>	N/A	No
<p><b>Question 6</b></p> <p>Do you understand the penalties for not complying with a permit condition and are they clearly identified in the scheme document?</p>	<p>Penalties are set down within your document clearly and look to be fair and within guidelines</p>	N/A	No
<p><b>Question 7</b></p> <p>Do you agree with the monitoring proposed and is it adequate?</p>	<p>This conforms to what has been asked for within legislation, Section 14 of your document is clear and sets out what is expected.</p>	N/A	No
<p><b>Question 8</b></p> <p>Are there any other aspects of the scheme for which you require further clarification?</p>	No	N/A	No
<p><b>Question 9</b></p> <p>Do you have any suggestions for improving the scheme?</p>	<p>During the initial move of NYCC from notices to permits Openreach found it really useful to have meetings to go through what was going wrong on both sides. Especially in the first couple of months. Would your authority be willing to do this?</p>	<p>Darlington Borough Council will be happy to meet with utilities on a monthly basis for the first three months following implementation. This would also be an excellent opportunity to discuss lessons learned and share best practice.</p>	No

<p><b>Question 10</b></p> <p>Do you have any other comments on the permit scheme?</p>	<p>1) 2.3 Collaborative working Openreach do not agree that when sharing a trench that only the primary promoter will register the reinstatement regardless of who carried out the reinstatement. In this instance both promoters should submit a registration of reinstatement with the primary promoters' subsumed by the secondary promoters.</p>	<p>1) This is the industry standard which Darlington Borough Council will therefore follow.</p>	<p>No</p>
	<p>2) 3.4 Activities for which no permit is required – works not involving excavation in non-traffic sensitive streets Openreach request that this is removed from the document, in some instances such as when traffic management is required, a permit would be required regardless of whether the works require excavation or are in a traffic sensitive street.</p>	<p>2) Agree to remove "works not involving excavation in non-traffic sensitive streets"</p>	<p>Yes</p>
	<p>3) 7.18 Traffic Management, Parking and Traffic Regulation Orders Openreach request that 'where the Council is prepared to do so' is removed, TTRNs should only be requested in the most urgent situations and where a statutory undertaker can evidence the need for one then we would expect the Highway Authority help us with our request.</p>	<p>3) It is the responsibility of the Council to consider whether a request meets the criteria for a TTRN and assess what disruption the works will cause on the network so therefore 'where the Council is prepared to do so' will remain in the document.</p>	<p>No</p>
	<p>4) Permit Scheme – 18.2 Permit Fee Payment and reconciliation. The scheme quotes: The Permit Authority will submit a draft invoice to the promoters for a specified period prior to the generation of an invoice to enable them to reconcile the charges. A two week timescale will be allowed for reconciliation of the charges prior to actual invoice</p> <p>This timescale is not really sufficient for us to check all the permits on a monthly list, our teams are dealing with approx. 55 Highway Authorities each team. If the draft charges presented by the Authority are all correct for discounts on Traffic Sensitive roads and zero charges for AIVs or Portable Traffic Signals then we could possibly make the two week deadline but invariably authorities send the initial report of their draft charges without filtering or checking it. This means our team have to check each individual line to confirm the charge is correct or if we need to challenge for incorrect charges.</p> <p>Please amend the timescale to 28 days giving us time to check the charges. Openreach request that Authorities present Permit draft charges on a monthly basis and in Excel spreadsheet format as the charges need to be uploaded to our system as a .csv file. Openreach are not able to convert PDF format into Excel spreadsheet or .csv format. Production of charges in Excel format will enable us to process these charges in a timely manner.</p>	<p>4) Darlington Borough Council will allow the industry standard of ten working days for the reconciliation of the charges prior to the actual invoice. Whilst extensions will be considered in exception circumstances, other authorities in the area work with the same processing times so no changes will be made to the procedure. An Excel spreadsheet would be our preferred method of presenting draft Permit charges.</p>	<p>No</p>
	<p>5) Permit Fees Openreach request that the permit fees are reviewed taking into account the Statutory Guidance for Permit Schemes, 'it is strongly recommended that permit fees are only applied to the more strategically significant roads: Category 1, 2 roads and Traffic Sensitive roads. This will mean that although permits would still be required for works on non-strategic routes, it should be very unlikely that these works would attract a permit fee. These permit applications would receive only 'notice' equivalent treatment by the authority.'</p> <p>Openreach accept that highway authorities need to recoup the cost of running the scheme from permit fee revenue, however we believe that the focus and the higher fees should be on category 0, 1, 2 and traffic sensitive roads.</p>	<p>5) Darlington Borough Council does not believe the scheme is contrary to ministers' advice. An authority should have the power to control activities, including its own on all streets and believes that activities on type 3 &amp; 4 roads are just as important to the roads users as those on 0, 1 and 2. The application of a permit scheme and the tasks associated with that should be cost neutral. Given the volume of notices processed in 2018/19 for type 3 &amp; 4 streets (on which our matrices have been based) to charge a zero fee would not allow for the scheme to be cost neutral. Regulation 30 provides the PA with the power to charge for permits. The DFT permit fee matrix has been used to determine the allowable costs and therefore the permit fee by works type and road category. The annual evaluations will determine whether the costs of running a scheme have been covered and fees may be adjusted either up or down to ensure the scheme remains cost neutral.</p>	<p>No</p>

Consultee - Northern Gas Networks	Consultee Response	DBC Comment/Response	Amendment to scheme
<b>Question 1</b> Do you consider that the permit scheme is suited to the needs of the people, residents and road users of Darlington Borough Council?	Yes	N/A	No
<b>Question 2</b> 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?	Yes	N/A	No
<b>Question 3</b> 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 <a href="http://www.legislation.gov.uk/ukxi/2007/3372/contents/made">http://www.legislation.gov.uk/ukxi/2007/3372/contents/made</a> <a href="https://www.legislation.gov.uk/ukxi/2015/958/contents/made">https://www.legislation.gov.uk/ukxi/2015/958/contents/made</a>	Yes	N/A	No
<b>Question 4</b> Do you understand the conditions that can be applied in granting a permit?	Yes	N/A	No
<b>Question 5</b> Do you understand the penalties for not applying for a permit and are they clearly identified in the scheme document?	Yes	N/A	No
<b>Question 6</b> Do you understand the penalties for not complying with a permit condition and are they clearly identified in the scheme document?	Yes	N/A	No
<b>Question 7</b> Do you agree with the monitoring proposed and is it adequate?	Yes	N/A	No
<b>Question 8</b> Are there any other aspects of the scheme for which you require further clarification?	No	N/A	No
<b>Question 9</b> Do you have any suggestions for improving the scheme?	No	N/A	No
<b>Question 10</b> Do you have any other comments on the permit scheme?	1) Section 9.8 states the activity promoter will telephone the Permit Authority to apply for a permit variation for the first excavation in each subsequent 50 metre before applying the permit variation. Why do we need to ring first? 2) Section 12.5 states reduction from the PAA fee must indicate they are being submitted together within 3 days ... 3 days is a short time period. It also states the reduction of 30% from the permit or PAA fee? Please clarify	1) To avoid the risk that any variations may be missed during exceptionally busy periods, Darlington Borough Council would request that all extensions are discussed via telephone and then confirmed electronically once agreed. The text in the scheme document has been updated to reflect this. 2) Darlington Borough Council identifies 3 days is quite enough time. If the Authority receives two or more applications for permits including PAAs the applicant can request a 30% reduction.	Yes  No

Consultee - Northern Powergrid	Consultee Response	DBC Comment/Response	Amendment to scheme
<b>Question 1</b> Do you consider that the permit scheme is suited to the needs of the people, residents and road users of	Yes	N/A	No
<b>Question 2</b> Do you think that the permit scheme reflects the requirements of the requirements of the Statutory Guidance for Permit Schemes and the Statutory	Yes	N/A	No
<b>Question 3</b> 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 <a href="http://www.legislation.gov.uk/ukxi/2007/3372/contents/made">http://www.legislation.gov.uk/ukxi/2007/3372/contents/made</a> <a href="https://www.legislation.gov.uk/ukxi/2015/958/contents/made">https://www.legislation.gov.uk/ukxi/2015/958/contents/made</a>	Yes	N/A	No
<b>Question 4</b> Do you understand the conditions that can be applied in granting a permit?	Yes	N/A	No
<b>Question 5</b> Do you understand the penalties for not applying for a permit and are they clearly identified in the scheme document?	Yes	N/A	No
<b>Question 6</b> Do you understand the penalties for not complying with a permit condition and are they clearly identified in the scheme document?	Yes	N/A	No
<b>Question 7</b> Do you agree with the monitoring proposed and is it adequate?	Yes	N/A	No
<b>Question 8</b> Are there any other aspects of the scheme for which you require further clarification?	-	N/A	No
<b>Question 9</b> Do you have any suggestions for improving the scheme?	-	N/A	No
<b>Question 10</b> Do you have any other comments on the permit scheme?	9.8 Variations for Immediate Activities Bullet 2 states that promoters will telephone the permit authority to apply for a permit variation. This is incorrect, permit variations must be submitted electronically.	To avoid the risk that any variations may be missed during exceptionally busy periods, Darlington Borough Council would request that all extensions are discussed via telephone and then confirmed electronically once agreed. The text in the scheme document has been updated to reflect this.	Yes

Consultee - Northumbrian Water Group	Consultee Response	DBC Comment/Response	Amendment to scheme
<b>Question 1</b> Do you consider that the permit scheme is suited to the needs of the people, residents and road users of Darlington Borough Council?	Yes	N/A	No
<b>Question 2</b> 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?	Yes	N/A	No
<b>Question 3</b> 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 <a href="http://www.legislation.gov.uk/ukksi/2007/3372/contents/made">http://www.legislation.gov.uk/ukksi/2007/3372/contents/made</a> <a href="https://www.legislation.gov.uk/ukksi/2015/958/contents/made">https://www.legislation.gov.uk/ukksi/2015/958/contents/made</a>	Yes	N/A	No
<b>Question 4</b> Do you understand the conditions that can be applied in granting a permit?	Yes	N/A	No
<b>Question 5</b> Do you understand the penalties for not applying for a permit and are they clearly identified in the scheme document?	Yes	N/A	No
<b>Question 6</b> Do you understand the penalties for not complying with a permit condition and are they clearly identified in the scheme document?	Yes	N/A	No
<b>Question 7</b> Do you agree with the monitoring proposed and is it adequate?	Yes	N/A	No
<b>Question 8</b> Are there any other aspects of the scheme for which you require further clarification?	Please refer to Q.10		
<b>Question 9</b> Do you have any suggestions for improving the scheme?	N/A	N/A	No
<b>Question 10</b> Do you have any other comments on the permit scheme?	<p>1) Sec 3.4 and Sec 4.5 - Do we need non-chargeable permits for works in private streets? If so, are timescales the same as these 2 points appear to contradict each other</p> <p>2) Sec 9.5 and Sec 9.6 – Both of these lead us to believe we can put through extensions electronically if more than 20% duration is remaining. However, we have been informed if we do this, regardless of stating the requirements set in the permit scheme, they will be refused. Is this your stance and if so, should this be amended so not to mislead?</p> <p>3) Traffic Management – do lights need manual control at peak times on all traffic sensitive routes?</p> <p>4) Gritting Routes – There appears to be no mention of charges on gritting routes when the weather is mild. Is it the case that the reason for a street designation as TS due to it being a gritting route, then should it be charged at the non TS rate when the weather is mild?</p> <p>5) There are many references to the EToN specifications throughout the scheme. What will the implications if the introduction of Street Manager brings in procedures that are not aligned to the proposed Permit Scheme?</p> <p>6) We expect that the document will become a legal one, if this is the case, would also expect that the document be in line with other regulations. In the scheme there is a reference to FPNs being "issued", this is not in line with FPN Regulations whereby FPNs are "given". Not sure if this should be amended before rather than after and then having to re-issue?</p> <p>7) Just 2 very minor points - that if this becomes a legal document the use of apostrophe throughout, should read FPNs not FPN's. Also in the 4th paragraph of section 7.26, the word "it" is missing after "however".</p>	<p>1) A permit scheme can only be applied to roads that are maintained at public expense</p> <p>2) Variations can take place at any time after the permit has been issued and before or during the activity itself. However as stated in 9.6 where the criteria in 9.5 is not met the promoter shall contact the Authority to ascertain whether they are prepared to grant the variation, then apply electronically. If the promoter requests a variation electronically before the 20% or 2 day window without contacting the Authority first this does not constitute grounds for the Authority to refuse.</p> <p>3) There will be large percentage of locations which may require the lights to be operated manually, this should be discussed and agreed with the Authority.</p> <p>4) Darlington Borough Council has not designated a street as traffic sensitive solely on the basis it is gritted. The traffic sensitive designation therefore applies throughout the year as it is not determined by the gritting routes.</p> <p>5) Although Darlington Borough Council will still be technically using EToN when our permit scheme goes live we have agreed all references to EToN will be replaced with by electronic means.</p> <p>6) Noted, however, The Statutory Guidance for Highway Authority Permit Schemes Regulations 21 to 28 uses the term issue for FPNs. We are happy with the references made to FPNs as 'issued', 'given' and 'served' within the scheme.</p> <p>7) Agreed and updated.</p>	<p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>Yes</p> <p>No</p> <p>Yes</p>

Consultee - Department for Transport	Consultee Response	DBC Comment/Response	Amendment to scheme
	<p>1) Your document refers in 1.7 to scheme objectives - one being to treat all applicants in the same way. This is not an objective it is a regulatory requirement please see regulation 40 of the 2007 permit scheme regulations.</p> <p>2) Your scheme is planned to start 3 February. Possible start dates for Street Manager are January or April 2020. You might want to consider future proofing your document from the outset 'by electronic means' rather than EToN.</p> <p>3) You might also wish to double check your document to ensure it is future proofed now in relation to the updating of the Co-Ordination Code of Practice and likely changes to the March &amp; October 2015 Statutory Guidance etc in relation to possible outcome from the current consultation.</p>	<p>1) Agreed. This objective will be removed.</p> <p>2) Agree to amend. All references to Electronic Transfer of Notifications (EToN) in Darlington's Permit Scheme documentation shall be replaced with 'by electronic means'.</p> <p>3) Agree to amend. Sections revised as follows -</p> <p>1.1 Due regard has also been had to the Statutory Guidance for Highway Authority Permit Schemes (October 2015) and its successors, and the Statutory Guidance for Highway Authority Permit Schemes – Permit Scheme Conditions March 2015 and its successors.</p> <p>16.10 "Code of Practice for the Co-ordination of Street Works for Road Purposes and Related Matters and its successors"</p>	<p>Yes</p> <p>Yes</p> <p>Yes</p>
Other amendments to scheme	Section and reason for change		Amendment to scheme
	Section 1.9 - To mention possible future road work schemes such as Lane Rental	<p>Added to section 1.9 -</p> <p>The permit Scheme will provide clear evaluation of its effectiveness in order that it may at some point in the future be used to support other relevant road work schemes such as Lane Rental</p>	Yes
	Section 11.4 - To clarify that national conditions will be used	Section updated to include 'national'	Yes
	Section 2.3 paragraph 8 – The information on collaborative discounts is duplicated within this section.	<p>The following has been deleted due to duplication of information -</p> <p>Therefore, where two or more promoters demonstrate collaborative working reduced permit charges may be applicable. See Section 12.5 for fee discounts related to collaborative working.</p>	Yes
	S3.2 p3 – Diversionary works sends you to S12.5 to see discounts, but there is no mention of these discounts in S12.5	The reference to 12.5 should have been 12.6 therefore the following text in Section 3.2 has been updated - "Where the statutory undertaker has specified diversionary works in their permit application, the permit authority may use its discretion with regard to fees as stated in Section 12.6."	Yes
	S6.2 to clarify - 'unless other conditions have been met by pre-agreement with the Authority'	Darlington Borough Council will only use the national conditions, however, we have updated the text in this section of the document for clarification.	Yes
	<p>5.1 Permit Validity</p> <p>If the activity cannot commence on the proposed start date, or within the allowed starting window, a variation is required."</p> <p>Incorrect statement - it is only an early start or extension in these circumstances that will attract the requirement for a variation. If the validity period has passed a new Permit application is required.</p>	Section amended - If the activity cannot commence on the proposed start date, or within the allowed starting window, a new permit is required unless the start date is brought forward then a variation requesting an early start is required.	Yes
	Section 6.7 - Section amended for clarity.	The following has been added to section 6.7 - Activities lasting 3 days or less but which require a traffic regulation order, such as a temporary road closure, or are part of the promoters operating programme will be classified as Major Activities and will be subject to the application process for a Major Activity. (See Section 7 for application process). However, as per DfT Guidelines may be subject to reduced fees for Non-Traffic Sensitive Streets or in Non-Traffic Sensitive times.	Yes
	Section 6.8 - Amended to include works out of hours		Yes
	Section 7.17 - Changed must to may for providing details of planned techniques.		Yes
	Section 19.2 - Estimated go-live date revised to 2nd March 2020.		Yes

ETon Compliance review - Symology	Consultee Response/Section and reason for change		Amendment to scheme
	Section 2.3 - states the primary activity promoter needs to show the number of estimated inspection units. This is correct for trench sharing but not for other collaborative working.	The following has been deleted to ease confusion -  While the secondary activity promoter(s) will be required to make a permit application for the activity for which they are responsible, only the permit application made by the primary activity promoter will need to show the number of estimated inspection units.	Yes
	5.5. Activity Phases – This states a phase can only end once all plant materials and SLG have been removed from site. Is it worth adding "and the full extent of the occupied area of the street is returned to public use"?	Agree to amend as suggested.	Yes
	5.15 – Sliding Window on Cat 3/4 non-TS Streets – This is a very significant issue. The current wording in the document implies that the sliding window works on the basis of calendar days – that is not the case. It is true that Permit start and end dates apply on a calendar basis, i.e. including any weekends or other non-working days that may exist between the start and end dates (subject to any restrictions on non-working days that may be applied by conditions). However, the current wording here implies that durations are also measured in calendar days. By Regulation, the duration of the permit (as used in this sliding window calculation) is based on working days – see "The Street Works (Charges for Unreasonably Prolonged Occupation of the Highway) Regulations". This does have implications – for example a Minor works permit with 3 day duration due to start on a Wednesday and finish on a Friday, could start on the Thursday and would be extended to end to the Monday (thus having 5 calendar days duration). Your systems will automatically work accordingly.	Agree to amend. The following wording has been added to the section 5.15 - Unless otherwise stated all references to days refer to working days	Yes
	5.16 and 5.17 Works Clear and Works Closed - This refers specifically to Works Clear and Works Closed notices – within EToN, there are no such notices – there is a single Works Stop notice (as referred to in Section 2.3). Within EToN, the distinction between Interim and Permanent is only signified by the reinstatement details contained in the Registration notice. Street Manager currently does not contain notices, but operates on a similar basis to EToN in relation to recording completions and registering site details. I have suggested edits in the document to combine these sections into a single section based on the Works Stop notice. It would be possible to edit the document in other ways, e.g. you could retain the two sections and edit both of them, but they would largely be a duplication of one another.	Agree to amend. The wording referring to "Works Clear Notice" has been amended to "notice indicating works clear". The wording referring to "Works Closed Notice" has been amended to "notice indicating works closed".	Yes
	6.5 – "The application for a PAA should include a description of the proposed activity" – Description is a mandatory data field in all PAA/Permit applications in EToN (and in Street Manager); so it "must" be included, rather than "should"	Agree to amend as suggested.	Yes
	6.7 Minor Activities – The previous section on Standard Activities includes the exception that works involving a TRO will be classified as Major; should that not also be included in the section on Minor Activities?	The following has been added to section 6.7 - Activities lasting 3 days or less but which require a traffic regulation order, such as a temporary road closure, or are part of the promoters operating programme will be classified as Major Activities and will be subject to the application process for a Major Activity. (See Section 7 for application process). However, as per DfT Guidelines may be subject to reduced fees for Non-Traffic Sensitive Streets or in Non-Traffic Sensitive times.	Yes
	7.15 Timing and Duration – The wording in this section appears confusing and does not seem to be entirely consistent with earlier sections, e.g. it states "There is no automatic extension of the permit end date in these circumstances" without mentioning that this is only the case for activities on Cat 0/1/2 and TS streets	Section amended as suggested for clarity.	Yes
	7.22 Application and Response Times - All the timings for applications and responses (as with durations and sliding windows) are based on "working days". It needs to be clarified that the word "days" in the table refers to "working days".	Agree to amend. The following wording has been added to section 7.22 - In the above table, all reference to "days" must be interpreted as "working days".	Yes
	8.6 Right of Appeal - This appears to be referring to the Code of Practice for Permits, a document that was officially withdrawn by DfT in May 2016.	Agree to amend. The reference to the legislation has been removed.	Yes